

**New York State Council on the Arts
FY 2021 Appeals Panel Meeting Minutes
Pursuant to Section 6401.5 of the New York State Rules and Regulations**

March 30, 2021

Called for 10:00 am - 12:00 pm

Held via video and teleconference

Appointed Appeals Panel Members Present: Viviana Bianchi, Kyla Gordon, Cristiana Pena, Ariel Shanberg, Jenn Swan

None absent.

Quorum present: Yes

Others in attendance:

Mara Manus, Executive Director, NYSCA

Megan White, Deputy Director of Programs, NYSCA

Abby Adler, Executive Assistant, NYSCA

Due to public health concerns and as authorized by Executive Order of the Governor, this meeting was conducted by teleconference and video participation.

Meeting was called to order at approximately 10:05 am by Deputy Director Megan White as nominee of the Executive Director.

Ms. White welcomed the appeals panel for the FY 2021 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:

1. Arts Business Collaborative
2. CSC Repertory, Ltd.
3. Performing Arts Journal
4. Bardavon 1869 Opera House
5. New Amsterdam Presents

The panelists then had an opportunity for discussion after the presentation of each appeal. Ms. White asked for a motion regarding each appeal.

For each appeal other than Arts Business Collaborative, a motion and a second was duly made to deny the appeal. After each such motion and second, Ms. White asked if there was further discussion and then requested a vote, which vote was then taken for each such motion and unanimously taken in favor of such motion denying the appeal.

For Arts Business Collaborative, a motion and a second were duly made to uphold the appeal. After such motion and second, Ms. White asked if there was further discussion and then requested a vote, which vote was then taken for such motion and unanimously taken in favor of such motion upholding the appeal.

Meeting adjourned at 10:58 am.