

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

BYLAWS

ARTICLE 1 – DEFINITIONS

- A. “Council” means the GOVERNOR’S INTERAGENCY COUNCIL ON HOMELESSNESS.
- B. “Division” means the Division of Public and Behavioral Health.
- C. “Department” means the Department of Health and Human Services.
- D. “Director” means the Director of the Department of Health and Human Services, who shall coordinate with the respective directors of other departments.
- E. “Plan” means the Interagency Council on Homelessness State plan.
- F. “Homeless” as defined by HUD in the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (P.L. 111-22, Section 1003) includes:
- An individual who lacks a fixed, regular, and adequate nighttime residence;
 - An individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
 - An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
 - An individual or family who will imminently lose their housing [as evidenced by a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days, having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days, or credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause]; has no subsequent residence identified; and lacks the resources or support networks needed to obtain other permanent housing; and
 - Unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who have experienced a long-term period without living independently in permanent housing, have experienced persistent instability as measured by frequent moves over such period, and can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.
- G. “Cooperative Agreements to Benefit Homeless Individuals-States (CABHI-States)” means the Substance Abuse and Mental Health Services Administration program to enhance or develop the infrastructure of states and their treatment service systems to increase capacity to provide accessible, effective, comprehensive, coordinated/integrated, and evidence-based treatment services; permanent housing; peer supports; and other critical services for the following: veterans who experience homelessness or chronic homelessness, and other individuals (non-veterans) who experience chronic homelessness.

Commented [ba1]: This was updated with Federal Policy Brief January 18, 2012. Does the ICH want to update in line with this? See update suggestion options at end of document.

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

**ARTICLE II - PURPOSE AND
ROLE**

- A. The Interagency Council on Homelessness was established via Executive Order 2013-20 to coordinate and focus the State's efforts to effectively address the challenge of homelessness in the State of Nevada. Per the Executive Order, the Council will provide the opportunity for an integrated approach regarding the issue of homelessness and promote interagency cooperation. The Council will work to increase the awareness of homeless issues among state and local government agencies and local organizations that provide services to people who are homeless.
- B. The name of this council shall be the Interagency Council on Homelessness (ICH referred to throughout as the Council).
- C. The Council is charged with working with the United States Interagency Council on Homelessness and with local governments to develop a ten-year plan to address chronic homelessness.

Commented [ba2]: Is the word develop comprehensive enough to capture the activity being completed, i.e. the workgroups and plan updating? Should we add develop and update as necessary? Develop and monitor?

ARTICLE III – DUTIES

- A. The purpose of this Council ~~is to~~will be lead Nevada's efforts to prevent and end homelessness and:
 - 1. To maximize resources through coordination, collaboration, cooperation and communication between the public and private sectors.
 - 2. To make recommendations to the appropriate agencies with respect to policy or procedural ~~processes~~ issues that would ~~assist in the prevention~~ and of and promote the end of homelessness.
 - 3. To provide a central point of contact for (i) ~~reporting and logging~~ hearing venues for issues related to homelessness in the State, and, (ii) public and private agencies to collaborate and address these issues ~~regarding this issue~~.
- B. The Council shall:
 - 1. At the end of every fiscal year (July 1 through June 30), The Council shall present the Governor with an Annual Report of its work.
 - 2. Be responsible for supporting and coordinating activities, plans, etc. with appropriate State and Federal initiatives and grants ~~(e.g., CABHI grants)~~ and related Agencies and Councils.

ARTICLE IV - MEMBERSHIP and TERMS

- A. The Council shall consist of not more than 20 members.
- B. The Council shall include the following members who shall be appointed by the Governor¹.
 - 1. Representative from private businesses
 - 2. Representatives from state agencies, including:
 - A representative from the state Medicaid office
 - A representative from the Division of Public and Behavioral Health
 - A representative from criminal justice
 - A representative from a veterans affiliated agency or organization
 - 3. Representative from the state SSI/SSDI Outreach Access and Recovery program
 - 4. Representative of the community-based CABHI-States grant
 - 5. At least one individual who is homeless, or experienced homelessness
 - 6. The SAMHSA government project officer
 - 7. Representatives from the Continuums of Care
 - 8. Representatives from nonprofit organizations that provide services to homeless people
 - 9. Representatives from public housing

¹ Membership is a compilation from the CABHI-States RFA and the Governor's Executive Order.

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

10. Any others with an interest in addressing homelessness
- C. The Council shall be headed by two chairpersons ~~to be~~ appointed by the Governor including a CABHI-States DPBH representative from the Division.
 - D. ~~Upon adoption and seating of the council, seven of the members appointed by the Governor will serve terms of three years and may be reappointed to serve additional terms. Seven of the members appointed by the Governor will serve an initial term of two years; and any additional members appointed by the Governor will serve an initial term of one year. After the initial terms, a~~ term for those appointed by the Governor shall consist of two years, with a limit of three consecutive terms. Reappointment is at the discretion of the Governor.
 - E. If a Council member cannot serve their term, they must provide 30 day written notification to the Council.
 - F. Upon the occurrence of any vacancy, the Council shall make recommendations to the Governor to appoint a new member. When a member is appointed to fill an unfinished term, that member shall complete the unfinished term and be eligible for two additional terms.
 - G. The Council will meet at least quarterly, a minimum of four times per year.
 - H. The chair may assign working groups composed of subject matter experts to facilitate the duties of the Council.
 - I. Members of the Council shall receive no compensation for their service on the Council. Approved travel reimbursement may be provided at standard State rates.
 - J. Every department, division, agency or public authority of this State shall cooperate with the Council and furnish such information and assistance as the Council determines is reasonably necessary to accomplish its purpose.
 - K. The Nevada Department of Health and Human Services shall provide administrative support to the Council within the limit of available resources.
 - L. The Council may pursue funding opportunities such as grants, gifts and donations to support its work.

Commented [ba3]: This is no longer applicable

ARTICLE V – OFFICERS

- A. The Chair shall preside at all meetings and generally supervise the affairs of the Council, or designate a representative to do so.
- B. Upon appointment by the Governor, a Co-Chair shall assist and assume the duties of the Chair in case of his absence.

ARTICLE VI - MEETING PROCEDURES and PROTOCOL

- A. The Council shall meet at the call of the Governor, the Chair or a majority of its members as necessary, within the budgetary constraints of the Council, but not to exceed ten meetings per year; and
- B. Adopt rules for its own management and government.
- C. A majority of the members of the Council constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Council.
- D. All proceedings and actions shall be conducted in accordance with the Nevada Open Meeting Law (NRS 241.010 – 241.040 inclusive)
- E. Council members shall, to the extent practicable, inform administrative support staff at least twenty-four (24) hours in advance of an anticipated excused absence. Council members must participate in at least 75 percent of meetings. Any absence without sufficient or overriding reason will be considered unexcused absences and may constitute grounds for the Council recommending the member’s removal from the Council to the Governor. At each regularly scheduled meeting, absences will be noted and indications of excused or unexcused will be noted. The Chair will determine if the absences are excused or unexcused at the time of the next scheduled meeting. An excused absence includes, but is not limited to, an unexpected

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

occurrence or emergency with health, family, or employment that would prevent the member from attending the meeting. An unexcused absence includes, but is not limited to, lack of communication (no contact) with the Chair, Co-Chair, or Administrative Assistant. When a member has not participated in at least 75 percent of meetings within any twelve month period, the Chair will send a notification letter to the member that the Council intends to take action at the next scheduled meeting. At that meeting, the member will have an opportunity to refute the action or the Council will proceed with the removal process. The removal process shall be a simple majority vote to recommend the removal to the Governor for action.

- F. In the event that a tele/videoconference is scheduled to accommodate Council members or the public, the following procedures will be observed:
1. Speakers will identify themselves to the Chair for the benefit of remote participants;
 2. The Chair will restate the names of members who make and second motions requiring action;
 3. All members will facilitate the process by observing the following:
 - 4-a. Refraining from informal speech or conversation that is not intended for public consumption;
 - 5-b. Proactive inclusion of members from remote sites; and
 - 6-c. Attentiveness to speakers from remote sites.
- G. These operating procedures may be altered, amended, or repealed by a majority of the Council members at any of its regularly scheduled meeting. The Council will review these operating procedures on an annual basis.

ARTICLE VII – SUBCOMMITTEES/ WORK GROUPS

- A. The Chair of the Council may appoint groups composed of members of the Council, former members of the Council and members of the public who have relevant experience or knowledge.
- B. Subcommittees/ Work groups may be formed for the purpose of considering specific problems or matters related to and within the scope of activities of the Council.
- C. Subcommittees/ Work groups may not take action to modify the terms of a grant agreement between the Department and a service provider.
- D. Subcommittees/ Work groups are subject to the open meeting law.
- E. All recommendations approved by subcommittees/ work groups will be forwarded to the Council for further action.

ARTICLE VIII – EXPENSES

- A. All members of the Council will serve without compensation, while engaged in the business of the Council.
- B. While engaged in the business of the Council, members of the Council may be entitled to receive a per diem allowance and travel expenses provided for state officers and employees should funds be available.
- C. A member of the Council who is an officer or employee of this State or a political subdivision of this State must be relieved from his duties without loss of his regular compensation so he may prepare for and attend meetings of the Council and perform any work necessary to carry out the duties of the Council in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Council to:
1. Make up the time he is absent from work to carry out his duties as a member of the Council;
 - or
 2. Take annual leave or compensatory time for the absence.

ARTICLE IX - CONFLICT OF INTEREST

- A. The Department will survey its council members annually to collect information regarding

Formatted

Commented [ba4]: Ellen to update to clarify who subcommittee chair and members are appointed/approved.

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

their affiliations outside the Department. Each member is responsible for fully disclosing all current affiliations.

- B. Conflicts of interest must be declared by members prior to discussion of any matter that would provide direct financial benefit for that member, or otherwise have the appearance of a conflict of interest. When funding or other decisions are made regarding an organization with which the member has an affiliation, the member shall state his intention to abstain from making specific motions or casting a vote, before participating in related discussions. The Chair or a majority of the Council may also declare a conflict of interest exists for a member, and ask that the member be removed from the voting process.

ADOPTED AND APPROVED this _____ day of _____.

Ellen Richardson-Adams
Chair, Interagency Council
on Homelessness

Council Members:

APPROVED:

Brian Sandoval

Governor, State of Nevada

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

Option 1 for new Article I F.:

“Homeless” as defined in Title 42 Chapter 119 § 11302- General Definition of homeless individual. (<http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section11302&num=0&edition=prelim>)

- An individual or family who lacks a fixed, regular, and adequate nighttime residence;
- An individual or family with -who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
- An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
- An individual or family who-
 - will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, - as evidenced by:
 - a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days,
 - the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or
 - credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;
 - -has no subsequent residence identified; and
 - lacks the resources or support networks needed to obtain other permanent housing; and
- Unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who-
 - have experienced a long-term period without living independently in permanent housing,
 - have experienced persistent instability as measured by frequent moves over such period, and
 - can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.
- The Secretary shall consider to be homeless any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the

Formatted: Indent: First line: 0"

Formatted

Formatted

Formatted

Formatted

Formatted: Not Expanded by / Condensed by

**STATE OF NEVADA
INTERAGENCY COUNCIL ON HOMELESSNESS**

[resources or support networks to obtain other permanent housing.](#)

[Option1 for new Article I F.:](#)

[“Homeless” as defined in the current Title 42 Chapter 119 § 11302- General Definition of homeless](#)