

**New York State Council on the Arts  
FY 2025 Appeals Panel Meeting Minutes  
Pursuant to Section 6401.5 of the New York State Rules and Regulations**

March 6, 2023  
Called for 1:00 pm - 3:30 pm  
411 Fifth Avenue, Suite 700, New York, NY 10016

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Appointed Appeals Panel Members Present:

Kerry Sclafani  
Asari Beale  
Ellen Weinstein  
Nigel Campbell  
Eh-Den Perlove  
Michelle Jaffe  
Quorum present: Yes

Others in attendance:

Megan White, Deputy Director of Programs, NYSCA  
Kimalea Campbell, Arts Team Associate, NYSCA  
Noah Brick, General Counsel, NYSCA  
Marc Falconer, general attendee

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*Meeting was called to order at 1:10 pm by Deputy Director Megan White as nominee of the Executive Director.*

Ms. White welcomed the appeals panel for the FY 2025 NYSCA grant cycle and reviewed the three specific grounds for appeal pursuant to Section 6401.2 of the New York State Rules and Regulations: (1) Non-presentation of information; (2) Misrepresentation of information; and (3) Improper procedure: (i) the review of the program request by the appropriate advisory panel was biased; or (ii) the program request decision of the council was arbitrary and capricious. Ms. White also explained the process set forth in Section 6401.2 regarding council and agency action on appeals panel decisions.

Ms. White led an introduction of the panelists and then requested that each appeal be presented to the meeting. The following materials were then represented with respect to the organizations listed below: written appeal materials of the relevant appellant, the grounds for appeal set forth in the appeal materials from the relevant appellant, and reviewed the relevant application and panel notes regarding the appeal grounds:

<b><i>ORGANIZATION</i></b>	<b><i>GROUND FOR APPEAL</i></b>
Erick Taylor	Improper Procedure
Jiyeon Paik (Sponsored by NYFA)	Non-Presentation of Information
League of Professional Theatre Women	Improper Procedure

The Creative Place Int'l (iTheatre Saratoga)	Improper Procedure
Royal Family Production	Misrepresentation of Information
OMNI Ensemble	Improper Procedure
Buffalo Niagara Heritage Village	Misrepresentation of Information.
Musicians Foundation	Non-Presentation of Information; bias Misrepresentation of Information
Lake George Music Festival	Non-Presentation of Information
Transforma Theatre	Improper Procedure
New York State Ballet	Non-Presentation of Information

### **Executive Session**

*A motion is made and seconded to enter into Executive Session per Section 105(1)(f) of the Open Meetings Law to discuss: "...the ... financial, credit or employment history of a particular person or corporation." The meeting continues in Executive Session for Panelists and staff until 2:30PM.*

### **Return to Public Session**

Ms. White initiated a panel revote on each appeal. The panel reconfirmed that 2 organizations were successful in appealing, whereas the other 9 organization were denied.

<b>ORGANIZATION</b>	<b>RESULT</b>
Eric Taylor	Denied
Jiyeon Paik (Sponsored by NYFA)	Denied
League of Professional Theatre Women	Denied
The Creative Place Int'l (iTheatre Saratoga)	Denied
Royal Family Production	Upheld
The OMNI Ensemble	Denied
Buffalo Niagara Heritage Village	Upheld
Musicians Foundation	Denied
Lake George Music Festival	Denied
Transforma Theatre	Denied
New York State Ballet	Denied

*Meeting adjourned at 3:30 pm.*