



Child and Community Services Division Policy & Procedures

Subject: Grievances
Process Owner: Division of Community Assistance and Development
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Revision Number: 1A (Rescinds, supersedes Rev 1)

Grievances

I. POLICY STATEMENT

The Child and Community Services Division (CCSD or Division), Community Services Programs (CSP) strives to make timely and equitable determinations following applicable program law and guidance. In cases where a Client may disagree with an action, the Clients are offered multiple ways to receive clear, prompt resolution. The Administrative Review (AR) process allows Clients to request internal review of any Adverse Action or benefits determination by the CCSD Administrative Review Team (ART). The ART is a panel of Program experts that review requests, case files, additional evidence, and statements provided by Clients to ensure program criteria were properly applied. Appeals are also offered as a formal means for review by the Appellate Services Administration (ASA). This independent body holds Hearings to resolve Grievances for the Department of Economic Security (DES). Clients may file Appeals by submitting a request directly to the ASA, with or without a prior request for AR.

Revision 1

Updated submission timelines for consistency with the Department
Updated Division and unit name references
Added procedures for processing Division Requests for Review
Added procedures related to Overpayments

Revision 1A

Corrects a transcription error in effective date, Revision number in description on page 1
Updates appeal mailing address

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III. **APPLICABILITY**

This policy applies to all DES Employees, contracting staff and navigators, who administer CCSD Programs subject to this Policy.

IV. **AUTHORITY**

[A.R.S. § 46-205](#)

Appeal to state department from denial of application or failure of the local office to act; consideration by state department on own motion

[A.R.S. Title 41, Chapter 14, Article 3](#)

Hearings and Appeals

[A.R.S. Title 41, Chapter 6, Article 6](#)

Adjudicative Proceedings

V. **DEFINITIONS**

Administrative Law Judge (ALJ): Judge that conducts impartial, third-party review of Appeals of Adverse Actions.

Administrative Review: The process by which a Client may request an internal review of any CCSD Adverse Action to determine whether Program criteria were properly applied. Administrative Review may result in the grant of a Client's request in full or in part, or a decision to uphold the Program decision.

Adverse Action: Any Program action to deny, reduce, suspend, change, or terminate services or benefits, or the failure to take timely action on the same, which may be the subject of Administrative Review or Appeal.

Appeal: A fair and impartial review of an Adverse Action. Appeals and their associated Hearings are processed by the Appellate Services Administration (ASA) per A.R.S § 41-1992, A.A.C. R6-09-301, and ASA procedures.

Appellate Services Administration (ASA): Administration within the Office of Inspector General that reviews and resolves disputes resulting from Department actions through a professional and impartial administrative appeals process.

Appeals Board: Administration within ASA that reviews and resolves disputed issues when the Client or Division does not agree with the decision of the ALJ in the original Appeal.

Client (or Applicant): A person who applies for or receives a benefit from a Program.

Administrative Review Team (ART): A panel of CCSD, Community Services Program experts that review Administrative Review requests and associated case files, evidence, and statements provided by Clients. ART members review actions and make decisions under this Policy.

Court of Appeals: State of Arizona office that fairly and impartially reviews the contested matters regarding State regulations.

Employee: Any full-time or part-time worker, or temporary paid or unpaid worker, who is employed directly by DES.

Fair Hearing Packet (Packet): Documentation that can be used as evidence to support the agency's action during an Appeal. The Packet also includes phone numbers and addresses of legal services.

Grievance: An instance where a Client disagrees with DES Adverse Action and seeks resolution, either through the Administrative Review or Appeals process.

Hearing: An administrative proceeding conducted by an ALJ regarding a Program Adverse Action that is under dispute.

Pre-Hearing Conference: Before the Fair Hearing process, clients may present their argument to the ART representative to potentially resolve Grievances before the Hearing.

Program Subject to this Policy (Program): Community Services Programs in which applications are directly administered by DES, CCSD. 'Community Services Programs' include Arizona Rental Assistance, the Emergency Rental Assistance Program (ERAP), Low Income Home Energy Assistance (LIHEAP), and Low Income Household Water Assistance (LIHWAP). Child Care and the Arizona Early Intervention Program (AzEIP) are not subject to this Policy.

VI. STANDARDS

A. Grievances

- 1) Notice. CCSD will provide Clients with reasonable notice of their Grievance rights. Notice of Grievance rights and procedures will be provided in writing:
 - a) Posted on the DES website;
 - b) When a Client applies for a Program; and
 - c) When a Client is issued a Program benefits decision Notice, including notice of approval, denial, ineligibility, or changes to any Program benefit.
- 2) Eligibility.
 - a) Under A.R.S. § 46-205 and applicable Program statute, any application for assistance that is not acted upon with reasonable promptness, or which is denied in whole or in part, is subject to appeal by filing a Grievance.
 - b) Clients may file a Grievance in the form of requesting an Administrative Review or an Appeal.

- i. A Client may request an Administrative Review only if an Appeal request has not already been made.
 - c) A Client has the right to initiate Grievance processes:
 - i. Following an Adverse Action taken by the Program or CCSD; or
 - ii. To contest the award amount of benefits approved by the Program or CCSD, if believed to be in error.
 - d) Limitations
 - i. This Policy only applies to applicable Programs. Child Care, AzEIP, and other contractor administered CCSD services are not subject to this Policy; Grievances for these, or any other programs not subject to this Policy, must be filed by following applicable DES, division, or program guidance.
 - ii. Applications submitted after a Program has sunset, or otherwise terminated under applicable law, regulation, or policy, are not subject to Administrative Review or Appeal.
- 3) Clients have the right to both Administrative Review and Appeal of eligible Adverse Actions. While Clients are encouraged to first seek Administrative Review to resolve Grievances for the opportunity for more expedient and direct means of resolution, Clients may first pursue either Administrative Review or Appeal at the Client's option.
 - a) Exercise of a request for Administrative Review does not limit a Client's right to Appeal. A Client may request Administrative Review, then an Appeal, consecutively.
 - b) After an Administrative Review request has been filed or the timeline to file a request expires, a Client may only file an Appeal; multiple requests for Administrative Review may not be filed regarding the same Adverse Action.
 - c) A request for Administrative Review may not be made after an Appeal has been filed, and the subject of the Grievance will instead be addressed through a Pre-Hearing Conference as part of the Appeal process.
 - d) Appeal Hearings and decisions are at the discretion of the Administrative Court, and final decisions are subject only to statutorily prescribed review.
- 4) Community Action Agencies (CAAs) or other community partners that assist with the administration of Programs, including Community Navigation services, may provide Clients assistance with submitting grievances as defined in their respective contract(s).

- 5) Grievances must be filed and processed promptly, under the provisions of this Policy.
- 6) Employees will cooperate fully in facilitating the Grievance process for Clients, and will not obstruct, impede, or limit the right of a Client to request Administrative Review or Appeal of an Adverse Action.

B. Administrative Review Team (ART)

1. Duties and Responsibilities.
 - a. The ART is a panel of CCSD Program experts that process Administrative Review requests and associated case files, evidence, and statements provided by Clients.
 - b. When an Administrative Review is requested, the ART must consider all relevant evidence and applicable Program guidance in determining whether Program guidelines were correctly applied.
 - c. Any factual determinations made by the ART will be made using the preponderance of the evidence standard, that is, whether it is more likely than not that a fact in question occurred.
 - d. The ART is responsible for ensuring that decisions are made promptly and that Clients are timely notified of Administrative Review decisions.
2. Composition.
 - a. The ART is composed of CCSD Program experts. Staff assigned to the ART is subject to review by the Assistant Director, CCSD, or designee.
 - b. Each ART staff member must be properly trained and authorized to make adjustments to Applicant benefits.
 - c. To be eligible to act as an ART staff member, Employees must have demonstrated knowledge and experience in the Program(s) for which they will review Grievances.
 - d. ART members may review Grievances for all Programs, or only a specific Program(s) based on the member's training and expertise.

C. Prudent Decision-Making Principles

1. The policies and procedures included in this Grievances Policy compile and prescribe guidance for Grievance processes in CCSD Programs. Employees will use reason and apply good judgment in making decisions when addressing specific needs or scenarios of a Client not specifically addressed by this Policy or referenced Authority. Decision-making by Employees based on the best information available, program knowledge, experience, and expertise is referred to as the Prudent Decision-Making Principle. Prudence may also include seeking CCSD or DES guidance on

specific Program or policy interpretation. Employees should document their rationale used to make decisions not contemplated by this Policy or Authority and cite any applicable references.

D. Policy Administration

1. Updates and/or amendments to this Policy will be issued as complete numbered revisions, superseding this Policy, in conjunction with any relevant Policy Memorandum summarizing changes.
2. Minor clarification of this Policy may be issued in the form of Policy Memoranda, providing interim guidance between revisions.
3. Questions or feedback regarding provisions of this or other CCSD policies may be submitted using the [Policy Comment Form](#). You may also contact the responsible Program and Policy Unit with questions regarding this policy via email at:

dcadart@azdes.gov, and
dcadpolicy@azdes.gov

Subject: Grievance Policy Questions

Please include your name, a contact phone number, and details regarding your inquiry. **DO NOT** submit Administrative Review or Appeal requests to these mailboxes; Grievances must be submitted via the procedures outlined below.

VII. PROCEDURES

A. Applicability

1. Administrative Review and Appeal Grievance processing established by this Policy only applies to applicable Programs.
 - a. Appeals of Overpayments are also subject to this Policy as an Adverse Action that reduces, changes, or terminates benefits for applicable Programs.
2. Grievance processing for Child Care, AzEIP, or Contractor Administered Programs, will be conducted in accordance with applicable Policy and contractual requirements.

B. Administrative Review

1. Request Process

Applicants may request an Administrative Review of any Adverse Action or benefits determination made by a Program. This is an expeditious means for Applicants to seek resolution of questions or disputes regarding application decisions. A request for Administrative Review does not limit an Applicant's right to Appeal; if unsatisfied with the outcome of Administrative Review, an Applicant may then Appeal.

- a. A request for Administrative Review must be submitted in writing within 10 calendar days from the date of the Adverse Action or

denial. A request for Administrative Review may be submitted by [using this online form](#) and will include:

- i. Applicant's full name and Application ID number;
- ii. Applicant's current contact information; and
- iii. Applicant's basis for requesting Administrative Review, including any substantiating information.

b. Incomplete Requests

- i. Will be returned to the Applicant, or the Applicant contacted, to request necessary information and await further action. An Administrative Review request is incomplete if:
 - A) Missing sufficient identifying information to determine the Application or decision seeking Administrative Review; or
 - B) Lacking an articulated Grievance.
- ii. Any further ambiguity or lack of evidence or information in an Administrative Review request does not constitute an incomplete request and shall be addressed during review.

2. Administrative Review Processing

a. Timelines

- i. Requests for Administrative Review must be submitted within 10 calendar days from the date of denial.
 - A) An untimely Request for Administrative Review will be denied unless there is a good cause extension.
 - B) The ART may grant a good cause extension for submission of a request for Administrative Review, this determination is at the discretion of the ART. A good cause extension may either be:
 - a. Requested by an Applicant by providing information or evidence showing good cause for an extension; or
 - b. Granted independently by the ART due to specific, articulable circumstances.
 - C) A good cause extension may exist in circumstances where new information or circumstances previously unknown to the Applicant give rise to the request, circumstances outside of the Applicant's control prevented a timely request, or granting an extension would be in the interest of swift resolution of the

Grievance for the Applicant and Department (i.e., in place of Appeal).

ii. Requests for Administrative Review will be processed within 30 calendar days from the date the request was received by DES to notification of the ART's decision.

A) When an Administrative Review is requested and the information is incomplete or does not state a Grievance for which the decision can be reviewed, a denial notice will be issued according to these timelines.

Note: Any requested delays by the Applicant to schedule a conference are not counted towards processing time.

b. Designation of ART Reviewers

i. Upon receipt of a request for Administrative Review, one (1) ART member will be designated as the Reviewer.

A) Reviewers will be assigned on a pseudo-random, rotating basis so that on average, each ART member will serve as a Reviewer on an equal number of cases and at a regular cadence.

B) Reviewers have full responsibility for review and analysis of the Request and making determinations.

Note: ART staff members may only be assigned as a Reviewer for cases in their Program areas which they have requisite training and expertise.

ii. Conflict of Interest

A) Personal Relationship. An ART member may not review an Administrative Review request relating to any person with whom the ART member knows or otherwise has a personal relationship, including a friend, neighbor, relative, or other individuals. Any such relationship, that may raise a question of the ART member's impartiality, must be avoided.

B) Prior Adjudication. An ART member may not participate in an Administrative Review relating to any person or case in which the ART member made a prior adjudication decision.

C) Any ART member who identifies a Conflict of Interest in a request will notify the ART Supervisor of the conflict and take no action on the Applicant's case.

- c. Administrative Review Notice
 - i. Upon receipt of an Administrative Review request and assignment of a Reviewer, an Administrative Review Notice will be sent to the Applicant.
 - ii. An Administrative Review Notice includes
 - A) A statement that the Applicant's Administrative Review request has been received and is being processed;
 - B) Information on how to submit additional information (in writing) or documentation to the ART for review as part of the Administrative Review request;
 - C) That the Applicant has the opportunity to be heard regarding their request at a conference, and how to request a conference;
 - D) Notice that the conference may be waived and failure to timely request a conference constitutes waiver;
 - E) Notice that any information submitted by the applicant before the submission deadline (or waiver, in the event of waiver) will be considered part of the Administrative Review.
- d. Administrative Review Conference.
 - i. Applicants will be provided the opportunity to present information and evidence at a conference.
 - ii. This requirement may be met by teleconference.
 - iii. An Applicant may waive or decline their opportunity to be heard.
- e. ART Administrative Review Evidence Considered. ART Reviewers will consider all evidence presented by the Applicant and associated case file information. A lack of evidence may also constitute evidence.
 - i. Evidence presented by the Applicant includes: Statements or evidence submitted as part of the Administrative Review request, documents referenced in such a request, and/or evidence/statements reasonably provided by the client to the ART by any other means.
 - ii. The associated case file information includes any DES documentation related to the Program to which the Administrative Review request pertains. The ART shall review any case file documentation which is in the possession of the Program.

- iii. Factual Determinations. Any factual determinations made by the ART will be made using the preponderance of the evidence standard, that is, whether it is more likely than not that a fact in question occurred.
- iv. Weight of Evidence. While ART reviewers must consider all evidence, they must also give all evidence appropriate weight based upon its believability or persuasiveness in light of the full circumstances, the reviewer's expertise, and other evidence.
- v. Consultation. ART reviewers may consult relevant DES subject-matter experts and may consider and/or rely upon the information provided while processing the review.
- vi. Requests for Additional Information or Evidence. ART reviewers may request additional information or evidence from the applicant if:
 - A) A decision cannot be made on the Administrative Review request and the requested information or evidence is likely to aid in a decision;
 - B) The requested information or evidence cannot otherwise be located;
 - C) The requested information is not suspected to be related to fraud or criminal activity; and
 - D) The Applicant is informed that there has not been a decision on their Administrative Review request, the requested information/documentation believed to be necessary to resolve the Administrative Review request, any information provided by the applicant is voluntary, how to provide responsive information, and that any responsive information must be provided in five (5) calendar days.

Note: Requests for information may be made verbally or in writing.

3. Decisions on Administrative Review

- a. Available Actions. The ART will issue one of the following decisions:
 - i. Granted in Full. All parts of the Applicant's request are granted;
 - ii. Granted in Part. Some, but not all parts of the Applicant's request are granted and the Applicant is notified of the opportunity to appeal; or

- iii. DES Decision Upheld. No parts of the Applicant's request will be granted and the adjudication decision is upheld; the Applicant is notified of the opportunity to Appeal.
 - b. Decision Notices. The ART will issue decision notices to Applicants in writing after a review of all evidence and completion of the Administrative Review Conference.
 - i. Notices will include:
 - A) The Applicant's source application information;
 - B) The date of the decision;
 - C) The ART's final decision;
 - D) A statement that the Applicant's request for Administrative Review was processed following this Grievances Policy and all evidence submitted by the Applicant was considered before the issuance of the decision; and
 - E) If the decision is Granted in Part or the DES Decision Upheld, information regarding the Applicant's rights to appeal.
 - ii. Expedited Decisions. In cases where a review of the evidence indicates that the Applicant's request will be Granted in Full, a decision may be issued before an Administrative Review Conference to expedite the Applicant's resolution.
 - A) Applicants will be informed that after a review of the evidence and case file, the request was granted in full; though a conference was requested, additional information was not required to grant the request. The Applicant may then elect to waive the conference or appear as scheduled to discuss the request.
 - B) Expedited preliminary decisions may not be made in cases where the action is Granted in Part or DES Decision Upheld.
4. Processing Adjustments
- a. Benefits Decisions
 - i. The ART will process any adjustments made on the Applicants account based upon the issued decision.
 - ii. The ART reviewer, who is a program expert trained and authorized to make adjustments to Applicant benefits for their respective program, will process this adjustment within one (1) business day of the issued decision.

- b. Overpayments
 - i. If AR results in any adjustment to an Overpayment determination (e.g., the request is 'Granted in Full' or 'Granted in Part'), forward the decision to the Overpayment Unit for processing.
 - ii. The Overpayment Unit will forward the AR determination to OARC for the Overpayment amount to be adjusted.

C. Appeals

1. Request Process.

According to A.R.S. § 46-205, any completed application for assistance that is not acted upon with reasonable promptness, or which is denied in whole or in part, is subject to appeal. Appeals are processed by the Appellate Services Administration (ASA), an independent body that holds hearings to resolve Grievances separate from the Administrative Review process.

a. An Applicant may Appeal whether or not they requested an Administrative Review of the decision. However, concurrent requests will be consolidated into one Appeal processed by the ASA under its rules.

b. An Appeal must be submitted in writing using ASA-1011A ([standard](#) or [large print](#)) within 20 calendar days from the date of the DES decision. Appeals are submitted directly to the ASA at

Email: oigasaappeals@azdes.gov;

Fax: 602-257-7055; or

Mail: Appellate Services Administration
2200 N Central Ave #100
Phoenix, AZ 85004

c. Appeals are processed by ASA under A.R.S § 41-1992, A.A.C. R6-09-301, and ASA procedures.

d. Hearings are scheduled by ASA within 60 calendar days of receipt of the Appeal request unless the parties agree to another hearing date.

e. The Appellant or representative of the Appellant may request to withdraw the Appeal request at any time by contacting ASA via phone, email, or mail.

2. ART Point of Contact (POC)

a. An ART member will be the POC for the Appeal to track the status of the Appeal and, if applicable, coordinate any evidentiary exhibits and/or witnesses for the Pre-Hearing Conference and Hearing.

- b. The ART POC will liaise weekly with the Program Manager regarding the status of the Appeal.
 - c. Overpayments
 - i. When the ART receives notification of an Appeal of an Overpayment:
 - 1. The ART POC will notify the Overpayments Unit (CCSDOverpayments@azdes.gov) and OARC (oarc@azdes.gov) by email, including the Appellant's Name and Account ID.
 - 2. OARC pauses Overpayment enforcement action upon notification that a timely Grievance was filed.
 - ii. When the ART receives an Appeal finding that remands any Overpayment to the Division for correction or amendment:
 - 1. The ART POC will notify the Overpayments Unit (CCSDOverpayments@azdes.gov) and OARC (oarc@azdes.gov) by email, including the Appellant's Name and Account ID.
 - 2. OARC amends or terminates Overpayment and enforcement action, when a finding/decision remands the overpayment to CCSD for correction.
 - iii. When the ART receives an Appeal finding that upholds the Department action the ART POC will verify whether the Appellant requests further review before forwarding:
 - 1. If further review is requested, no forwarding or notification will occur. Reconsider notification/forwarding at the conclusion of the next hearing.
 - 2. If further review is not requested and the timeline to request review expires:
 - a. The ART POC will notify the Overpayments Unit (CCSDOverpayments@azdes.gov) and OARC (oarc@azdes.gov) by email, including the Appellant's Name and Account ID.
 - b. OARC reinstates any Overpayment enforcement that was previously paused due to timely Appeal.
3. Pre-Hearing Conference

A Pre-Hearing Conference will take place, after an Appeal is submitted, between CCSD and the Appellant in hopes of resolving the issue.

- a. Prior Administrative Review Conference
 - i. Any conference previously held as part of an Administrative Review request for the same Client / Grievance will satisfy the requirement for a Pre-Hearing Conference if the Appellant has no additional information or new evidence to present since the prior Administrative Review conference.
 - ii. Information from the prior Administrative Review conference will be used to complete the Prehearing Summary/Discussion Form RAP-1008A.
- b. The ART POC will Review the Applicant's case file to assemble documentation and evidence in preparation for the pre-hearing conference, including
 - i. Applicant's case file;
 - ii. Any Administrative Review request submitted by the Applicant relevant to the Appeal;
 - iii. Any specific information that provides an explanation and/or justification of the Program action; and
 - iv. Any other documentation or evidence relevant to the Applicant's Appeal.
- c. A Pre-Hearing Conference will be completed within 10 days of notification of the Appeal request. The Appeal POC will attempt to resolve the Appeal by
 - i. Explaining the Program process and reasoning for the Program action;
 - ii. Providing a review of the evidence as justification of the Program Action; and
 - iii. Reviewing new or additional evidence provided by the Appellant that could result in a redetermination of benefits.
- d. Complete the Prehearing Summary/Discussion Form RAP-1008A and send the form to ASA. The Prehearing Conference will have one of the following outcomes:
 - i. Request for Redetermination;
 - ii. Continue with Hearing;
 - iii. Voluntary Withdrawal;
 - iv. Motion to Vacate and Remand; or
 - v. Dismissal.

4. Appeal Hearing
 - a. If the Appeal is not resolved through a Pre-Hearing Conference, a Hearing will take place, and the ALJ will conduct an impartial third-party review of the eligibility determination and issue a decision.
 - i. The ART POC, and any other witnesses or relevant personnel, will appear at the Hearing on behalf of CCSD.
 - ii. For Overpayments, the processing staff of the Overpayment Unit may be consulted prior to the hearing. The Overpayment Unit staff may do any of the following based upon the needs of the ART and hearing:
 1. Provide technical assistance related to the Overpayment prior to the hearing;
 2. Appear with the ART POC at the Hearing to speak to the Overpayment; or
 3. Appear on behalf of the Department at the Hearing, in place of the ART POC.
 - a. The ART POC will advise regarding the requirements of the hearing
 - b. Supervisor approval for both the ART and Overpayment Unit is required prior to an Overpayment Unit staff member appearing on behalf of the Department, in place of the ART POC.
 - b. Hearings will be held telephonically in most cases but may be held in person or virtually upon request, if such request can be supported.
 - c. Hearings are conducted per [A.R.S. Title 41, Chapter 6, Section 6](#)
 - i. If the Appeal was not timely (received within 20 calendar days from the date of the DES decision), a good cause Hearing will be held to determine if the Appeal should be considered timely.
 - d. Decisions are rendered by the ALJ within 90 calendar days of the Appeal date.
 - i. Appeal decisions are based solely on the evidence in the record, testimony produced at the Hearing, and applicable law.
 - ii. Final appeal decisions will be issued in writing.
 - e. Appeal Decision Effective Dates

- i. Appeal decisions which affirm the initial Program action, are effective as of the date of the initial determination of the Program.
- ii. Appeal decisions which amend or overturn the initial Program action, are effective on the date of the Hearing decision.
- iii. If the decision requires any action to be taken by the Program, such action will occur within 10 calendar days of the date of the decision.

Note: Where action is required, action will not be taken in cases adverse to Clients when the Client files a timely Appeal to the Department Appeals Board. See Section VII(C)(5)(e), *Stay of Adverse Action*.

- iv. Appeal decisions will be reviewed by the ART POC within one business day to evaluate:
 - 1. The nature and scope of the decision;
 - 2. Any Program action that is required by the decision, including forwarding of Overpayments for adjustment; and
 - 3. If initiation of any Request for Relief processing may be appropriate.

5. Requests for Relief - Appeal of Decisions to the Department Appeals Board

a. Division Request for Relief Processing

- i. A Division Request for Relief is CCSD's request that the decision of an ALJ be reviewed by the Appeals Board, when such decision appears contrary to Program guidelines.
- ii. Within one business day of receipt of an Appeal decision, the ART POC will review the decision to evaluate if initiating any Request for Relief Processing may be appropriate
- iii. If there are grounds for review and a basis for relief, the ART POC will consult with the ART Supervisor / Manager to determine whether a Division Request for Relief is appropriate.
- iv. If the ART Supervisor / Manager determines that a Division Request for Relief may be appropriate, the Supervisor / Manager will consult with the CCSD Policy Unit Appeals Advisor, regarding the Appeal and Request for Relief. The ART POC will provide:
 - 1. A copy of the Hearing decision;

2. A summary of the Appeal;
 3. A summary of the basis for Relief; and
 4. Any other relevant documentation or information.
- v. The Policy Unit Appeals Advisor will concur or non-concur with proceeding with the Request for Relief within one business day.
1. The Policy Unit Appeals Advisor, will consult with the Deputy Assistant Director of Programs and Deputy Assistant Director of Operations, before making a decision.
- vi. If the Policy Unit Appeals Advisor, concurs with pursuing the Division Request for Relief, the ART POC will:
1. Create the initial draft Request for Relief (see *Request for Relief* below);
 2. Compile all exhibits to include with the draft;
 3. Consult with the Policy Unit Appeals Advisor as needed in drafting and compiling the Request for Relief; and
 4. Forward the complete draft Request for Relief package to the Policy Unit Appeals Advisor for review no later than two business days before the submission due date.
- vii. The Policy Unit Appeals Advisor will review and edit the Request for Relief as appropriate, in coordination with the ART POC. Within two business days, the Policy Unit Appeals Advisor will:
1. Notify the ART POC that the review is complete;
 2. Provide final approval for submission of the Request for Review;
- viii. The ART POC will submit the Request for Relief after receiving final approval for submission from the Policy Unit Appeals POC.
- ix. A Request for Relief will:
1. State the grounds for review;
 2. Provide a statement of relevant facts;
 3. Articulate the basis for relief;
 4. Include an audio recording or transcription of the appeal Hearing;

5. Include as exhibits all relevant documentary information and prior Appeal documentation; and
 6. Be signed and dated.
- b. Response to Request for Relief Processing
- i. A Response to Request for Relief is CCSD's written response to a Client's request that the decision of an ALJ be reviewed by the Appeals Board. This response is the position of CCSD, and the basis of the Appeals Board review.
 - ii. Within one business day of receipt of notice that an appellant has filed a Request for Relief, the ART POC will review the Request for Relief to evaluate the basis of the request.
 - iii. The ART POC may consult with the CCSD Policy Unit, Appeals Advisor, regarding the appeal and Request for Relief.
 1. Review should be requested for cases with media interest, which have the potential to affect a substantial amount of applications and/or decisions, where clarity or guidance regarding policy or applicable regulations are required, or as otherwise needed.
 2. When review is requested, the ART POC will provide:
 - a. A copy of the Hearing decision;
 - b. A summary of the Appeal;
 - c. A summary of the basis for Relief; and
 - d. Any other relevant documentation or information.
 - iv. The ART POC will:
 1. Create the initial draft Response to Request for Relief, which will include:
 - a. A statement of the Department's position regarding the Appellant's requested relief;
 - b. A statement of relevant facts;
 - c. An articulated basis for the Department's position;
 - d. An audio recording or transcription of the appeal Hearing;
 - e. As exhibits, all relevant documentary information and prior Appeal documentation; and
 - f. Signature and date.

2. Compile all exhibits to include with the draft;
3. Consult with the Policy Unit Appeals POC as needed in compiling the Response to Request for Relief; and
 - a. If review is requested, a complete draft Response to Request for Relief package must be provided to the Policy Unit Appeals POC for review no later than two business days before the submission due date.
 - b. The Policy Unit Appeals Advisor will review the Response to Request for Relief as appropriate, in coordination with the ART POC.
 - i. Within two business days, the Policy Unit Appeals Advisor will provide comments, edits, and final approval.
- v. The ART POC will submit the Response to Request for Relief.
 1. If Policy Unit review was requested, submission will occur after receiving approval.
- c. Stay of Adverse Action
 - i. When a Client or Applicant timely appeals a Hearing decision to the Department Appeals Board, the Program will stay any action until a final decision is issued by the Department Appeals Board.
- d. Appeals Board Proceeding and Decision
 - i. The Appeals Board may decide the appeal based solely on the record of the proceeding before the hearing officer. If the Board is unable to decide the appeal on the available record, the Board may:
 1. Remand the case for rehearing, specifying the nature of any additional evidence required for any further issues for consideration; or
 2. Conduct a hearing at the Board to take additional evidence.
 - ii. The Board will issue to all parties a final written decision that:
 1. Affirms, reverses, or modifies the Hearing decision; and
 2. Specifies the parties' right to seek further review.
6. Appeals of Department Appeals Board Decisions
 - a. A final Appeal can be made to the Court of Appeals if a resolution cannot be reached with the Appeals Board.

- b. Decisions of the Appeals Board are generally considered final by the Division, and will not be further appealed absent exigent circumstances. The Policy Unit Appeals Advisor, Division Assistant Director, and Division Deputy Assistant Directors must be consulted prior to consideration.