



Appeals Regulations

13 AAC 95.350 Appeals procedures

- (a) An applicant or grantee may appeal the following decisions under this section:
- (1) a final decision regarding funding under 13 AAC [95.070\(d\)](#) ;
 - (2) a decision to withhold a payment under 13 AAC [95.230\(c\)](#) ;
 - (3) a decision of the council to require a refund of grant money under 13 AAC [95.260](#);
- and
- (4) a decision to suspend or terminate a grant under 13 AAC [95.330](#).
- (b) An applicant or grantee who wishes to appeal a decision must submit, within 15 days after receipt of notification of the decision, a written request for a hearing. The request must contain the reasons for the request and must cite the law, regulation, or council policy or procedure upon which the request is based.
- (c) An appeal will be heard by the appeals committee.
- (d) The appeals committee will be composed of the chair and two other council members chosen by council members at a meeting before the council's funding meeting.
- (e) The appeals committee will review the request for a hearing, and, within 15 days after receipt of the request, will advise the appellant of acceptance or rejection of the request for hearing and, if the request is rejected, the reason for the rejection.
- (f) If the request for a hearing is accepted, the appeals committee will request the governor to appoint a hearing officer and will schedule a hearing for the earliest practicable time, but not later than 20 days after the acceptance. The committee will, in the committee's discretion, arrange for the hearing to be held by teleconference network.
- (g) The hearing officer shall submit a transcript of the hearing, any written testimony, and a written recommendation, to the appeals committee, which will make the final decision on the appeal.

History: Eff. 6/25/88, Register 106

Authority: [AS 18.66.050](#)

13 AAC 95.070 Review of application; final decision

- (a) Within 90 days after the application submission deadline, the council will review the application. The council will, in its discretion, require the applicant to provide an explanation of information submitted in the application.



- (b) The final decision under (d) of this section will be to
- (1) approve the grant application for the amount requested;
 - (2) approve the grant application for an amount different from the amount requested;
- or
- (3) disapprove the grant application.

(c) If the council's final decision is to approve the grant application, the council will, in its discretion, negotiate with the applicant regarding necessary revisions in the applicant's proposed budget or proposed services and activities. A final decision is conditional upon completion of negotiations in accordance with this subsection.

(d) The council will make the final decision with respect to a grant application no later than 15 days after the final state budget bill takes effect for the state fiscal year for which the grant application is made.

History: Eff. 6/25/88, Register 106

Authority: AS 18.66.050

Appeals addressed in Council By-laws

ARTICLE IX: FINANCIAL ADMINISTRATION

Sec. 2 Appeals

As stated in the Council regulations, 13 AAC 95.350 APPEALS PROCEDURES, an applicant may appeal certain Council decisions to the Chair who will advise the appellant of the acceptance or rejection of the appeal. In the case of decisions in which the Chair voted to break a tie, the chair shall request a Council member who represents the minority to review the request for an appeal and make a recommendation to the Chair.

Further Instruction

Address the appeal to the Chair, Michelle Dewitt

Mail the appeal to:

Michelle Dewitt, Chair

c/o CDVSA

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