NC-511 CONTINUUM OF CARE APPEALS POLICY FOR FUNDING APPLICATIONS

Purpose

The NC-511 Fayetteville/Cumberland County Continuum of Care (CoC) is committed to ensuring a fair, transparent, and equitable funding competition process. This Appeals Policy establishes the procedures by which applicants may appeal funding decisions when there is evidence that the application review process was affected by discrimination, bias, unequal treatment, or a conflict of interest.

This policy applies to all Continuum of Care (CoC) Program and Emergency Solutions Grant (ESG) Program funding competitions administered by the NC-511 Continuum of Care.

Grounds for Appeal

An applicant may submit an appeal only on one or more of the following grounds:

1. Discrimination

The applicant believes that its application was adversely affected by discrimination based upon a protected class under applicable federal, state, or local law.

The applicant must provide sufficient documentation or evidence supporting the allegation.

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2. Bias, Favoritism, or Unequal Treatment

The applicant believes that its application was not evaluated fairly or consistently with other applications due to bias, favoritism, prejudice, or unequal application of the published funding criteria.

The applicant must clearly identify the circumstances that support the allegation and provide any available supporting documentation.

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3. Conflict of Interest

The applicant believes that an actual or perceived conflict of interest existed during the review, scoring, recommendation, ranking, or funding decision process that may have affected the outcome of the competition.

Examples may include:

- Participation by a reviewer with a financial interest in a competing application.
- Participation by a reviewer affiliated with an applicant organization.
- Failure to disclose a known conflict of interest.
- Participation in scoring or funding decisions despite a required recusal.

The applicant must provide documentation or evidence supporting the allegation.

Clear Error or Misapplication of CoC Policies

The applicant believes that a material error occurred during the review, scoring, ranking, recommendation, or funding decision process due to the incorrect application of the Continuum of Care's published policies, procedures, funding criteria, or competition requirements.

Examples may include:

• Mathematical or calculation errors affecting application scores.

• Failure to apply the published scoring criteria consistently.

• Failure to follow the Continuum of Care's approved competition policies or procedures.

• Failure to consider information properly included in the application submission.

• Application of requirements, standards, or criteria that were not included in the published funding competition materials.

• Administrative errors that materially affected the outcome of the funding competition.

The applicant must clearly identify the alleged error, cite the applicable policy, procedure, or funding requirement, and explain how the error materially affected the funding determination.

Appeals based solely on disagreement with reviewer judgment, interpretation, comments, scoring decisions, or funding recommendations shall not constitute a clear error and are not grounds for appeal.

Matters Not Subject to Appeal

The following shall not constitute grounds for appeal:

- Disagreement with reviewer comments, opinions, or professional judgment.
- Dissatisfaction with the amount of funding awarded.
- Requests to reconsider scores in the absence of evidence supporting an approved appeal ground.
- Failure to submit required materials by the published deadline.
- Requests to submit new information after the application deadline.
- Funding priorities established by the NC-511 Continuum of Care Board.

Appeal Submission Requirements

Appeals must:

1. Be submitted in writing to the Collaborative Applicant.
2. Identify the specific ground(s) for appeal.
3. Provide a detailed explanation of the basis for the appeal.
4. Include any supporting documentation or evidence.
5. Be submitted within five (5) business days of notification of the funding recommendation.

Appeals submitted after the deadline will not be considered.

Appeals Review Process

The Collaborative Applicant shall convene an Appeals Review Panel consisting of individuals who did not participate in the original scoring, ranking, recommendation, or funding decision process.

The Appeals Review Panel shall:

- Review the appeal and all supporting documentation.
- Determine whether sufficient evidence exists to support the appeal.
- Issue a written determination no later than five (5) business days from receipt of the appeal.

The Appeals Review Panel may:

- Deny the appeal;
- Recommend corrective action;
- Require reassessment of the affected application; or
- Take other action deemed necessary to ensure fairness, consistency, and compliance with Continuum of Care policies and applicable funding requirements.

Final Determination

The determination of the Appeals Review Panel shall be final.

The filing of an appeal does not guarantee a change in score, ranking, funding recommendation, or award amount.

The written determination issued by the Appeals Review Panel shall constitute the final action of the NC-511 Continuum of Care regarding the appeal.

Record Retention

All appeal submissions, supporting documentation, review materials, and written determinations shall be maintained by the Collaborative Applicant in accordance with applicable federal, state, local, and Continuum of Care record retention requirements.