

2022 SUPPLEMENTAL NOFO POLICIES

Indiana Balance of State CoC
UPDATED AUGUST SEPTEMBER 19, 2022
APPROVED 10.5.2022

CoC Board Conflict of Interest Policy

All board of director's member for the Indiana Continuum of Care (CoC) are required to protect the integrity of the CoC to the end that there will be no conflict between CoC business operations (funding) and board member self-interest.

It is the policy of the Board of Directors that officers, and directors shall have the continuing affirmative duty to appropriately report any personal ownership, interest, or other relationship that might affect their ability to exercise impartial, ethical and business judgments in the area of their responsibilities.

This policy shall be further subject to the following principles:

- 1) Officers and directors, of the CoC, shall conduct their responsibilities with respect to suppliers, customers and other persons doing, or seeking to do business with the CoC, in a completely impartial manner, without favor or preference, based upon any consideration other than the best interest of the CoC.
- 2) Officers and directors shall not seek or accept, directly or indirectly, any payments, fees, services, or loans from any business impacting the CoC. This does not, however, prohibit an officer or director from receiving compensation for services that such person may render, where services will not affect the impartial discharge of such person's duties or obligations to the organization.
- 3) Officers and directors shall not seek or accept for themselves, or any member of their families, from any person or business entity that does or seeks to do business with the CoC: any gifts, entertainment or other favors of a character that goes beyond common courtesies consistent with ethical and accepted business practices.
- 4) Directors who own, directly or indirectly, a significant financial interest in, or who manage or are employed by, any business entity that does or seeks to do business with the CoC, shall refrain from voting on any issue pertaining to that relationship.
- 5) Officers and directors shall not conduct business on behalf of the CoC with a relative or business entity with which they are associated, except where such dealings have been disclosed and specific approval and authorization have been given.
- 6) Directors and officers shall provide disclosure annually, or as changes arise, regarding their participating as a director, officer or employee of any other not-for-profit organization.
- 7) Directors and officers shall provide a disclosure statement annually, or as changes arise, regarding any potential conflict of interest. The Executive Committee of the board shall be responsible for oversight of all disclosures and/or failures to disclose and recommendation of appropriate actions to the Board of Directors.
- 8) Officers and directors who participate knowingly in activities that constitute a conflict of interest as described above, without proper reporting of the existence of such a conflict, may be subject to termination of their position on the board and/or any other sanctions which may be deemed appropriate.

Implementation of Policy

To implement the foregoing, the Board Chair of the CoC shall provide to each board of director annually a copy of the Conflict-of-Interest Policy and questionnaire as a means of disclosure of potential conflicts or to verify that the individual does not have any such connections or interests.

Regardless of provisions for an annual questionnaire, every employee and volunteer shall report any change in personal status that might be construed to be in conflict with the interests of the CoC. If the

Board Chair determines that any matter, situation, or connection so disclosed is contrary to the interest of the CoC, such conflict shall be eliminated within a reasonable time.

Supplemental NOFO Addendum

Members of the Supplemental NOFO Task Force or Lived Experience Task Force (whether board or non-board members), must also follow the Indiana BoS CoC Conflict of Interest policy as outlined above. In the instance where a conflict arises, the member should notify IHEDA staff member, who will document the conflict and support the continued implementation project review and selection process. The conflict information will be noted in the submission of projects for review by the CoC Board of Directors for their records.

Indiana Balance of State Supplemental NOFO Project Ranking Policy

Updated September 12, 2022

Purpose

In accordance with the Supplemental NOFO to Address Unsheltered and Rural Homelessness (Supplemental NOFO), the CoC will review and rank new projects submitted to HUD for funding in an order that reflects the CoC's needs and priorities.

The Indiana Balance of State is seeking to accomplish the following in the rating and ranking and of projects:

- Incentivize all providers to focus on outcomes and to seek to achieve the performance targets specified by the CoC and to improve the performance of the CoC system.
- Encourage providers to adopt evidence-based practices including Housing First to more effectively employ CoC resources.
- Select and prioritize projects that closely align with expectations outlined by HUD in the NOFO, especially those that utilize housing and healthcare partnerships to increase project capacity to serve individuals and families with severe service needs.

Policy

Ranking:

All projects will be ranked by the CoC. The primary factor controlling the ranking of projects will be the scores assigned to new projects. Scoring is based on grant management, serving people severe service needs, opportunity to provide resources to communities not previously served with CoC or ESG programs, and adherence to policy priorities. Except as specified below, projects will be ranked in the NOFO competition by the scores assigned the new projects.

In accordance with existing CoC policy, projects that are essential to the operation of the CoC will not be ranked by score. This includes planning grant funds, HMIS and Coordinated Entry projects. These are unique projects focused on CoC operations and that cannot be readily evaluated or compared to other CoC funded projects. If selected for inclusion in the ranking, these projects will be placed at the bottom of the ranking of new projects.

The Supplemental NOFO requires two project priority listings. Project applicants for unsheltered set-aside will be ranked together, and applicants for rural set-aside will be ranked together.

All other CoC projects will be ranked according to scores:

- New projects will be ranked according to scores given. Their maximum score is 100 points.
- If there is a tie score between projects, the following criteria will be used as a tie-breaker:
 - Projects that serve an area that does not currently receive CoC or ESG resources
 - Projects that utilize leverage as described in the NOFO to increase units and services capacity
 - Projects that result in the largest increase in units for the CoC

Applicants for Funding

Any eligible applicant for CoC funds can apply for new projects from the total funding available in the NOFO. Applicants must select either the “unsheltered” or “rural” set-aside. Eligible applicants include not-for-profit corporations and agencies of government. Nonprofit organizations must have supported documentation.

The CoC will rank projects for the available funding amounts listed under the unsheltered and rural set-aside notice for the Indiana BoS. If the funding requested for new projects exceeds the available funds, then the performance-based ranking will be reviewed and the projects that have the highest scores will be selected. In accordance with HUD policy, all projects will be notified if they are selected for ranking and will be included in the submission to HUD. Projects that are not ranked may choose to utilize the Appeals Policy outlined below to address their concerns.

New Application Scoring Criteria and Instructions:

The following is the list of sections that are completed by new project applicants. The project application was released August 12, 2022 and is due September 19, 2022. Applications are reviewed by non-conflicted individuals. Projects can appeal their score in accordance with the Appeals Policy.

New Project Scoring Criteria

*Will be copy/pasted into this section.

APPEALS POLICY AND PROCEDURES FOR THE INDIANA BALANCE OF STATE SUPPLEMENTAL NOFO APPLICATION PROCESS

Effective Date: June 25, 2017 (reviewed August 12, 2022)

Purpose

The purpose of the appeals procedure is to settle disagreements between an applicant and/or grantee and the Indiana Balance of State Continuum of Care (BOS CoC) quickly and fairly. Where the appeal arises because of a project applicant objecting to actions and/or decisions taken by the Supplemental NOFO Task Force or the full Indiana Balance of State Continuum of Care Board (CoC Board), the appeal process must proceed as expeditiously as possible to assure an equitable and efficient Supplemental Consolidated Application process. To reach this goal, the BOS CoC Board shall establish an Appeal Subcommittee to review, respond to and adjudicate appeals. The Board vests in this Subcommittee the authority to make all decisions concerning appeals and its decisions are final.

Policy

Criteria for an Appeal

An appeal may be filed by any agency applying for a new project that claims it has been adversely affected by:

1. Improper application or interpretation of HUD or CoC rules and regulations concerning participation of the appellant in the CoC Application process, or
2. Disparity in the application of HUD or CoC rules, regulations and procedures regarding the participation of the appellant in the CoC Application process.

Appeals may be made whenever a decision has been made that may have an adverse effect on an applicant. This includes the score received by a new project application or the ranking in the project priority lists for the rural or unsheltered rankings.

Procedures

Overview

The appeals process is a two-step process: First, IHCD, acting as the Collaborative Applicant for the Indiana Balance of State Continuum of Care, will conduct an informal review on behalf of the CoC Appeals Committee to settle technical and/or procedural matters expeditiously. The Collaborative Applicant's role is to prepare the Supplemental NOFO Application for the CoC Board. In this role, the Collaborative Applicant will resolve technical matters during the informal review process. If the informal review of the appeal does not satisfy the concerns of the appellant, the matter will advance to a formal appeal process conducted by the Indiana Balance of State Appeals Committee.

Informal Review

To be considered for an informal review, an applicant must submit an appeal in writing based on one of the two criteria listed above to [enter email address] with the phrase "Informal Review" in the subject line no later than five (5) business days after the event that caused the appeal. The events that can cause an appeal include any decision made by the CoC Board or relevant committee that will impact the score of renewal or new applications or the ranking of projects in the project priority list. The 5 business days for filing an appeal start on receipt of a scoring or ranking decision from the CoC.

The Collaborative Applicant will respond within five (5) business days of receipt of the appeal request.

Formal Appeals Procedure

If the informal review fails to resolve the matter, the applicant/grantee may then pursue a formal Appeal with the IN-BOS Appeals Committee. The following steps must be followed in the order given. An applicant organization may not omit a step.

Step 1

In order to be considered, an appeal must be filed in writing with the IN-BOS CoC within five (5) business days of the response to the informal review and submitted to [enter email] with the term "Appeal" in the subject line. The appeal must be based on one of the two criteria for an appeal and include facts that support the appeal.

The IN-BOS Appeals Committee has five (5) business days from receipt of the appeal to investigate, contact the applicant/grantee if necessary and respond in writing.

Step 2

If the applicant organization is not satisfied with the determination of the IN-BOS Appeals Committee, the applicant organization can appeal directly to HUD pursuant to the current NOFO for the Supplemental NOFO Competition.