

**New York State Council on the Arts
FY 2023 Appeals Panel Meeting Minutes
Pursuant to Section 6401.5 of the New York State Rules and Regulations**

February 13, 2023
Called for 11:00 am - 12:30 pm
Held at 250 Broadway, Suite 2005, New York, NY 10007.

Appointed Appeals Panel Members Present:

Madeline Cutrona, Jose Esquea, Kyla Gordon, Kirsten Morgan, Alvaro Rodas

Quorum present: Yes

Others in attendance:

Megan White, Deputy Director of Programs, NYSCA
Abby Adler, Executive Assistant, NYSCA
Meg Fagan Schlefer, Producer, Kyo-Shin An Arts (Non-participatory audience member)

Meeting was called to order at 11:17 am by Deputy Director Megan White as nominee of the Executive Director.

Ms. White welcomed the appeals panel for the FY 2023 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:

ORGANIZATION	GROUND FOR APPEAL
Hallwalls	Improper Procedure; bias Misrepresentation of Information
Graycliff Conservancy	Misrepresentation of Information
Music From Salem	Non presentation of Information
Kyo-Shin An Arts	Improper Procedure; arbitrary and capricious

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, 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.

Meeting adjourned at 11:45 am.