

Arizona Department of Veterans' Services

Arizona Post 9/11 Military Family Relief Fund Advisory Committee Guidelines and Bylaws

GUIDELINES AND BYLAWS FOR THE ARIZONA POST 9/11 MILITARY FAMILY RELIEF FUND ADVISORY COMMITTEE

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Definitions

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| Active Duty | Military members who are currently serving full time in their federal military capacity |
| ADOR | Arizona Department of Revenue |
| ADVS | Arizona Department of Veterans' Services |
| Award | An approved relief fund request |
| CFO | Chief Financial Officer |
| Home of Record | The place recorded as the home of the individual when commissioned, appointed, enlisted, inducted or ordered into a tour of active duty. |

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| Immediate Family | Widow, widower, siblings, parent (including a family member who stood "in loco parentis") spouse or dependent children of eligible military personnel. |
| In the Line of Duty | A determination by the respective military service and/or the US Department of Veterans Affairs that the service member's death, injuries and/or illness were sustained or contracted while participating in an authorized activity. |
| MFRF | Military Family Relief Fund |
| MFRFAC | Military Family Relief Fund Advisory Committee |
| Veteran | A former member of the uniformed services of the United States who was discharged under honorable conditions. |

***The above definitions are for the purposes of this document only**
Purpose

The Arizona Post 9/11 Military Family Relief Fund¹ (MFRF) is established for the Arizona Department of Veterans' Services to grant² money awards to service members, veterans and their families who duly demonstrate their need for financial assistance because of the service member's or veteran's military service after September 11, 2001.

- Award amounts are limited by the money available to the Department through MFRF.
- The Post 9/11 MFRF Advisory Committee is established to determine appropriate use of available MFRF monies³.
- The grant of available MFRF monies is subject to the **MFRF Grant Process**⁴ and **MFRF Use Criteria**⁵.

Accordingly, the Post 9/11 MFRF Advisory Committee hereby establishes these MFRF Bylaws.

Bylaws

1. Incorporation into Bylaws

The purpose statement above is wholly incorporated into the Bylaws.

2. Post 9/11 MFRF Advisory Committee

The Post 9/11 MFRF Advisory Committee considers and evaluates post-9/11 MFRF applicants and their applications by the MFRF Use Criteria, and then recommends to the Department's Deputy Director to approve or disapprove all or part of each MFRF application through the MFRF Grant Process. Considerations, evaluations and recommendations through the MFRF Grant Process are confidential⁶.

¹ A.R.S. § 41-608.04

² Defined at A.R.S. §§ 41-2503(22) and 41-2701(2).

The term "person" used therein, identically defined at 41-2503(29) and 41-2701(3), is limited by 41-608.04(F).

³ 41-608.04(B)

⁴ Arizona grant process under A.R.S. § 41-2701 *et seq.* modified by 41-608.04

⁵ 41-608.04(C), (D), (E) and (F)

⁶ 41-608.04(E), which modifies application of 41-2702(E) and (G) ⁷
Defined in A.R.S. §§ 38-503(B) and 41-2705(C).

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Integrity of the MFRF Grant Process is essential to the State's interests in Veterans and MFRF. Integrity is obtained and maintained by discreet, objective and impartial adherence to and application of the MFRF Grant Process, avoidance of conflicts with MFRF interests and processes, and keeping in confidence the proceedings of the MFRF Grant Process.

3. Appointment to Post 9/11 MFRF Advisory Committee

Service as a member of the Post 9/11 MFRF Advisory Committee is by appointment of the Governor. Appointment is based upon a member's experience with post-9/11 service members, veterans and their families; and the member's ability to discreetly, objectively and impartially consider, evaluate and recommend MFRF applications and MFRF applicants through the MFRF Grant Process.

4. Post 9/11 MFRF Advisory Committee Members

As a condition of appointment, each Post 9/11 MFRF Advisory Committee member is hereby required to:

1. Read, understand and adhere to the Bylaws in the member's participation in the MFRF Grant Process;
2. Disclose to the Post 9/11 MFRF Advisory Committee Chairperson any conflicts of interest⁷ the member has or may have with ADVS and with the State's interests in MFRF and the MFRF Grant Process;
3. Have no interest in any MFRF application and with any MFRF applicant other than as a member of the Post 9/11 MFRF Advisory Committee;
4. Disclose to the Post 9/11 Post 9/11 MFRF Advisory Committee Chairperson any substantial interest⁷ the member has or may have in any MFRF application and with any MFRF applicant;
5. Have no communication with MFRF applicants except during Post 9/11 MFRF Advisory Committee or subcommittee meetings;
6. Discreetly, objectively and impartially apply the MFRF Use Criteria to each MFRF application and each MFRF applicant that the member considers, evaluates and recommends; and
7. Keep in confidence the member's participation in the MFRF Grant Process, except as otherwise required by law.

5. Member's Statement

Each member must execute a written conflict of interest and confidentiality statement prior to participation in the MFRF Grant Process⁸. The statement will include the requirements herein and be written in the format prescribed by the Post 9/11 MFRF Advisory Committee Chairperson with the prior concurrence of the Attorney General.

6. Meetings of the Committee

1. The Post 9/11 MFRF Advisory Committee shall meet at the call of the Chairman, but no less than quarterly. Any five members of the Committee may at any time call a special meeting of the Post 9/11 MFRF Advisory Committee. All meetings of the Post 9/11 MFRF Advisory Committee shall comply with the provisions of Arizona Open Meeting Law⁹.
2. The majority of the membership of the Post 9/11 MFRF Advisory Committee shall constitute a quorum for the transaction of business at any meeting of the Post 9/11 MFRF Advisory Committee.

⁷ Defined in A.R.S. § 41-2705.

⁸ Defined in A.R.S. § 38-502(11).

⁹ Defined in A.R.S. § 38-431 *et seq.*

§§ 38-431, 38-502, 38-503, 41-608.04, 41-2503 and 41-2701 *et seq.* are available at <http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp>.

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3. Public notice of all meetings of the Post 9/11 MFRF Advisory Committee shall be provided in accordance with Arizona Open Meeting Law. Public notice shall also be provided to the Secretary of State for posting at the kiosk at the West Wing of the Capitol.
4. Written notice of any regular meeting of the Post 9/11 MFRF Advisory Committee, plus the agenda and all material relating to agenda items, shall be transmitted to each Post 9/11 MFRF Advisory Committee member no less than 24 hours before the meeting date.

Amendments to the agenda and additional supporting materials, not previously available, shall be transmitted, when practicable, no less than 24 hours prior to the meeting. Except with the approval of three-fourths of the voting members in attendance at the meeting, and if permitted by law, no action shall be taken by the Post 9/11 MFRF Advisory Committee on any matter where material is not timely submitted with this section.

7. Meeting Procedures

1. The rules contained in the current edition of *Robert's Rules of Order Newly Revised in Brief* shall govern the deliberations of the Post 9/11 MFRF Advisory Committee in all cases to which they are applicable and in which they are consistent with these bylaws and special rules of order the Post 9/11 MFRF Advisory Committee may adopt, and with any applicable statutes.
2. The order of business for any regular meeting of the Post 9/11 MFRF Advisory Committee shall be determined by the Chairman provided the item of business was properly listed on the agenda for the meeting. Such agenda shall provide for both an executive session and open session in accordance with the regulations or law. The open session portion of the agenda shall provide at least for the following:
 - a. Approval of minutes of prior regular or special meetings not previously approved;
 - b. A public vote on any applications for assistance from the Military Family Relief Fund;
 - c. Call to the public;
 - d. Announcements and adjournment.
3. During the course of any regular meeting of the Post 9/11 MFRF Advisory Committee, the Chairman shall act as the presiding officer, and all motions shall be directed to the Chairman. Whenever a matter before the Post 9/11 MFRF Advisory Committee is deferred for further discussion, the Chairman may assign the matter to a member or members for further review, schedule the matter for further consideration at a future meeting of the Post 9/11 MFRF Advisory Committee, or take any other appropriate action.
4. All meetings of the Post 9/11 MFRF Advisory Committee are open to the public except for executive sessions. The Committee reserves the right, however, to maintain order to prevent interference by any member or members of the public with the conduct of its meetings.

8. Minutes of Meetings of the Committee

1. Minutes of all meetings of the Post 9/11 MFRF Advisory Committee shall be maintained in accordance with the requirements Arizona Open Meeting Law. Minutes will be posted on the agency Web site upon approval.
2. Each member of the Post 9/11 MFRF Advisory Committee shall be furnished with copies of the minutes of the open session portion of each regular meeting of the Post 9/11 MFRF Advisory Committee. Members of the Post 9/11 MFRF Advisory Committee may request copies of the minutes of the executive session portion of any meeting of the Committee for the purpose of approving the minutes.

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3. All minutes of the open session portion of any meeting of the Post 9/11 MFRF Advisory Committee shall be open to public inspection during regular business hours at the Office of the Director, Arizona Department of Veterans' Services. Minutes of executive session shall be kept confidential except from members of the Post 9/11 MFRF Advisory Committee or as otherwise required by law. Certified copies of minutes or excerpts from any minutes of the open session portion of any Post 9/11 MFRF Advisory Committee meetings or from any executive session if law permits such disclosure may be furnished by the MFRF Advisory Chairman or his/her designee.

9. Committees and Subcommittees

1. The Post 9/11 MFRF Advisory Committee may establish a standing subcommittee to handle expedited requests for assistance for not more than \$3,000¹⁰. This body will be made up of five current members of the Post 9/11 MFRF Advisory Committee, who will be elected by the Post 9/11 MFRF Advisory Committee and may meet in executive session without prior advanced notice. Three members of the subcommittee are required to reach a quorum and to recommend approval of a grant of not more than \$3,000.
2. The Post 9/11 MFRF Advisory Committee may establish and maintain standing subcommittees composed of members of the Post 9/11 MFRF Advisory Committee appointed by the Chairman.

10. Officers and Their Duties

1. At at Post 9/11 MFRF Advisory Committee meeting held at least 60 days prior to January 1, the Post 9/11 MFRF Advisory Committee shall elect a Chairman and Vice Chairman for the ensuing calendar year beginning January 1. Each officer shall hold office for twelve months and until a successor is duly elected. A majority of votes cast shall be required to elect.
2. The Chairman shall preside over meetings of the Committee, call meetings, assign requests for assistance to the special subcommittee as required, serve as an ex officio member of all subcommittees of the committee, and perform such other duties as are set forth in these bylaws or as shall be vested in the Chairman.
3. The Vice Chairman shall assist the Chairman in performing the duties of the Chairman and will preside at Committee meetings in the absence of the Chairman.
4. In the projected absence of the Chairman and Vice Chairman, the Chairman can appoint an Acting Chair to preside over a meeting.
5. The Committee will be staffed by employees of the ADVS.
6. Vacancies occurring in the Chairman or Vice Chairman position shall be filled by the Committee at any regular or special meeting for the unexpired term of the office.

11. Amendments

These bylaws shall not be added to, amended or repealed except at a meeting of the Post 9/11 MFRF Advisory Committee and by public vote of a majority of all voting members of the Post 9/11 MFRF Advisory Committee. Any proposed addition, deletion, or amendment shall be filed with the ADVS employee staffing the

¹⁰ A.R.S. § 41-608.04 (D)

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Committee, in writing, at least thirty days before such meeting, and the ADVS employee staffing the Committee shall promptly provide a copy to each member of the Committee.

MFRF Use Criteria¹¹

1. Precondition for Receipt of Awards

1. To be eligible for awards under the Arizona Military Family Relief Fund, the service member of an applying family must have deployed outside the continental United States after September 11, 2001, been deployed from a military base in Arizona, claimed Arizona as the service member's home of record while in the Service or been a member of the Arizona Army National Guard, Air National Guard or Reserve component at the time of deployment or establish residency in Arizona and be able to prove continuous residency for the twelve months prior to submitting the application. If discharged from military service, the service member must have been discharged under honorable conditions. The Committee may provide awards to an applying family if the service member of the family was deployed after September 11, 2001 and died or was wounded and the family needs financial assistance with travel or living expenses.. Veterans, Service Members and families must demonstrate military service caused their financial hardship.
2. The family must demonstrate a need for financial assistance to be approved for an award.
3. The Committee will adopt criteria to receive an award and publish the criteria with the application form. The Committee reserves the right to make exceptions on a case-by-case basis to the adopted criteria. Exceptions to the adopted criteria must be documented with a written explanation.
4. Applications for assistance are valid for thirty (30) days. Any application pending additional information without a tabling action by the Committee will be considered expired and requires a new submission.

2. Assistance Guidelines

1. Surviving Widows, Widowers or Immediate Family Members of Service Members killed in action may request up to six months living expenses and other appropriate expenses as determined by the Post 9/11 Military Family Relief Fund Advisory Committee.
2. Immediate Family Members of Wounded or Injured Service Members, or a Service Member who contracted a serious illness while serving in the combat area of operations may request temporary living and travel expenses while care is being delivered to the qualifying service member or other appropriate expenses as determined by the Post 9/11 Military Family Relief Fund Advisory Committee.
3. Immediate Family Members of Service Member who is deployed may request living expenses or other appropriate expenses as determined by the Post 9/11 Military Family Relief Fund Committee to resolve unforeseen financial hardship occurring during deployment or as a result of a deployment and to assist with transition to financial stability.
 - a. Assistance grants for individuals awaiting a VA disability claim for injuries/disabilities or other hardships related to deployment are limited to a maximum of four months at a time.
4. Lifetime awards are limited to twenty thousand dollars per applicant.

¹¹ 41-608.04(C), (D), (E) and (F)

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5. Expedited requests for not more than \$3,000 to address immediate or emergency needs are limited to one expedited award per applicant. This one time limit is regardless of previous application denials or awards by the full Advisory Committee.
6. Grant awards must be claimed by applicant within 30 days, unless otherwise specified to be received during a specific time frame.

3. **Eligible Expenses**

1. Travel and temporary living expenses for families to be with wounded service members while care is being rendered or to attend funerals for service members killed in action
2. Unforeseen financial emergency during deployment of a service member or caused by service member being killed or wounded in action
3. Basic living expenses to assist with deployment related hardships
4. Basic and temporary living expenses are defined as:
 - a. Housing Expenses – mortgage/rent, repairs, insurance
 - b. Vehicle Expenses – payments, insurance, repairs
 - c. Utilities – electricity, water, gas, internet and primary phone. Assistance with primary phone is limited to a maximum of \$200.00 per month and does not include equipment charges
 - d. Medical Expenses, such as bills and prescriptions
 - e. Food, fuel and incidentals. Perishable items, such as groceries, personal needs, gasoline, etc., may be considered as a reimbursable expense by the Advisory Committee or Subcommittee, therefore requiring applicant to submit receipts.

4. **Ineligible Hardships and Expenses**

1. Financial assistance cannot be granted for hardships caused by:
 - a. Civil, legal or domestic issues and misconduct, including traffic tickets or other fines, or any issues that are a direct result of spousal separation or divorce
 - b. Military, VA, GI Bill and/or other Benefit or Entitlement debt or payment issues
 - c. Economic issues not related to military service
 - d. Financial mismanagement by self or others, or due to bankruptcy
 - e. Commercial ventures, investments, etc (including losses)
2. The following expenses are normally ineligible for assistance, unless applicant can clearly demonstrate the financial need was caused by their military service:
 - a. Credit cards, military charge cards or retail store cards
 - b. Personal, student or payday loans
 - c. Unsecured debt, including debt owed to a friend/family member
 - d. Military debt, VA debt or other Benefit debt
 - e. Negative bank accounts, including overdraft fees and charges
 - f. Cable/Satellite TV
 - g. Tax liabilities, such including income and property taxes
 - h. Legal expenses
 - i. Furniture, electronic equipment, etc
 - j. Down payments homes, vehicles or other assets
 - k. Bills obviously due to excessive use or mismanagement

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5. Exceptions to MFRF Use Criteria

1. The Arizona Post 9/11 Military Family Relief Fund Advisory Committee reserves the right to make exceptions on a case-by-case basis to the MFRF Use Criteria. Exceptions to the MFRF Use Criteria must be documented with a written explanation.

MFRF Grant Process¹²

1. Grant Solicitation and Application Form

1. MFRF Grant Process has been excused by the Arizona Attorney General's Office from A.R.S. § 41-2702, which requires a state government unit to issue a request for grant applications. MFRF is therefore able to accept grant applications at any time.
2. MFRF applications will be distributed statewide via:
 - a. ADVS Web site
 - b. ADVS Veterans Benefits Counselors
 - c. Veterans Affairs Medical Centers
 - d. Veterans Affairs Regional Offices
 - e. Veterans Service Organizations
 - f. Non-profit organizations serving military members, veterans and their families
 - g. All military installations in the state

2. Confidentiality and Conflict of Interest

1. Applicant information is confidential by statute. Each member must execute a written conflict of interest and confidentiality statement prior to participation in the MFRF Grant Process¹⁴ as described within these bylaws.

3. Application Receipt, Documentation, Review, Recommendations, Decision and Payment

1. To receive consideration for an award, individuals must submit a MFRF application to ADVS, 3839 N 3rd St., Ste 209, Phoenix, AZ 85012, FAX to 602-297-6684 or email to mfrf@azdvs.gov.
2. ADVS staff will establish a working case file for each application.
3. ADVS staff will screen incoming applications to ensure all pertinent information is included and may contact the applicant as necessary.
4. Once the completed application is received and processed, the application will be submitted to the Post 9/11 MFRF Advisory Committee or Subcommittee for consideration.
 - a. An application for assistance that is urgent and/or the potential award is \$3000 or less will be forwarded to the Subcommittee for immediate consideration.
 - b. Applications not requiring immediate consideration will be added to the agenda of the next regular Committee meeting.
 - c. In the event ADVS staff has questions regarding the applicability/eligibility of an application, the staff will forward the application to the Chairman or Vice Chairman for decision.
5. Awards are limited to twenty thousand dollars per applicant.

¹² Arizona grant process under A.R.S. § 41-2701 *et seq.* modified by 41-608.04 ¹⁴ Defined in A.R.S. § 38-502(11).

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6. Applications and the Committee's recommendation to approve or disapprove all or part of each application will be forwarded to ADVS Deputy Director for review and final approval or disapproval.
7. Grant applicants will be notified of the award decision in writing and by telephone, if possible, by ADVS staff.
8. Approved awards will be processed by ADVS Financial Services Division.

4. Appeals Process

2. A grant decision is considered final thirty days after written notification has been provided to the applicant. For grant applications denied or modified, the written notification will inform applicants of their right to appeal the decision and the appeals process.
3. Grant applicants may appeal the denial or modification of their award decision within thirty days of receipt of their decision letter. An applicant must submit a written notice of appeal to the ADVS Director. The written notice shall include a concise statement of the reasons for the appeal.
4. The ADVS Director will review the appeal and application history and determine whether to approve or deny the appeal. The ADVS Director's decision is ADVS's final decision regarding the grant application¹³.
5. If the appeal is denied by the ADVS Director, the applicant will receive instructions for appealing the ADVS Director's decision to the Director of the Department of Administration in their appeal denial letter.
6. The Department of Administration will resolve an appeal of the ADVS Director's decision in accordance with the rules of procedure adopted by the Director of Administration pursuant to A.R.S. §41-2611 and in accordance with §41-1092.01 et seq.

¹³ Defined in A.R.S. § 41-2704