

FY21 GRANT POLICIES



To our constituents,

The Nevada Arts Council (NAC), a division of the Nevada Department of Tourism and Cultural Affairs, was created as a state agency in 1967. The NAC is charged with supporting Nevada’s arts and cultural sectors by expanding access to the arts and increasing public participation in arts programming. Funding for NAC grants, programs, and services is provided by the State of Nevada, the National Endowment for the Arts, and other private and public sources.

In partnership with schools, artists, arts institutions, and communities, the NAC actively works to bring a diversity of art forms and audiences together in Nevada’s urban centers and rural towns. The NAC supports a breadth of public programs from folklife festivals to youth artwork projects, and concert series to visual arts exhibits. These programs contribute to the health and diversity of Nevada’s economy and workforce, increasing tourism, strengthening communities, and fostering education through the arts.

We here at the Arts Council are focused on meeting our mission to enrich the cultural life of the state through leadership that preserves, supports, strengthens, and makes excellence in the arts accessible to all Nevadans. We believe in the ability of the NAC to meaningfully support this goal through our grant programs:

- We are committed to active arts engagement for Nevadans of all ages and abilities. Through the **Project Grant for Organizations** and the **Folklife Community Grant**, we support high quality and diverse arts experiences.
- We believe in integrating the arts into the learning continuum of Nevadans of all ages. Through the **Arts Learning Project Grant** and the **Arts Learning Express Grant**, we support lifelong learning and access to quality arts learning opportunities in schools and communities for Pre-K through 12th grade students.
- We appreciate, respect, and are committed to supporting Nevada’s creative workforce, so we fund the **Professional Development Grant**.
- We strive to cultivate long-term sustainability in our cultural institutions through the two-year **Operating Support Grant**.
- We believe that individual artists and cultural practitioners enrich communities and are an integral part of making Nevada such a vital and unique place to live. Through the **Artist Fellowship Grant**, **Folk Arts Fellowship Grant**, **Project Grant for Artists**, and **Folklife Artist Grant**, artists have resources to bring their creative ideas to life.

A legacy of innovation and excellence has been forged by a dedicated partnership between the Nevada Arts Council, the State of Nevada, and the National Endowment for the Arts. Together we will continue to build a more prosperous and creative future for Nevada. We look forward to working with you to enrich the cultural life of our great state.

Warmly,

The Nevada Arts Council staff

Allison
Grace
Michelle
Jim
MaryJane
Rebecca
Simon
TONY

GENERAL ELIGIBILITY

Please refer to individual grant guidelines for specific eligibility requirements for each grant.

INDIVIDUALS

- Must be at least 21 years old.
- Must be a current Nevada resident and have been in residence for at least one year prior to the date of the grant application. Applicants must submit valid NV Driver's License or NV State ID Card as evidence of this.

If you do not have a driver's license/state ID or if your driver's license was renewed within the past 12 months, contact NAC staff to discuss other residency verification material.

- Must be a U.S. citizen or have legal resident status.
- Must not be enrolled as a degree-seeking student.

NONPROFIT ORGANIZATIONS (including non-profit private schools)

- Must be incorporated and registered as a Nevada nonprofit organization.
- Must have federal tax-exempt status under Section 501(c)(3) of the Internal Revenue Code. *Organizations without 501(c)(3) status may apply for some grants with a Fiscal Agent, see page 3 for more information.*
- Must have a DUNS number (can be obtained for free at www.dnb.com). The Data Universal Numbering System (DUNS) number is a unique nine-character identification number. DUNS numbers are required of all Federal grant recipients and provided by the commercial company Dun & Bradstreet.
- Nonprofit organizations located in states that border Nevada may apply for a NAC grant if they are incorporated in Nevada with 501(c)(3) tax-exempt status. However, the application must clearly demonstrate that the majority of the proposed project (at least 75%) serves Nevada communities, and all awarded NAC grant funds must be used to support Nevada communities.

PUBLIC INSTITUTIONS

GOVERNMENT AGENCIES (including federally recognized tribes)

- NEW THIS YEAR: Agencies that exist within the same governmental entity are eligible to apply independently when they have different/distinct mission statements and their own separate advisory boards. Multiple departments/facilities within one agency may not apply independently; each agency must collectively determine the programs or projects for which to request funding.

COLLEGES/UNIVERSITIES

- Colleges/universities are limited to no more than one grant to the same academic department per fiscal year.
- Projects must serve a broad community outside the institution and generate area-wide arts involvement. Grants may not support the institution's internal programs.

PUBLIC SCHOOLS AND PUBLIC LIBRARIES

- Individual schools and libraries within the same district/system may apply independently as long as they have their own budget and facility.

USE OF A FISCAL AGENT

Incorporated nonprofit organizations that are registered to do business in the state of Nevada but are not tax-exempt under section 501(c)(3) of the Internal Revenue Code may use a Fiscal Agent to apply for the following grants: Arts Learning Project Grant, Folklife Community Grant, Project Grant for Organizations.

- As the Fiscal Agent is the legal recipient of the grant award on behalf of the applicant organization, they must be an incorporated nonprofit 501(c)(3) and meet all other eligibility requirements for NAC grants.
- The Fiscal Agent should have a true pass-through relationship with the applicant: the Fiscal Agent has no discretion in determining how the grant funds will be used and does not retain any control (variance power) over the funds received. The income and expenses of the project should be kept separate from the Fiscal Agent's operations, except for the earned fee for its services (if applicable).
- The Fiscal Agent has a legal responsibility to see that the funds are spent on the proposed project and is responsible for all the requirements of the specific grant category including fiscal records and final reports.
- A formal agreement between the Fiscal Agent and the applicant must be submitted with the grant application.
- Acting as a Fiscal Agent does not limit the Fiscal Agent's own NAC grant applications.
- If using a Fiscal Agent, applicants must contact the NAC prior to submitting a grant application.

GENERAL FUNDING RESTRICTIONS

In addition to the list below, other costs may or may not be allowable. If in doubt about a particular cost, please contact NAC staff. The following costs are non-allowable:

- Any portion of a project that duplicates costs in grants pending with, or received directly from, the National Endowment for the Arts
- Any portion of the same project in multiple grant applications
- Any portion of completed projects
- Capital expenditures for land or general-purpose equipment with a cost over \$2,500
- Cash prizes
- Competition awards
- Fees for filing for 501(c)(3) tax-exempt status with the Internal Revenue Service
- Fines, penalties, or debt collection costs
- Travel outside Canada, Mexico, the United States, and its territories and possessions
- Fundraising efforts or the money spent in order to raise additional funds (such as social events and benefits)
- Hospitality or entertainment expenses (including food, beverages and gratuities for openings, receptions, parties or other hospitality functions)
- Journalism, historical or academic documentary film, and electronic media arts that do NOT demonstrate significant artistic emphasis, consideration, and distinction
- Legal fees or litigation costs
- Lobbying expenses
- Preparation for, or travel to, competitions (except for Poetry Out Loud participants)
- Projects with implicit religious content that may be perceived as advancing a religious purpose
- Publication subvention
- Reduction of debt including interest expenses paid on loans, debts, or borrowed capital
- Renovation, remodeling, restoration, or new construction
- Reserve funds
- Salaries and overhead of government agencies, public institutions, and public and private schools, colleges, and universities
- Student scholarships for academic credit or awards for student work

GRANT REVIEW PROCESS

COMPETITIVE GRANT REVIEW

Competitive grant applications are reviewed and evaluated in an impartial environment by panels of in-state and out-of-state arts specialists, artists, and educators. The panelists score grant applications and make funding recommendations to the NAC Board. Not all applications are funded, and grant awards may vary from requested amounts. During panel meetings, only the panelists participate in the discussion and scoring of applications. Panelists are required to disclose all known conflicts of interest with any grant applicant and abstain from the discussion and scoring of the specified applicant(s). A conflict of interest shall be deemed to exist if a panelist or any member of a panelist's immediate family:

1. Has direct involvement in the operation, management, or serves on a board of directors or trustees of an applicant
2. Has a direct ownership interest or investment interest in an applicant
3. Is employed by or volunteers for an applicant
4. Receives or has the right to receive, directly or indirectly, remuneration pursuant to any arrangement for compensation with an applicant

After panel meetings are completed, the NAC Board convenes in a public meeting to discuss the grant panel review and to vote on final grant allocations. Per NAC Board decision on September 20, 2019, grant applications with an average score of less than 70 will not be funded.

Applicants are encouraged to observe panel meetings in person or to listen via internet or teleconference options. Panel discussions provide insights to effective grant writing and program evaluation. Applicants are asked to refrain from contacting panel members before or during the panel meeting process. Applicants are not required to attend grant panels, nor will absence from these meetings prejudice application review.

NON-COMPETITIVE GRANT REVIEW

Non-competitive grant applications are reviewed for eligibility and completeness throughout the year by NAC staff. Eligible applications are awarded in the order in which they are received while funds remain available. Grants are contingent on available funding as approved by the NAC Board.

APPEALS PROCESS

An organization or individual who disputes a review panel's recommendation on grounds of procedural errors may request a review of that recommendation by the NAC board. Procedural errors might include a technological error preventing panelists from properly viewing the application, or a failure of a panelist with a known conflict of interest to abstain from the discussion. Disagreement with the judgment of the panel or the amount of the award is not grounds for an appeal. To file an appeal, the applicant must submit a letter to the Nevada Arts Council's Executive Director within 30 days of the panel meeting stating the reasons for the request for review. Appeals will be reviewed and acted on by the NAC Board after consultation with NAC staff. The decision of the NAC Board is final. Incomplete applications are not eligible to appeal.

GRANTEE RESPONSIBILITIES

1. TERMS AND CONDITIONS

To accept and receive a NAC grant, the Terms and Conditions document in the award packet must be signed by the Authorizing Official and sent to the NAC within 30 days of the Grant Award Letter date.

DECLINING GRANT: If you cannot meet the deadline or if you do not intend to accept the grant, it is your responsibility to contact the NAC in writing immediately.

2. PROGRAM/PROJECT CHANGES

If the awarded project is altered substantially (over 20% change in any item) from the approved application, or there are substantial financial, programmatic or personnel changes within the organization, the grantee must submit a Grant Change Request Form to the NAC (included in the award packet). This form must be submitted within 30 days of the requested change and grantees must receive NAC approval for proposed or stated changes to stay in compliance.

3. CREDIT & PUBLICITY

NAC grants are made possible primarily through public dollars—appropriations from the State of Nevada and grants from the National Endowment for the Arts. It is required that acknowledgement of this support be prominently posted on grantee websites (if applicable) and included in all applicable grantee publicity and printed materials—programs, catalogues, posters, news releases, and advertisements. It is the grantee’s responsibility to contact the NAC if they do not have a website or cannot display the required logos and text on their website or printed materials. NAC logos may remain on past grantee material; however, National Endowment for the Arts credits must be removed from all materials upon completion of your grant period.

- Please use only the approved versions of the Nevada Arts Council and National Endowment for the Arts logos which are available to download at:
www.nvculture.org/nevadaartscouncil/grants/grants-information/4438-2/
- When using the logos on a website, please link to the corresponding websites:
NEVADA ARTS COUNCIL: <http://nvartscouncil.org>
NATIONAL ENDOWMENT FOR THE ARTS: <https://www.arts.gov/>
- When no printed information is distributed, verbal credit must be given prior to each performance or presentation. Required Credit Language: “This program/project was supported, in part, by the Nevada Arts Council, a state agency, which receives support from the National Endowment for the Arts, a federal agency, and the state of Nevada.”

4. THANK ELECTED OFFICIALS

All grantees are required to thank their state and federal elected officials* for supporting the Nevada Arts Council and the National Endowment for the Arts. Thank you letters may be sent via U.S. mail or email. Please include the NAC grant you received, describe your appreciation of their support for arts funding, and describe how you/your organization used the grant funding. Grantees must submit copies of these letters or emails to the NAC to remain in compliance. Grantees may utilize the VoterVoice website below to find their elected officials and send thank you letters via email: <https://votervoice.net/fb/NVARTS/home>

**State Officials include the Governor, Lieutenant Governor, and State Representatives from your registered district (Senate and Assembly). Federal Officials include the President, Vice President and Congressional Representatives from your registered district (Senate and House of Representatives).*

5. MATCHING FUNDS

In most NAC grant categories, organizations must match the NAC awarded grant funds dollar for dollar (1:1) in cash or in-kind (in-kind is only accepted for Arts Learning Project Grants). Matching funds must be current income from no earlier than 6 months prior to the date on the Cash Request Form. **Other state general funds or federal funds may not be used as a match for NAC grants.**

Matching funds are identified when requesting funds by listing the source and amount of the matching funds on the Cash Request Form and providing one of the following accepted back-up documents:

- a) Income statement (such as a profit and loss statement or a deposit statement that shows the source of the matching funds. General bank statements are NOT accepted)
- b) Grant Award Letter from a foundation or other non-federal/state entity
- c) Donation log
- d) In-kind verification form

6. ACCESSIBILITY & ADA/504 COMPLIANCE

Making the arts accessible to Nevadans of all cultures and abilities, without prejudice to geographic or economic status, is a priority for the NAC. By making Nevada's arts and cultural programs, activities, information, and facilities accessible to all people—with and without disabilities—we open the door to an expanded audience of participants, patrons, and advocates.

Grant recipients must comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). The Rehabilitation Act of 1973, Section 504 mandates that no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The ADA requires that all arts organizations make their programs, services, and activities (including employment) accessible to qualified persons with disabilities. ADA applies whether or not an arts organization receives federal funds.

Grantees must have a current Organization Accessibility Checklist, Self-Evaluation, or Plan on file during the grant period. The organization must review and update this document every three years to be current. For information on requirements of the ADA or how to make your programs and facilities more accessible, download the *Design for Accessibility Handbook* along with an *Arts Accessibility Checklist* on the National Endowment for the Arts' Accessibility Resources homepage at: <https://www.arts.gov/accessibility/accessibility-resources>

7. FINAL REPORT

All NAC grantees will be required to fill out and submit Final Reports on our online grant management system by the deadline stated in the award packet or by June 30 of the fiscal year, whichever is sooner. If the funded project occurs in June, grantees have until July 15 to submit their Final Report. Information on Final Report requirements for each grant category is included in the Grant Award Packet.

8. OUT OF COMPLIANCE

If grantees miss the Final Report deadline, they may send a written request for an extension. If approved, grantees must submit all required Final Report paperwork by the extended deadline or be out of compliance and forfeit any remaining grant funds. Extended deadlines for annual grants can be no later than July 31 of the grant year. The grantee will remain out of compliance and unable to apply for or receive future NAC grants until the NAC receives all delinquent paperwork.

9. RECORD KEEPING

All NAC grant recipients are required to keep copies of the original grant application, financial records, supporting documents, statistical records, and all other records pertinent to NAC grants for a minimum of three years after the end of the project. Grant funds may be considered taxable income. Per Nevada Arts Council and National Endowment for the Arts requirements, all grantees must permit the Nevada Arts Council to access their records and financial statements as necessary during the fiscal year of the award to ensure compliance with Federal award requirements.

10. AUDITS

Organizational grant recipients may be subject to an on-site audit performed by NAC staff. NAC staff will notify grantees of the audit date at least 45 days in advance. If a recipient receives \$750,000 or more in federal funds, the federal government requires recipients to submit a Single Audit report to the NAC for the year in which NAC funds were received and spent.

GENERAL INFORMATION

AVAILABILITY OF FUNDS FOR THE CURRENT FISCAL YEAR

All NAC grants are subject to, and contingent upon, sufficient funds being appropriated, budgeted, and otherwise made available by the Nevada Legislature and/or federal and other sources. The NAC, as the granting authority, may reduce or terminate grant(s), and the grantee waives any and all claim(s) for damages, effective immediately upon receipt of written notice (or any date specified therein) if for any reason the granting agency's funding from state and/or federal sources is not appropriated or is withdrawn, limited, or impaired.

LEGAL REQUIREMENTS

The NAC complies with all state and federal laws and regulations concerning civil and human rights, including Title IV of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972 and the Age Discrimination Act of 1975. The NAC ensures that its programs, grants and employment practices are free of any discrimination based on race, national origin, disability, sex, sexual orientation or age.

DATA DISCLOSURE

The information requested of all NAC grant applicants (in grant applications and Final Report forms) is critical for state and national cultural policy development and planning. Both the National Endowment for the Arts and the Nevada Arts Council use this data to determine trends, establish statistical data, and develop budget requests. This data is the foundation for the NAC budget request, presented to the Governor's Office and the Nevada State Legislature every biennium. Section Five of the National Foundation for the Arts and Humanities Act of 1965, as amended, authorizes these national endowments to request such information for use in application processing and in trend analysis and statistical research. As this complies with the Privacy Act of 1974, the NAC responds to National Endowment for the Arts requests for information.

INDIRECT COSTS

Indirect costs are defined as the expenses of doing business that are not readily identified with a particular grant or project. They may include administration, personnel, or other allowable expenses. If indirect costs are requested, they must be presented in the application budget. A federally-negotiated rate agreement must be provided in the support materials. If no federally-negotiated rate agreement is in place, organizations may request an indirect costs rate of 10% of the grant request. Indirect costs may not be requested in Operational Support Grants.

OWNERSHIP OF INTELLECTUAL PROPERTY

The NAC does not own, collect royalties on, or hold copyrights to artistic products resulting from its grants nor will it take any action on behalf of the grantee to protect the grantee's intellectual property rights. The NAC does, however, request from all its grantees the right to reproduce and use documentation of such products for educational, promotional, official or noncommercial purposes, both electronically and in print.