

GRIEVANCE AND APPEAL POLICY

***Please note if you are a SR or VPK provider please follow the Due Process Procedures in the SR20 or VPK20 Provider Contract.**

This grievance policy is designed to provide prompt and orderly resolution of complaints or disputes arising in the course of conducting business with, receiving services from, and/or providing services to the Early Learning Coalition of Lake County (ELCLC). Any party has the right to present a grievance to the Coalition within ten (10) business days of an occurrence, or within ten business (10) days of a party having reasonable knowledge of said matter.

For the purpose of this policy the following definitions apply:

Grievance is defined as any complaint by a client or recipient of services of the agency who is receiving services with regard to:

1. His/her treatment by agency personnel, (a worker or supervisor), or
2. Any other concern about his/her situation as related to the service programs of the agency which the client or recipient of services would like to have resolved.

Complainant is defined as the person who makes the complaint.

A grievance must be submitted in written form (electronic or mail) to the following address:

stharpe@elclc.org

or

Sheila Tharpe

Early Learning Coalition of Lake County

1300 Citizen's Boulevard, Suite 206

Leesburg, FL 34748

A written acknowledgement of the grievance will be provided within ten (10) business days of receipt.

Complaints and disputes may be resolved during this initial contact and thus would not require further action. A written resolution will be submitted by the Coalition within thirty (30) business days.

If the recipient believes that the issue was not resolved by the coalition, the recipient may file a formal written appeal for review by the Executive Director of the Coalition using the following procedure:

- Submit a written appeal to the Executive Director;
- Fully describe the nature of the error the recipient believes has been made and submit documentation that supports the claim;
- Appeal shall be postmarked or emailed before the date of the intended action. The recipient who fails to file a timely appeal waives the right of appeal;
- If the recipient files a timely appeal, he or she will not be suspended or terminated from the program until the written decision of the Executive Director or the original date of the intended action, whichever is later.

The Executive Director of the Coalition must respond to the recipient in writing, within thirty (30) days of receiving the appeal with a decision as to whether the suspension or termination will be upheld or modified.

If the recipient wishes to appeal the decision of the Executive Director of the Coalition, he or she may request further review by an appeals committee. The appeal must be in writing within (10) calendar days of the date of the Executive Director's written response and addressed to:

ELCLC Appeals Committee
 Early Learning Coalition of Lake County
 1300 Citizen's Boulevard, Suite 206
 Leesburg, FL 34748

Any party wishing to appeal, but unable to submit the appeal in writing may be assisted by Coalition staff.

A written acknowledgement of the appeal will be provided within ten (10) business days of receipt. The appeal will then be scheduled for the next appeals committee meeting, which will be no later than thirty (30) business days from the receipt of the appeal. The party will be notified in writing of the date and time of the scheduled appeals committee meeting and informed that it is a public meeting and that any information presented may be used by other state agencies.

The appeals committee shall be selected by the Chairman of the Board of the Coalition and a chair of the appeals committee shall be named. The committee shall be convened within forty-five (45) calendar days of receipt of the recipient's request for an appeal.

The recipient shall be provided up to thirty (30) minutes to present their position and any information they wish the committee to consider.

The Coalition staff, excluding the Executive Director shall be available to provide any information requested by the committee. The committee will consider all statements, review all documents and may request any additional evidence or information from the parties if an appeals committee member believes it is necessary and relevant to the

decision making. The required final determination letter will be tolled for the length of time given to provide the additional information.

The appeals committee shall select or appoint a member of the Coalition, excluding the Executive Director to memorialize the events of the appeals committee preceding the final determination including the basis for the decision.

The appellant shall be notified in writing of the appeals committee's determination within ten (10) days of the date of the meeting.

The determination of the appeals committee shall be final.

The due process procedures for providers will be provided for in the contract between the Coalition and the provider, pursuant to Rule 6M-4.610, F.A.C, 6M-9.400. (5)

In the event the party is under investigation with the Inspector General, Florida Department of Law Enforcement or any other law enforcement or state regulatory agency, for issues related to the circumstances surrounding the appeal, the request for hearing may be suspended until the investigation is completed and any anticipated or pending judicial activity has reached resolution. Following the outcome, the appeal process may continue.