

**Minutes of New York State Council on the Arts FY 2020 Appeals Panel Meeting
Pursuant to Section 6401.5 of the New York State Rules and Regulations**

300 Park Avenue, New York, NY 10010

February 12, 2020

Called for 2:00 pm -4:00 pm.

Appointed Appeals Panel Members Present: Lauren Grant, Coleen Hill, Shannon Murphy (by phone), Cristiana Pena, Mark Rossier.

None absent.

Quorum present: Yes

Others in attendance:

Mara Manus, Executive Director

Megan White, Deputy Director of Programs

Abigail Young, Deputy Director of Operations and General Counsel,
secretary to the meeting

Meeting was called to order at approximately 2:00 pm by Deputy Director Megan White as nominee of the Executive Director.

Ms. White welcomed the appeals panel for the FY 2020 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. Opera On Tap
2. NOW Ensemble
3. New Amsterdam Presents
4. New Phoenix Theatre
5. Rochester City Ballet (Mark Rossier recused)
6. Horizon Theatre Rep

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 Rochester City Ballet, 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 Rochester City Ballet, a motion and a second was 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 was adjourned at approximately 3:00 pm.