



## 2024 ARTIST ANNUAL GRANT PROGRAM GUIDELINES NOTICE OF FUNDING OPPORTUNITY

CultureWorks’ mission is to strengthen artists and arts and culture organizations to increase their impact in our region. We value diversity and inclusivity and believe everyone in our community should have access to arts and culture, as well as the opportunity to express their culture through the arts.

While we still have much work to do at CultureWorks and in our region, we have made great strides putting these values into action with:

- Recruiting a diverse Board of Directors to better reflect the community we serve
- Adopting an Action Plan in 2020 to achieve our goal of fostering Cultural Equity
- Expanding community engagement efforts to increase participation in our grants and other programs by BIPOC artists and organizations primarily serving BIPOC communities.
  - For 2023, 92% of annual grant awardees were BIPOC or were organizations led by or primarily serving marginalized communities.

The Annual Grants Program provides funding for diverse organizations, and initiatives that benefit the Richmond and Tri-Cities Region; specifically, the cities of Richmond, Colonial Heights, Hopewell and Petersburg, along with the counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan, and the Town of Ashland.

Practicing artists of all disciplines (e.g., performing, visual, media, cultural, literary, etc.) are welcome to apply and can receive an award of up to \$6,000.

To ensure optimal presentation of your proposed project, we highly recommend that you plan to attend a Grants Application Information Session and Thursday Office Hours for Q&A sessions:

<b>In-person Grant Application Session – Oakwood Arts</b> <a href="https://www.eventbrite.com/e/2024-annual-grants-program-information-session-richmond-tickets-719207598287">https://www.eventbrite.com/e/2024-annual-grants-program-information-session-richmond-tickets-719207598287</a>	Tuesday, January 16, 2024 (5:30-6:45PM)
<b>In-person Grant Application Session – John Randolph Foundation</b> <a href="https://www.eventbrite.com/e/2024-annual-grants-program-information-session-hopewell-tickets-719212563137">https://www.eventbrite.com/e/2024-annual-grants-program-information-session-hopewell-tickets-719212563137</a>	Tuesday, January 23, 2024 (5:00-6:15PM)
<b>Virtual Grant Application Session</b> <a href="https://www.eventbrite.com/e/2024-annual-grants-program-information-session-virtual-tickets-719214569137">https://www.eventbrite.com/e/2024-annual-grants-program-information-session-virtual-tickets-719214569137</a>	Thursday, January 25, 2024 (12:30-1:30PM)
<b>Thursday Office Hours (by Zoom)</b> <b>Sign-up for 15-minute sessions at:</b> <a href="https://calendly.com/shelbycultureworks">https://calendly.com/shelbycultureworks</a>	Thursdays thru February 1 – March 21, 2024 (12:30 - 2:00PM)

Please address any questions to Shelby Finkelstein, Advancement & Grants Program Strategist, at [shelby@richmondcultureworks.org](mailto:shelby@richmondcultureworks.org).

If accommodations are needed due to disability or translation services, please contact Shelby Finkelstein to communicate your needs before the application deadline or visit CultureWorks' website at <https://richmondcultureworks.org/grants/>. Requests for accommodations made after the application deadline cannot be honored.

## **DEADLINES**

### **Application Opens: Thursday, February 1, 2024 at 9:00 AM EST**

The Annual Grant Program applications will be completed and submitted through an online system accessible at <https://richmondcultureworks.org/grants/>

### **Application Deadline: Thursday, March 28, 2024, at 5:00 PM EST**

### **PLEASE NOTE: NO EXCEPTIONS WILL BE MADE PAST THE DEADLINE.**

It is highly recommended that you begin your online application process well before the deadline, to ensure there is proper time to submit your application.

The most successful proposals we have received have clear evidence that significant time was spent in preparation of the narrative, the budget, and all sections of the application. We advise applicants not to wait until the final day to start their application process or to submit their application in the last few minutes before the deadline.

## **TIMELINE FOR GRANT APPLICATIONS SUBMITTED TO CULTUREWORKS**

### **Internal and Community Panel Review: March-May 2024**

Grants are reviewed and evaluated by a panel comprised of community volunteers with diverse backgrounds, experience, and relevant expertise.

### **Grant Awards: June 2024**

Award notifications are expected to be emailed by the last week of June with grant checks distributed July 2024.

### **Grant Funding Period: July 1, 2024 – June 30, 2025**

A mid-year progress report is due Monday, January 6, 2025. Grant recipients will be expected to complete their grant activities by June 30, 2025, and submit a final report 30 days after completing the awarded project or initiative, with all reports due no later than 30 days after the end of the funding period or by Monday, July 28, 2025. Final reports will be completed and submitted through the online application system.

## **FUNDING FOCUS AREAS**

### **1. *Building Capabilities***

***Building Capabilities*** funding supports opportunities which pertain to the recipient's effectiveness and overall growth as a practicing artist. Requests must be made for a particular initiative, not for general support. Sample initiatives that may be eligible for this funding include:

- Building infrastructure (studio space improvements, equipment to increase productivity and output, prepping for exhibits, etc.)
- Improving technology related to practicing your specific art discipline.

These are illustrative examples and are not all-inclusive. Building Capabilities grants awards are limited to a maximum of \$6,000. For a comprehensive list of unallowable costs, please see Appendix A.

## **2. Cultural Equity**

**Cultural Equity** funding provides a stipend to artists conducting an arts and culture project or programming that elevates and/or successfully engages underrepresented populations based on race, ethnicity, age, ability, sexual orientation, gender, socioeconomic status, geography, or religion. A goal and commitment of CultureWorks, supported through this area, is to champion efforts that create accessible arts and culture opportunities and remove barriers to maximize participation across the Richmond and Tri-Cities region. Sample activities that may be eligible for this funding include:

- Innovative ideas that engage underrepresented audiences in our community's arts and culture.
- Art exhibitions, engagements, or presentations that highlight and promote the art and culture of a particular community underrepresented in the region.

These are illustrative examples and are not all-inclusive. **Cultural Equity grants to artists are limited to a maximum of \$6,000.** While the award is considered a stipend to the artist, artists will be asked to provide budget information showing how the funds will be used.

For 2024, Cultural Equity Grants are funded in part by the National Endowment for the Arts. In order to meet the requirements of Federal support provided and to ensure the funding achieves the intended impacts in our region, CultureWorks has specific requirements of the Cultural Equity funding program, regarding:

- Eligibility (See next section)
- Reporting Requirements (Appendix B)
- Compliance Requirements (Appendix C)

These include but are not limited to requirements that:

1. Prohibit discrimination
2. Ensure accessibility of all programs funded with federal monies
3. Provide for the protection of environmental and historic resources

**Please carefully review the detailed compliance requirements for Cultural Equity grants in Appendix C of this document.**

### **ELIGIBILITY FOR 2024**

Applicants must meet the following requirements to be eligible for funding:

- Be a practicing artist.  
*The CultureWorks Grant Program defines a practicing artist as an individual recognized by their peers, critics, or other professionals as committed to producing art on a regular basis. Artists meeting this criterion are typically paid for their work, earning a portion of their living from their creative work. Artists of all disciplines - performing, visual, literary, media, etc. - are encouraged to apply.*

- Maintain a residence in the Richmond and Tri-Cities region of Virginia and expect to do so through the grant period.
- Be 18 years old or older.
- Students pursuing any degree are NOT eligible.
- Applicant has at least a two-year history of public engagement, presentation, or publication.
- Be the lead artist in every aspect of their project.
- Applicant (individual) cannot be disbarred, suspended, or have any other exclusions or disqualifications from receiving federal funding.
- Produce arts and/or culture that benefits and focuses primarily on the Richmond and Tri-Cities region.
- Be a U.S. Citizen with a Social Security number that will be provided upon notification of a grant award.
- Use funding within the fiscal year July 1, 2024 – June 30, 2025.

#### **Additional Eligibility Considerations:**

- In line with the CultureWorks' commitment to mitigate systemic inequities, the grants program will prioritize applications submitted by artists belonging to identified groups who have historically been underrepresented based on race/ethnicity, age, disability, sexual orientation, gender, gender identity, or socioeconomic status.
- Separate applications for the two focus areas (e.g., Building Capabilities, Cultural Equity) in the same cycle are NOT permitted.
- Applications for multi-year grants will NOT be considered. Additionally, grants will not be awarded for similar activities for more than two years.
- **For the 2024 Annual Grants Program cycle**, CultureWorks will permit applicants that have been awarded Annual Grants for two or more consecutive years to apply for another year of Annual Grant funding. Qualified applicants that have not received CultureWorks Annual Grants in the past two consecutive cycles will receive priority consideration.
- Applicants with incomplete or outstanding grant obligations<sup>1</sup> or past-due reports due from previous CultureWorks grants are not eligible to apply.

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<sup>1</sup> Past grants received must be considered in good standing. CultureWorks defines "good standing" as an awardee is on time with required reports and is proactive in communicating any changes in plans with the funded project's timeline.

- Grants will not be awarded to two or more parties for the same project, program, etc. Collaborative efforts will need to determine one eligible lead artist or organization to be the applicant that will be responsible for the application and disbursement of funds to partners and required reporting on the progress of the project, if awarded.

## **APPLICATION COMPONENTS**

The following sections must be answered for an application to be considered complete:

1. Title of Request
2. Applicant Information  
Includes contact information, geographic area served, artist statement, and public self-identification questions.
3. Project Information  
Includes project title, purpose of the grant, project start and end date, grant request amount, and total project budget.
4. Grant Focus Area  
Select “Building Capabilities” or “Cultural Equity” category.
5. Need  
What is your specific need and why have you chosen this project at this time?
6. Project Details  
Provide a detailed description of the planned project and activities to take place. The description should include project components, how the grant funds will be used, and how the project makes a positive impact for our region.

### ***For Building Capabilities:***

Describe specifically how the grant funds will be used. Include information on how the proposed grant addresses a capability need. Please describe how funds will have an impact on the future of your artistic or cultural career. Include information on how this will influence your career, address challenges, enhance successes and build on your professional artistic accomplishments.

### ***For Cultural Equity:***

Describe specifically how the grant funds will be used. Include information on how you identified this need, and which underrepresented population it serves. Please be sure to include information that verifies the intended population is underrepresented. Please include information on how this project will influence your career and build on your professional artistic accomplishments.

7. Artistic Growth  
Please describe how funds will have an impact on the future of your artistic or cultural career. Include information on how this will influence your career, address challenges, enhance successes and build on your professional artistic accomplishments.
8. Goals & Objectives  
Describe the specific goals of the project and how these will be achieved.

**9. Project Timeline**

Outline the key steps and key dates associated with your project. Address how you expect to be able to complete the project by June 30, 2025, including contingencies.

**10. Expertise**

Describe how your skills and expertise will allow you to implement the proposed project.

**11. Artistic and Cultural Excellence and Artistic and Cultural Merit**

Demonstrate a strong body of artwork creation over several years, show community engagement (e.g., exhibits, programming, etc.), show breadth, quality, and creativity of past work that is consistent with a distinct artistic vision.

**12. Collaboration**

If collaborating with outside partners, describe these collaborations or partnerships and how they will assist you in this project, and how they will be managed.

**13. Evaluation**

Describe the specific outcomes of your project including the process for collecting, analyzing and reporting on the projects impact. Please include how you will determine if the project has been a success.

**14. Contingency**

Please describe the revision plans if some or all of the requested funding is not received.

**15. Strategic Impact**

Demonstrates how your request aligns to CultureWorks desired impacts in the region as defined by our strategic plan: Greater participation in arts and culture, increased cultural equity across the region, and stronger more self-sustaining artists, communities and organizations within the creative and cultural environment. For more details about the CultureWorks Strategic Plan, click [here](#).

**16. Project Budget Form**

Outline income and expenses relevant only to the grant request.

**17. Required Attachments**

a) Practicing/Artist resume/CV (PDF format)

b) Portfolio—Demonstration of Artistic and Cultural Excellence and Artistic and Cultural Merit

Upload three to five documents that best represent your artistic excellence. Uploaded documents may include but are not limited to: images of your work, programs from performances, recent critical review(s) with date(s); award citations, link to a performance, exhibition or promotional video, or letters of support from those who have benefited from your programs or services. Do not include your website as an upload here.

Note: If you scan material, make sure that it does not appear blurry, sideways or upside down on the screen. Use your name and short description in each attachment, (e.g., Johnson\_Review2024)

c) Portfolio description (PDF format)

Provide a list outlining the portfolio work samples including: image name, artwork title, year completed, medium, and size.

**18. Additional Attachments (if applicable):**

Evidence of Agreements with partners identified in the proposal – projects that specify collaborations to provide space and/or participants to implement programs and activities must provide documentation at the time of application to demonstrate that formal permissions have been granted to deliver the program to the organization stated in the proposal, and during the time period stated in the grant.

***Example:** The executive director (top staff person) of ABC community-based non-profit provides a letter on official agency letterhead that states that the artist has been granted permission to implement X program, at X location(s) over X period of time.*

**REVIEW CRITERIA**

Grants are reviewed and evaluated by a panel comprised of community volunteers with diverse backgrounds, experience and relevant expertise, but may not have direct knowledge of every applicant. When crafting responses for the application narrative, please keep the grant review criteria in mind, which the review panel will apply during the review process.

***For Building Capabilities:***

Capacity

- Quality of the proposed use of funding, including excellence in planning, the creative process, and uniqueness of collaborations.
- Degree to which the grant funding would further the artist’s vision and assist with accomplishment of stated goals.
- Evidence that the grant will assist artistic growth or overall development of the artist.
- Capacity to successfully accomplish the stated goals.

Audience Development

- Efforts to further the appreciation of the applicant’s art form.
- Community involvement and plans to promote the project to the intended audience.
- Extent to which the proposed project meets the needs of the community.

***For Cultural Equity:***

Cultural Equity Focus

- Degree to which the project or program is authentically engaged to accomplish the goal of increasing access to arts and culture for an underrepresented population.
- Demonstration that the audience identified is currently underrepresented in the Richmond and Tri-Cities region.
- Degree of innovation or creativity of the proposed project or program and the potential for long term impact.
- Quality of the project or program, including excellence in planning, the creative process and uniqueness of collaborations.
- Inclusion of additional partners and collaborations.

## Audience Development

- Community involvement of the applicant.
- Level of defined plans to promote the project or program to the intended audience.
- Extent to which the proposed project or program meets identified needs of the community.

### ***For Both Focus Areas:***

#### Artistic Excellence

- Demonstrate a strong body of artwork creation over several years
- Show past community engagement (exhibits, programming, etc.)
- Show breadth, quality, and creativity of past work
- Present a clear and distinct artistic vision.

#### Artistic and Cultural Merit

- Degree to which the request aligns to CultureWorks overall desired impacts in the region as defined in our strategic plan:
  - Greater community participation in arts and culture
  - Increased cultural equity across the region
  - Stronger, more self-sustaining, artists, communities and organizations within the creative and cultural environment

For more detail about our strategic plan, please click [here](#).

#### Management & Accountability

- Carefully developed and realistic budget projections.
- Capacity to meet proposed project's objectives.
- Complete, accurate and clearly communicated grant application and attachments.

### **ACCEPTING AN AWARD**

Upon being notified of an Award, all Awardees will be asked to provide an IRS Form W-9 and to complete a document assuring agreement and compliance with the terms and conditions of the Annual Grants Program as stated in these Guidelines.

### **GRANTEE ACTIVITIES & ENGAGEMENT**

All funding must be used within the fiscal year July 1, 2024 – June 30, 2025.

Grant funds must be used for the purpose described in the proposal. Any changes or modifications to the purpose must be reported to CultureWorks in advance. Failure to do so may result in forfeiting funds back to the program or risk eligibility for future CultureWorks grants.

#### **Reporting:**

A mid-year progress report is due Monday, January 6, 2025.

Grant recipients will be expected to complete their grant activities and submit a final report within 30 days of completing the awarded project or initiative, with all reports due no later than 30 days after the end of the funding period or by Monday, July 28, 2025. Final reports will be completed and submitted through the online application system. Tardiness or failure in submitting reports may negatively impact future funding requests. All applicants are expected to maintain accounting records and supporting source documents (e.g., receipts, payroll records, etc.) for four years from



the submission of the Awardee's Final Report and agree to provide copies of those source documents to CultureWorks upon request.

**Marketing:**

Acknowledgement of a CultureWorks grant is required on all materials associated with the funded project (e.g., printed or electronic) such as newsletters, programs, press releases, etc. and should be attributed to the CultureWorks Annual Grants Program and the CultureWorks logo used where space and format permit.

FOR FEDERALLY FUNDED CULTURAL EQUITY GRANT AWARDEES ONLY: Acknowledgment of CultureWorks and the National Endowment for the Arts must be made in all published material (printed programs, news releases, websites, virtual programming, email alerts, advertisements, flyers, etc.) and announcements regarding the particular activity or activities supported.

**QUESTIONS**

If you have questions regarding any part of the Grants Program please contact Shelby Finkelstein, Advancement & Grants Program Strategist, at [shelby@richmondcultureworks.org](mailto:shelby@richmondcultureworks.org) or 804-340-5280, ext. 1.

## **Appendix A: Allowable and Unallowable Costs for Cultural Equity Grants**

### **FOR CULTURAL EQUITY GRANTS ONLY:**

Cultural Equity Grants are required to be used for only Allowable Costs as defined by the National Endowment for the Arts' terms and conditions for the grant partially funding this program.

### **ALLOWABLE COSTS**

Costs covered by Cultural Equity Grants are strictly limited to any or all of the following costs related to the Cultural Equity initiative for which funding is requested:

- Salary support, full or partial, for one or more staff positions. Grant awarded funds may be used by an organization to support existing jobs, new jobs, or to restore jobs that were furloughed or eliminated due to financial constraints.
- Fees/stipends for artists and/or contractual personnel only in support of services they provide for specific activities in support of your organization's day to day operations. •
- Facilities costs such as mortgage principal, rent, and utilities.
- Marketing and promotion costs.
- Organizations may use an Indirect Cost Rate of 10% or a pre-negotiated rate.

### **UNALLOWABLE COSTS** (Guidelines, 2 CFR 200, NEA Enabling Legislation)

The funds from awards granted through this program cannot be used for the following:

- "Artist relief" programs where the funding is intended to alleviate financial hardship (i.e., rent or food assistance to individuals) and does not require the artist to undertake work.
- Alcoholic beverages
- Commercial (for-profit) enterprises or activities, including concessions, food, clothing, artwork, or other items for resale. This includes online or virtual sales/shops
- Construction, purchase, or renovation of facilities
- General fundraising
- General miscellaneous or contingency costs
- Land purchase costs
- Lobbying, including activities intended to influence the outcome of elections or influence government officials regarding pending legislation, either directly or through specific lobbying appeals to the public
- Mortgage interest, fines and penalties, bad debt costs, or deficit reduction
- Rental costs for home office workspace owned by individuals or entities affiliated with the applicant organization
- Social activities such as receptions, parties, or galas
- Subawards to replace lost revenue
- Travel costs
- Vehicle purchases
- Visa costs paid to the U.S. government
- Voter registration drives and related activities
- Costs supported by any other federal funding. This includes federal funding received either directly from a federal agency or indirectly from a pass-through organization such as a state arts agency, regional arts organization, or a grant made to another entity.
- Expenditures related to compensation to foreign nationals when those expenditures are not in Compliance with regulations issued by the U.S. Treasury Department Office of Foreign Assets Control. For further information, see

<https://www.treasury.gov/about/organizationalstructure/offices/pages/office-of-foreign-assets-control.aspx>

- All other costs that are unallowable per 2 CFR 200 and other laws

Accounting records, including original receipts, for all costs covered by CultureWorks grant funding are required to be maintained by the awardee for four years following the submission of the Awardee's final report. Upon request, access to these accounting records must be made available to CultureWorks and the National Endowment for the Arts.

## APPENDIX B: Reporting Requirements for Cultural Equity Grants Only

Progress and Final Reporting will be submitted by Awardees via CultureWorks' online application platform and will require qualitative descriptions of outcomes compared to the project goals and the following quantitative information:

<b>Subawardee-Specific Information</b>	Subawardee Name	Name of the subawardee
	Subawardee Street Address 1	First line of street address of subawardee
	Subawardee Street Address 2	Second line of street address of subawardee (if needed)
	Subawardee City	City in which the subawardee is located.
	Subawardee State	State in which the subawardee is located.
	Subawardee Zip code	Subawardee postal zip code.
	Award Amount	Grant amount awarded by the LAA in dollars.
	Subawardee Institution Type	Type of individual or organization awarded support. (See dropdown menu in any cell of column K of "LAA Master" tab for list)
	Subawardee Artistic Discipline	The primary artistic discipline of the subawardee. (See dropdown menu in any cell of column L of "LAA Master" tab for list)
	Total Organizational Budget from most recent FY (in \$)	Subawardee's total organizational budget (total expenses) from the most recently completed fiscal year in dollars.
<b>Project-Specific Information</b>	Individuals Compensated: Artists	Number of artists who were paid, in whole or in part, with subaward funds
	Individuals Compensated: Others	Number of non-artists (includes employees, temporary staff, and contractors who did not work as artists on activities supported by this subaward) who were paid, in whole or in part, with subaward funds
	Individuals Hired: Artists	Of the number of individuals compensated, # of artists hired by your organization as employees (i.e., receive a W-2) as a result of this subaward
	Individuals Hired: Others	Of the number of individuals compensated, # of non-artists (includes employees, temporary staff, and contractors who did not work as artists on activities supported by this subaward) hired by your organization as employees (i.e., receive a W-2) as a result of this subaward
	Adults Engaged "In-Person"	Number of adults directly engaged in in-person arts activities.
	Children/Youth Engaged "In-Person"	Number of children 0-17 years old directly engaged in in-person arts activities.
	Individuals Engaged Virtually	Estimate number of unique visitors who accessed programming through online or mobile components; do not include counts of website visitors for unrelated content

## **Appendix C: National Policy and Other Legal Requirements, Statutes, and Regulations that Govern Your CultureWorks Cultural Equity Grant**

You must ensure that the funded project is implemented in full accordance with the U.S. Constitution, federal Law, and public policy requirements: including, but not limited to, those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination (2 CFR 200.300).

Grant awardees must self-certify to the “Financial Assistance General Certifications and Representations,” including attesting to the accuracy of the certification and acknowledging that you may be subjected to criminal prosecution under Section 1001, Title 18 USC, or civil liability under the False Claims Act if you have misrepresented the information.

### **1. Nondiscrimination Policies**

As a condition of receipt of Federal financial assistance (the Cultural Equity Grant), you acknowledge and agree to execute your project, and require any contractors, successors, transferees, and assignees to comply with applicable provisions of national laws and policies prohibiting discrimination, including but not limited to:

1.a Title VI of the Civil Rights Act of 1964, as amended, and implemented by the National Endowment for the Arts at 45 USC 1110, provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with limited English proficiency (42 USC 2000d et seq.)

1.b As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons in conducting your programs and activities. For assistance and information go to [www.arts.gov/foia/reading-room/nea-limited-english-proficiency-policy-guidance](http://www.arts.gov/foia/reading-room/nea-limited-english-proficiency-policy-guidance).

1.c Title IX of the Education Amendments of 1972, as amended, provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance (20 USC 1681 et seq.)

1.d The Age Discrimination Act of 1975, as amended, provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (42 USC 6101 et seq.)

1.e The Americans with Disabilities Act of 1990 (ADA), as amended, prohibits discrimination on the basis of disability in employment (Title I); State and local government

services (Title II); and places of public accommodation and commercial facilities (Title III) (42 USC 12101-12213).

1.f Section 504 of the Rehabilitation Act of 1973, as amended, provides that no otherwise qualified individual with a disability in the United States shall, solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (29 USC 794).

Access should be integrated into all facets and activities of an organization, from day to day operations to long range goals and objectives. Access accommodations and services should be given a high priority and funds should be available for these services. All organizations are legally required to provide reasonable and necessary accommodations for staff and visitors with disabilities.

#### Section 504 - Self-Evaluation and Additional Resources

- i. A Section 504 self-evaluation *must* be on file at your organization. To help your organization evaluate its programs, activities, and facilities with regard to Section 504 accessibility requirements, the Civil Rights Office has a *Section 504 Self Evaluation Workbook* available on our website.
- ii. You should designate a staff member to serve as a 504 Coordinator. The completed workbook or similar compliance and supporting documentation should be kept on file for a period of three (3) years from the date the Federal Financial Report (FFR) is filed, and made available to the public and the National Endowment for the Arts upon request. The National Endowment for the Arts may request the 504 Workbook or your compliance documents for various potential scenarios including an Inspector General audit and/or civil rights investigation.
- iii. *Design for Accessibility: A Cultural Administrator's Handbook* provides guidance on making access an integral part of an organization's staffing, mission, budget, and programs. This Handbook and other resources may be downloaded from the National Endowment for the Arts website. If you have questions, contact the Office of Accessibility at [accessibility@arts.gov](mailto:accessibility@arts.gov); (202) 682-5532; fax (202) 682-5715; or TTY (202) 682-5496.

## 2. Environmental and Preservation Policies

2.a The National Environmental Policy Act of 1969, as amended, applies to any Federal funds that would support an activity that may have environmental implications. CultureWorks or the National Endowment for the Arts may ask you to respond to specific questions or provide additional information in accordance with the Act. If there are environmental implications, the National Endowment for the Arts will determine whether a categorical exclusion may apply; to undertake an environmental assessment; or to issue a "finding of no significant impact," pursuant to applicable regulations and 42 USC Sec. 4332.

2.b The National Historic Preservation Act of 1966, as amended, applies to any Federal funds that support activities that have the potential to impact any structure eligible for or on the National Register of Historic Places, adjacent to a structure that is eligible for or on the National Register of Historic Places, or located in a historic district, in accordance

with Section 106. This also applies to planning activities that may affect historic properties or districts. CultureWorks or the National Endowment for the Arts will conduct a review of your project activities, as appropriate, to determine the impact of your project activities on the structure or any affected properties. This review must be completed prior to any CultureWorks funds being released. You may be asked to provide additional information on your project to ensure compliance with the Act at any time during your award period (16 USC 470).

## **Other National Policies**

3. Debarment and Suspension. You must comply with requirements regarding debarment and suspension in Subpart C of 2 CFR Part 180, as adopted by the National Endowment for the Arts in 2 CFR 3254.10.

There are circumstances under which CultureWorks or the National Endowment for the Arts may receive information concerning your fitness to carry out a project and administer Federal funds, such as:

- i. Conviction of, or a civil judgment for, the commission of fraud, embezzlement, theft, forgery, or making false statements;
- ii. Any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;
- iii. Any other cause of so serious or compelling a nature that it affects an organization's present responsibility.

In these circumstances, CultureWorks or the National Endowment for the Arts may need to act quickly to protect the interest of the government by suspending your funding while we undertake an investigation of the specific facts. We may coordinate our suspension actions with other Federal agencies that have an interest in our findings. A suspension may result in your debarment from receiving Federal funding government-wide for up to three (3) years.

4. The Drug Free Workplace Act requires you to publish a statement about your drug-free workplace program. You must give a copy of this statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out.

You must maintain on file the place(s) where work is being performed under this award (i.e., street address, city, state, and zip code). You must notify CultureWorks of any employee convicted of a violation of a criminal drug statute that occurs in the workplace (41 USC 701 et seq. and 2 CFR Part 3256).

5. Lobbying. You may not conduct political lobbying, as defined in the statutes and regulations listed below, within your Federally-supported project. In addition, you may not use Federal funds for lobbying specifically to obtain awards. For definitions and other information on these restrictions, refer to the following:

5.1 No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written

matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities (18 USC 1913).

5.2 Lobbying (2 CFR 200.450) describes the cost of certain influencing activities associated with obtaining grants, contracts, cooperative agreements, or loans as an unallowable project cost. The regulation generally defines lobbying as conduct intended to influence the outcome of elections or to influence elected officials regarding pending legislation, either directly or through specific lobbying appeals to the public.

5.3 Certification Regarding Lobbying to Obtain Awards. Section 319 of Public Law 101-121, codified at 31 USC 1352, prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. While non-Federal funds may be used for such activities, they may not be included in your project budget, and their use must be disclosed to the awarding Federal agency. Disclosure of lobbying activities by long-term employees (employed or expected to be employed for more than 130 days) is, however, not required. In addition, the law exempts from definition of lobbying certain professional and technical services by applicants and awardees.

6. Davis-Bacon and Related Acts (DBRA), as amended, requires that each contract over \$2,000 to which the United States is a party for the construction, alteration, or repair of public buildings or public works (these activities include, but are not limited to, painting, decorating, altering, remodeling, installing pieces fabricated off-site, and furnishing supplies or equipment for a work-site) must contain a clause setting forth the minimum wages to be paid to laborers and mechanics employed under the contract. Under the provisions of DBRA, contractors or their subcontractors must pay workers who qualify under DBRA no less than the locally prevailing wages and fringe benefits paid on projects of a similar character.

Information about the laborers and projects that fall under DBRA can be found in the U.S. Department of Labor's Compliance Guide at <https://www.dol.gov/agencies/whd/government-contracts/construction> . DBRA wage determinations are to be used in accordance with the provisions of Regulations, 29 CFR Part 1, Part 3, and Part 5, and with DOL's Compliance Guide. The provisions of DBRA apply within the 50 states, territories, protectorates, and Native American nations (if the labor is completed by non-tribal laborers).

7. The Native American Graves Protection and Repatriation Act of 1990 applies to any organization that controls or possesses Native American human remains and associated



funerary objects and receives Federal funding, even for a purpose unrelated to the Act (25 USC 3001 et seq.).

8. U.S. Constitution Education Program. Educational institutions (including but not limited to "local educational agencies" and "institutions of higher education") receiving Federal funds from any agency are required to provide an educational program on the U.S. Constitution on September 17 (P.L. 108-447, Division J, Sec. 111(b)). For more information on how to implement this requirement and suggested resources, see [www2.ed.gov/policy/fund/guid/constitutionday](http://www2.ed.gov/policy/fund/guid/constitutionday) and <https://www.loc.gov/extranet/cld/constitution.html>.
9. Prohibition on use of funds to ACORN or its subsidiaries. None of the federal or matching funds expended for your awarded project may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries (P.L. 111-88 Sec. 427).