



# Grants Management Policy



Policy Name	<b>Appeal Process</b>		
Policy #	<b>GM4.1</b>	Policy Section	<b>Grants Management</b>
Date Approved	2/26/19	Approved By	<i>Sarah Hendrix</i> Deputy Associate Superintendent, Grants Management
Date Updated	<b>N/A</b>		

## Audience

**This policy pertains to Local Education Agencies.**

## Purpose

The purpose of this policy is to provide guidance and timelines when appealing a decision made by the Grants Management Processing or Fiscal Monitoring units.

## Overview

The appeal process provides LEAs an opportunity to request a review of an action taken by Grants Management that in some manner impedes the processing of grant funds (e.g. global hold, suspension, etc.) This policy is created in accordance with 34 CFR 76.783 that requires LEAs to have access to an appeal process and 2 CFR 200.341 which that provides guidance on the appeal process for Federal funds. This policy provides additional guidance in dealing with the most common actions, related to State and Federal fund, that allow for an appeal to be submitted.

## *Terms*

**Global Hold:** A Local Education Agency's entire portfolio of grants will not receive fund disbursements.

## Policy

An appeal may be requested under any one of the following circumstances:

1. The LEA has reason to believe the Arizona Department of Education (ADE) violated State or Federal statute or regulation.
2. The LEA is required to refund misspent or misapplied funds.
3. The LEA is placed on global hold, is suspended or terminated.
4. The determination of IDEA Maintenance of Eligibility.
5. ADE withholds funding from LEA.

An official notification of an appeal must be submitted in writing by the LEA within thirty (30) calendar days of the Grants Management decision. The request must be written on LEA letterhead and include the following information: LEA Name, Name of Responsible Party, LEA address, the action being



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appealed, a concise statement of the facts and the relief sought.

Grants Management has thirty (30) calendar days, from receipt of the written request, to hold a hearing. The hearing panel will be conducted by three impartial ADE staff members and the panel will provide time for the LEA and Grants Management to present their case. Based on the facts presented by the LEA and Grants Management the panel will make a ruling within ten (10) calendar days of the hearing. The panel will provide their decision in writing to the LEA and Grants Management and this determination is final. For appeals related to Federal funds, the LEA has twenty (20) calendar days from notification of the ruling to appeal in writing to the Federal Secretary of State. The Federal Secretary of State will review and notify ADE of a ruling, ADE will then notify the LEA. This determination is final.