
APPEALS AND GRIEVANCE POLICY AND PROCEDURES

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Table of Contents

Purpose1

Definitions1

Eligibility to File a Complaint.....1

What CoC Actions May Be the Subject of a Complaint2

Filing An Appeal2

Filing A Grievance.....3

The Appeals and Grievance Committee3

Purpose

The purpose of this policy and procedures is to provide a clear, consistent, and equitable process for the resolution of applicant agency appeals and grievances of decisions made by the Lead Agency or any of its committees. The policy and procedure defines:

- Who is eligible to file a complaint;
- What can be the subject of a complaint;
- How a complaint is initiated;
- The process for adjudicating a complaint.

Definitions

Appeal	An appeal is a request to reevaluate a funding, ranking, or reallocation decision made by a CoC committee. An appeal must be based on facts or data that the Committee did not know about or did not take into account when it made the original decision.
Grievance	A grievance is a complaint which alleges that there is something unfair within the grant application review process or the reallocation process. Grievances would include complaints that a staff member or committee member was not impartial or a complaint that the process was unfair in some way.
Threshold Requirements	Threshold requirements are minimum eligibility criteria which an applicant and project must meet to apply for a grant. These are stated in the grant request for applications or similar solicitation document. Threshold requirements are set by the grantor and are non-negotiable.

Eligibility to File a Complaint

Appeal Eligibility

- A. Any reallocation decision is subject to appeal by the project agency.
- B. Grant decisions made by the CoC may only be appealed by an agency that submitted an application meeting all solicitation requirements including application submission due date and time.

Grievance Eligibility

- A. A grievance of the reallocation process may only be filed by an agency whose project was reallocated in part or completely through involuntary reallocation.
- B. A grievance of the grant decision process may be filed by an agency that submitted an application by the due date and time which met all requirements in the solicitation. An agency that did not submit an application because they did not meet threshold requirements may

submit a grievance if they have evidence that the threshold requirement was not applied to all project applications.

Grievances from applicants that did not meet threshold requirements will not be considered.

What CoC Actions May Be the Subject of a Complaint

Appeals

Appeals may be filed by an applicant agency based on:

- A. A project not being selected as part of an application; or
- B. A dispute over the amount of funding designated for a project; or
- C. The reallocation of project funds.

Grievances

A grievance may be filed by an eligible agency that believes the grant application process or reallocation process is unfair or was not followed.

What Cannot Be the Basis of a Complaint

A complaint cannot be based upon the judgment of the Review and Rank Committee alone. Omissions to the application cannot be appealed or grieved.

Filing an Appeal

Eligible agencies may file an appeal based on:

- A. Project was not selected as part of a grant application or;
- B. Dispute over the amount of funding designated for a project or;
- C. Project funds were involuntarily reallocated in part or completely.

Appeals must be submitted via email to the Lead Agency Executive Director. The Executive Director will provide all appeals to the Appeals and Grievances Committee. Appeals must include a written statement specifying in detail the grounds asserted for the appeal and must be signed by an individual authorized to represent the applicant agency (i.e., Executive Director).

Appeals are limited to one single spaced page in 12-point font. No attachments may be submitted.

Appeals must be received by close of business within 3 business days of communication of the disputed CoC decision. Submission must be received electronically or hand delivered.

The Appeals and Grievance Committee will meet within 2 days of the receipt of a valid appeal to deliberate. The committee will review the decision made by the Review and Rank Committee only on the basis of the submitted project application, the one-page appeal, and the material used by the Review and Rank Committee. No new information can be submitted by the applicant or reviewed by the Appeals and Grievance Committee.

The decision of the Appeals and Grievance Committee must be supported by a simple majority vote. The appealing agency will receive, in writing, the decision of the Appeals and Grievance Committee and the

reasons for it within two (2) business days of the Committee Meeting. The decision of the Appeals and Grievance Committee will be final.

Filing A Grievance

Eligible agencies may file a grievance based on:

- A. The grant selection, scoring, or ranking process or;
- B. The reallocation process or;
- C. An individual involved in either process.

Grievances must be submitted via email to the Lead Agency Executive Director. The Executive Director will provide all grievances to the Appeals and Grievances Committee.

The written grievance must state the reason for the grievance and should include the remedy that is being sought. The grievance is limited to two single spaced pages in 12-point font. It may have attachments which clarify or support the grievance.

If the grievance is related to a Review and Ranking Committee decision about ranking or funding the grievance must be submitted within 5 working days of receiving the Review Committee decision. All other grievances may be filed at any time.

Upon the receipt of a valid grievance the Appeals and Grievance Committee will meet to begin the process of fact finding, deliberating, and resolving the grievance in a timely manner.

If the grievance involves CoC funding the Appeals and Grievance Committee will meet in time to have its findings made available to the committees involved in that process before the final funding decisions are made.

The Agency filing the grievance will be scheduled to present its grievance at an Appeals and Grievance Committee meeting. This presentation must focus on the substance of the grievance and present facts (not suppositions) which support the grievance and the outcome that is being sought. This presentation should be no more than 20 minutes long.

The Appeals and Grievance Committee may recommend a process change, the removal of a committee member, or disciplinary action for a staff member. The Appeals and Grievance Committee will not change a Review Committee's decisions regarding funding or ranking of CoC projects. Agencies desiring consideration of funding or ranking decisions must file an appeal in addition to the grievance.

The Appeals and Grievance Committee

The Appeals and Grievance Committee will be made up of three voting members. An alternate Appeals and Grievance Committee Member will be on standby in case there is a last-minute absence from one of the regularly chosen committee members. The three voting members will be selected from Governing Board membership but must not have a conflict of interest with any of the agencies applying for CoC funding and must be willing to sign a conflict of interest statement.

When deliberating an appeal, a member of the original Ranking Panel will be present as a non-voting member to answer questions about the panel's proceedings.

When deliberating a grievance, the Lead Agency Executive Director may be present to answer questions on the process which is the subject of the grievance. If a grievance alleges a committee member was

not impartial or improperly acted, that individual must be given an opportunity to address the allegations before the committee.