

APPEALS PROCESS

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

POLICY

The Montana Commission on Community Service (Commission) 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 insures the Commission grant award decisions are accurate, fair, and reasonable.

The purpose of this appeals process is to encourage confidence in the Montana Commission on Community Service grant process. The Montana Commission on Community Service strives to assure all grant awards fully reflect sound judgment and compliance with all Request for Proposal (RFP) criteria and conditions and appropriate federal, state, and Commission regulations.

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 Montana Commission on Community Service, the applicant may request reconsideration.

Within **14 business days** of the date of the notice of funding decision from the Montana Commission on Community Service, all appeals should be submitted via letter to the Executive Director of the Governor's Office of Community Service.

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 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 the applicant believes the Montana Commission on Community Service overlooked or misinterpreted.

The Governor's Office of Community Service Executive Director and/or other designated staff will review the appeal request within five (5) business days of its receipt to ensure it is in compliance with this policy and merits further review by the Montana Commission on Community Service.

If the Executive Director and/or designee determine 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 Montana Commission on Community Service Chair will re-review the proposal and submit the request to the Commission 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 MONTANA COMMISSION ON COMMUNITY SERVICE 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, Montana 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 Governor's Office of Community Service Executive Director shall have the sole authority to interpret the provisions set forth in this policy.

Effective March 1, 2010