**Section 400.65 Appeals**

Any agency, individual or organization who failed to receive a grant award may appeal that decision only on the grounds of fraud or conflict of interest. In cases of an agency, individual or organization who received notice of suspension or termination that was based on failure to comply with the terms and conditions of a grant, an agency, individual or organization may appeal that decision. Appeals cannot be made in cases where the Council has had a partial or total loss of federal funding or the General Assembly fails to appropriate or otherwise make available funds to the Council.

a) A written request for appeal that includes a clear, concise documentation of fraud or conflict of interest must be received by the chairperson of the Council within 30 calendar days after the denial or written notice;

b) Within 90 days after receipt of the appeal, the Executive Committee shall convene a meeting and review the documentation submitted by the agency, individual, or organization. Any Executive Committee member who was involved during the development, review or selection process will recuse him or herself from participation in reviewing the appeal. Any Executive Committee member who is affiliated with the individual, agency, or organization requesting the appeal will recuse him or herself. The Executive Committee will decide:

1) No fraud or conflict of interest occurred;

2) Fraud or conflict of interest is evident and the original action should be overturned; or

3) There is evidence that the action to suspend or terminate should be overturned.

c) The decision of the Executive Committee is final. The Executive Committee will advise the agency, individual, or organization of their decision in writing within 10 calendar days after their decision. The Executive Committee will notify the full Council of the appeal and will report on their final decision.