

FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION EMERGENCY FOOD AND SHELTER PROGRAM

LOCAL BOARD OF MERCED COUNTY

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Harvest Time

Pastor Bill Ruth
Casa De La Dignidad

FUNDING DECISION APPEAL PROCESS

The appeals process outlined below is a statement to eligible organizations and the citizens of Merced County that the Local Board of the Emergency Food and Shelter Program (EFSP) is committed to fairness and openness in the EFSP funding process. The Emergency Food and Shelter National Board Program does not mandate any particular appeals process, but has determined that it is the responsibility of the Local Board to establish an appeals process that is available and timely.

Except for the amount of the EFSP allocation available to Merced County and cost eligibility, the Local Board is the primary decision-maker in the EFSP review process. If the Local Board determines they are unable to make a fair and unbiased recommendation regarding any appeal, they will ask another board, committee or commission to assist them.

All applicants for EFSP funding will be notified in writing of the appeals process at the time of their presentation.

PROCESS

1. Agencies must notify the Local Board Chair of their request for appeal in writing within 10 days of their notification of the EFSP funding recommendation.
2. To be considered a valid basis for appeal, the organization's reasons must fall within one or more of the following criteria:
 - a. New data or information relevant to the request which was not available when the original proposal was presented to the Local Board; or
 - b. Misunderstanding or factual error in the Local Board's evaluation or interpretation of the agency request for EFSP funding; or
 - c.
 - d. c. Other legal issues or concerns such as bias on the part of the Local EFSP Board; fraud or misuse of EFSP funds by other funded organizations, etc.

FUNDING DECISION APPEAL PROCESS

The EFSP appeals process should not be considered if the organization wishes to restate or reemphasize points already made in the original proposal.

3. The written request for appeal must contain the following information, or the appeal cannot be considered:
 - a. The original request made by the agency of the EFSP Local Board (Program name, brief description of the program, amount requested, and any special conditions); and
 - b. The reason(s) for the appeal; and
 - c. Supporting documentation for the appeal (new information, point by point rationale for other categories); and
 - d. Signatures of both the Chief Professional Officer and Chief Volunteer Officer (if there is a volunteer board) of the agency making the appeal.
4. The Chair of the Local Board will review the written appeal and determine if the appeal meets the criteria above.
 - a. If the Chair of the Local Board determines the appeal meets the required criteria, he or she will schedule an appeal hearing within 30 days of receipt of the written request from the agency.
 - b. If the appeal does not meet the required criteria, the Chair of the Local Board will so notify the submitting agency within 30 days of receipt of the written request from the agency.
5. If the agency believes the decision of the Chair of the Local Board was biased or unfair, the agency may submit a written appeal within 10 days of receiving the decision. Such an appeal will be scheduled for full Board review within 30 days of receipt of the written request from the agency. If the Board decides to overturn the decision of the Chair, an appeal hearing will be scheduled within 30 days.
6. The Chair will provide copies of the written appeal to all Members of the Local Board at least one week prior to the hearing.
7. Appeal hearings will be scheduled as follows:
 - a. The Local Board will review and discuss the written appeal.
 - b. The appealing agency will have an opportunity to present a brief verbal argument in support of their appeal.
 - c. The Local Board may question the agency.
 - d. The Local Board will deliberate and make a decision.

FUNDING DECISION APPEAL PROCESS

7. The Agency will be notified of the Local Board decision and their rationale within 14 days of the appeal hearing.
 - a. If the basis of the appeal is fraud or misuse of federal funds, the agency will be advised that they may make further appeal to the National Board. (Other types of appeals CANNOT be referred to the National Board for further review).
8. If the appeal results in a change in the amount of EFSP funding, the Local Board will adjust the funding of the other agencies and so notify those agencies and the National Board within 14 days of the decision.
9. Additional questions about the right of appeal should be directed to the Local Board Chair, Fred Buckingham, United Way of Merced County, 383-4242.