

GEORGIA BALANCE OF STATE CONTINUUM OF CARE

Membership and Rule Committee May 15, 2023

Code of Conduct Policy

It is the intent of the Georgia Balance of State Continuum of Care to uphold the highest ethical standards by complying with all applicable legal requirements relating to conflicts of interest and by avoiding any situation which might create the appearance of a conflict of interest. Accordingly, the Membership and Rules Committee hereby adopts the following Code of Conduct Policy.

Code of Conduct

Board Members and committees of the Georgia Balance of State Continuum of Care (BoS CoC) are entrusted with specific responsibilities related to the use of public funds to address a serious community concern, homelessness, and are expected to observe the highest standards of ethical conduct in the execution of these responsibilities.

In the performance of their duties, Board Members and committees are expected to carry out the mandate of the BoS CoC to the best of their ability and to maintain the highest standards of integrity in interactions with other Board or Committee Members, BoS CoC representatives, BoS CoC membership, service recipients, service providers, and members of the public.

General Conduct

Board Members are expected to conduct themselves with courtesy and respect, and the utmost civility and decorum.

Board Members must make all decisions based on the best interest of the BoS CoC. Personal relationships of Board Members should not result in special considerations, including bias, nepotism or favoritism or otherwise influence decisions or the performance of official duties in a manner contrary to the interest of the BoS CoC.

Board Members are expected to exercise adequate control and supervision over matters for which they are individually responsible.

Attendance

Board Members are strongly encouraged to attend all regular and special meetings of the BoS CoC Board. A Board Member who has been duly notified of BoS CoC Board meetings and misses three or more consecutive meetings or a majority of the regular meetings held in any calendar year without discussing the reason for the absence with the Board Chair will be presumed to have resigned. The Chair shall contact the Board Member in writing to request a written response from the Board Member regarding his or her ability to continue active participation in the BoS CoC. If a written response acceptable to the Chair is not received within

thirty (30) calendar days of the date on the written notification, then the Chair shall ask that a new representative be designated.

To remain in good standing, Continuum Members of general membership are expected to attend not less than one meeting per year. For Continuum Members who serve as a member of the Board, Committee or Subcommittee, attendance at those governance meetings constitutes annual participation expectations for membership purposes. Continuum Members must also adhere to the code of conduct requirements (Code of Conduct Policy, Conflict of Interest Policy, rules of order, etc.) established by the Membership and Rules Committee. Among other requirements established by the Membership and Rules Committee, no Continuum Member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefit to the organization that the member represents. Otherwise, Continuum Members may be subject to sanctions by the Membership and Rules Committee that may include loss of voting privilege, termination of committee or subcommittee assignments, or other actions consistent with policy established and interpreted by the Committee, including membership termination, which is anticipated only in the most egregious cases.

Review of Charges of Violation of the Code of Conduct

When the Chair of the Membership and Rules Committee receives an allegation of a Board Member, Committee Member, or Continuum Member's misconduct, the Membership and Rules Committee, led by the Chair, will review and investigate the allegation as needed to gather more information and make a written determination on the validity of the allegation within thirty (30) calendar days of the Chair receiving the allegation. If the allegation of misconduct involves the Chair of the Membership and Rules Committee, then the BoS CoC Board Chair will lead the Membership and Rules Committee in the investigation and review of the allegation, during which time the Chair of the Membership and Rules Committee will be recused, and the Board Chair will assume his or her duties. If the allegation of misconduct involves a member of the Membership and Rules Committee, then that member will recuse himself or herself during the investigation. If the Committee determines that more than 30 days are required for the investigation, they will provide notification to parties involved if an extension is required.

The Chair may suspend the participation and voting rights of the member being investigated until the Membership and Rules Committee issues a determination on the validity of the allegation. If the allegation involves the Chair of the Board, the Vice Chair of the Board may assume all duties of the role.

If an allegation of misconduct is substantiated, the involved party may appeal the decision in writing within ten (10) calendar days of the date of the determination letter to the BoS CoC Board Chair. The appeal must include the reasons why the party believes the misconduct should not have been substantiated. The Board Chair will make a final decision to uphold or overturn the Committee's decision within ten (10) calendar days. If the misconduct involved the Board Chair, or if the Board Chair served as Chair of the Membership and Rules Committee's investigation, then the Vice Chair of the BoS CoC Board will receive the appeal and make the final decision to uphold or overturn the Committee's decision.

If requested by a majority of the BoS CoC Board, the Membership and Rules Committee may also give guidance to the BoS CoC concerning other aspects of conduct, including actions of

staff, consultants or other persons charged with implementation of duties relative to the responsibilities of the BoS CoC.

Ability to Conduct Business with Government Funds – Debarment or Suspension by Public Funding Sources

At the time of nomination and throughout their tenure on the BoS CoC Board, Board Members must be eligible to transact business with government entities and must not be individuals or members of agencies that are barred or suspended from transacting business with federal, state or local government.

Whistleblower Policy

Reprisal or retaliatory action is prohibited against an individual who, in good faith, reported a suspected act of misconduct in accordance with federal or state whistleblower protection laws, including but not limited to 41 U.S.C. 4712. Any such reprisal or retaliatory action is prohibited and will be considered an act of misconduct subject to appropriate disciplinary action.

Membership Vacancies

BoS CoC Board membership ends when:

- a. A Board Member resigns or is unable to serve for justified reasons; or
- b. A Board Member is deemed inactive, or unable to serve, as determined through the process defined on pages 1-2; or
- b. A Board Member is deemed inactive by the BoS CoC Board upon other relevant facts that have been presented; or
- c. A Board Member is replaced by the sponsoring/representative agency, organization, committee, or by the general membership of the BoS CoC; or
- d. A Board Member is terminated by a majority of the BoS CoC Board for just cause, which shall include but is not limited to:
 - i. Charged with a crime that would subject the member to debarment, suspension, disqualification, or other exclusion from participating in a federally funded transaction pursuant to federal law or from transacting business with state or local government; or
 - ii. Unprofessional behavior or acts of moral turpitude; or
 - iii. Just cause as defined by the majority of the BoS CoC Board.

The removal of an individual listed on the membership roster (as the participating representative of a member agency) does not terminate the sponsoring/representative agency or organization’s representation on the BoS CoC. The representative member agency is responsible for notifying the Collaborative Applicant of a change in the participating representative. Until the representative member agency notifies the Collaborative Applicant of the change in the participating representative, the representative member agency will not be included in the number of BoS CoC members required for the majority vote.

The Code of Conduct Policy will be updated and approved by the Membership and Rules Committee no less than every two years.