

Montana Commission on Community Service and the Governor's Office of Community Service

APPEALS PROCESS

DEFINITIONS

Montana Commission on Community Service is henceforth referred to as MTCCS
Montana Governor's Office of Community Service is henceforth referred to as MTOCS

POLICY

The MTCCS offers an appeal process for AmeriCorps grant applicants whose request for funding has been denied or reduced. This process offers dissatisfied grant applicants an avenue to appeal an award decision and assures that the Commission review process and subsequent grant award decisions are accurate, fair, and reasonable.

Such a process encourages confidence in the MTCCS grant process. The MTCCS strives to assure that all grant awards fully reflect sound judgment and compliance with all RFP terms and conditions and all appropriate AmeriCorps federal, state and Commission regulations.

Therefore, grant applicants may appeal an award decision based on substantive issues of fact concerning, bias, discrimination or conflicts of interest, and/or non-compliance with procedures described in the RFP document, such as significant computational errors or contextual omissions.

If a grant applicant has substantive objections to the results of the review process and wishes to appeal the decision made by the MTCCS, the applicant may request reconsideration.

A request for reconsideration must be made by the applicant in writing within 14 business days of the date of the notice of the MTCCS funding decision via a letter of appeal submitted to the Executive Director of the MTCCS.

The letter must:

(1) Describe the factor(s) or fact(s) concerning bias, discrimination, conflict of interest or noncompliance that cause the applicant to conclude that the proposal should have been approved.

(2) Outline the specific area(s) in the proposal that applicant believes significantly addresses the RFP requirements.

(3) Identify specific information in the proposal that the applicant believes the MTCCS overlooked or misinterpreted.

The MTOCS Executive Director and/or other designated staff will review the appeal request within five (5) business days of its receipt to ensure that it is in compliance with this policy and merits further review by the MTCCS.

If the Executive Director or designee determines the appeal letter substantiates material issues concerning bias, discrimination, conflict of interest or non-compliance with procedures set forth in the RFP, the Executive Director and the MTCCS Chair will re-review the proposal and submit the request to the MTCCS for a vote.

Applicants will be notified in writing within three business days of final funding decisions.

If the applicant does not believe the issue is resolved the applicant has the right to request, within 14 days after the date of MTCCS final written decision, a contested case hearing pursuant to the Montana Administrative Procedure Act.

The Corporation for National and Community Service (CNCS) has final approval rights for all grant proposals.

REFERENCES AND PRECEDENCE

A. References

[45 C.F.R. Chapter XXV Part 2521](#)

[45 C.F.R. Chapter XXV Part 2522](#)

[18-4-242 Montana Code Annotated](#)

B. Precedence

Should there be any inconsistency between the United States and Montana Codes, Indiana Executive orders, U.S. and Montana Administrative Codes, and this internal policy the order of precedence that will prevail is (1) United State and Montana Codes; (2) 45 C.F.R., Chapter XXV; (3) this internal policy.

INTERPRETATION

The MTOCS executive director shall have the sole authority to interpret the provisions set forth in this policy.

This internal policy goes into effect March 1, 2010