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▶ INTRODUCTION

This publication details the policies and regulations established for application and contract compliance. These are published to enable all applicants and recipients of a *Contract for Services* an understanding of the agency's policies and the source of GCA Staff responses to all questions.

Throughout this document, terms with special definitions used by both the National Endowment for the Arts and Georgia Council for the Arts are presented in *blue italics*. These definitions may be found in the GCA *Glossary*, which is available on the [General Guidelines](#) page of the GCA website.

GCA applicants and contractors are strongly encouraged to review this document annually, for conditions arise in applicant organizations that necessitate the modification of policies from one year to the next. Further, new or changed requirements are often mandated by both the state of Georgia and the National Endowment for the Arts or its parent, the federal government.

If you are reading these Guidelines online, all blue text and underline language serve as direct links to that content.

▶ APPLICATION REQUIREMENTS

How to Apply

First-time Applicants

First-time applicants are required to contact the appropriate Program Manager at GCA for counsel on the grant category that best meets the needs of its organization and on eligibility requirements. *First-time applicants* are strongly encouraged to attend a live Grant Workshop or view one of the web-based GCA Grant Workshops. There are minimum award amounts for these applicants, as well as other restrictions and requirements.

e-Grant

This is an electronic database system for entry of grant-specific information. Step by step instructions are provided in [e-Grant Application and Instructions](#) to facilitate the applicant's preparation. All applicants must electronically submit e-Grant, no later than the close of business (4:45 PM) on the required deadline date.

In the expanded e-GRANT SYSTEM for this fiscal year, e-Grant allows for the submission of the Narrative, Forms, and Required Attachments. Together these elements are termed the **Grant Proposal Package**. The package is different for each grant category and is presented under its Program Area, as Grant Name + **Application Instructions & Forms**. It is available on the GCA website for downloading with instructions. The **Grant Proposal Package** is then attached to e-Grant and submitted electronically.

Support Materials

The second part of the application submission is the Support Materials, which must be mailed to GCA Offices, and the postmark must be no later than the required deadline date.

NOTE: Every applicant must complete both parts of the application process.

General Provisions

All awards are made on a fiscal-year basis, according to the state of Georgia fiscal calendar or from July 1 through June 30. Either a new or a continuation application must be submitted each year. GCA's Artists Roster Programs do not require annual application. Further, the arts programming offered in the application must be completed within the state's fiscal year of the award, and all expenses (in whole or in part) must be incurred within that same fiscal year.

GCA grants are awarded as contracts for services rendered, therefore contractors are required to deliver the services in both number and type as

outlined in the contract or on an approved Scope of Services Revision Form. Failure to fulfill the services as defined in the contract (within 10%) will result in a reduction to the award amount.

An award in one year does not guarantee an award in the following year. Though continuation awards allow for up to three years of consecutive funding, the applicant's offerings must remain within ten percent (10%) of the original or Year 1 application, and compliance issues must be met. Should the GCA budget be reduced, a proportional reduction in all continuation and other grants may be required. Conversely, should the GCA grants budget increase, a proportional increase in continuation and other grants will be provided.

All GCA awards must have a public component, even if it serves a targeted audience, such as seniors.

General Eligibility

There are four general eligibility requirements for entities interested in applying to GCA. Any applicant not meeting these will be deemed ineligible to apply.

1. The state of Georgia requires that a contract be awarded only to grant applicants that are incorporated in Georgia. Applicant organizations whose incorporation is "in process" or "pending" are not eligible.
2. The organization must also be incorporated as a nonprofit, tax-exempt in nature, or a unit of government. Applicant organizations whose nonprofit status is "in process" or "pending" are not eligible.
3. The nonprofit status must have been established and the organization operational for one year before the grant applicant is eligible.
4. Except for the Traditional Arts Apprenticeship Grant (TAA), awards are only provided to organizations, not individuals, and all applicant organizations must have on file at GCA an [ADA Checklist](#) for its arts programming and for each venue used for arts programming.

Artists and artist groups may apply for GCA-certification to be promoted on one of the rosters or banks designed to assist Georgia's artists in their marketing efforts. The awarding of appointment to one of these rosters carries no direct monetary reward, therefore the four general eligibility rules above do not apply.

Individual applications may be deemed ineligible for adjudication, meaning that the Peer Review Panel will not review the application, for various omissions and errors. This list includes, but is not limited to:

- Failure to show evidence of a cash match

- Failure to include the GCA award request in e-Grant, line #25
- Failure to submit required materials (such as budget breakdowns, support materials, Board of Director's list, Secretary of State Annual Registration)
- Duplication of expenses or services on multiple grant requests in the same fiscal year
- Failure to respond to the current narrative questions
- Requests that fall outside of the scope of the grant (such as requesting support for a full season in a PG)

Detailed eligibility requirements can be found in the Application Instructions for each grant.

Naming Conventions

Some arts organizations publicize themselves using an operational (Doing Business As) name, which is different than their legal name as filed in incorporation papers with the federal and state governments. Other organizations have operating names that are different from the name of their parent organization, even though they use the parent organization's Federal Employee Identification Number (FEIN). And, most public schools that are part of a city or county system and colleges of the state's university system also use their individual operating name, while showing their parent's FEIN.

These differences have created issues with GCA's fiduciary agency, Office of Planning and Budget. To reduce these issues, please follow these rules when submitting all documents to GCA, including *e-Grant* and *Grant Proposal Package* parts of the application, a *Contractor's Request for Reimbursement* (CRR), a *SOS Revision* or *Change of Information* form, and the *Final Report*.

- For organizations without a parent organization, use the organization's legal name
- For organizations that use their parent organization's FEIN, use the parent name followed by a comma, which is then followed by the operational name. Examples:
 - Woodruff Arts Center, Young Audiences
 - Harris County BOE, Coralwood School
 - City of Abracadabra, Downtown Development Authority
- For organizations that commonly use "The" as part of their legal or operational name, give the legal name first followed by a comma, which is then followed by "The", as in **Columbus Museum, The**
- For GCA artist-based programs (i.e., TAR, TRAR, TAB, AECB) enter the surname followed by a comma and then the first name, as in **Smith-Jones, Cynthia**

Tax Exempt Verification

As verification of its nonprofit status, each applicant organization (exclusive of units of government) must annually submit either a copy of the state of Georgia's Certificate of Incorporation for *First-time Applicants* or the Annual Registration for all others. First-time applicants must also submit a copy of the Internal Revenue Service letter granting 501(c)3 federal tax-exempt status letter.

The organization's proof of Annual Registration may be downloaded from the [Secretary of State website](#). It must be included with the *Grant Proposal Package* for each different grant application made.

If the applicant organization is not separately incorporated, but a division of a *parent entity* (usually a university, government, or foundation), it uses the parent's nonprofit status under an *umbrella* clause. A statement signed by the parent organization's board Chairman must accompany the application submission. For General Operating Support (GOS) and Community Arts Programs & Services (CAPS) applicants, this letter must be submitted only in the first year of the continuation cycle. This letter must state the entity from which the nonprofit eligibility is derived, and it must be accompanied with a copy of the Annual Registration, if it is not a unit of government.

**Post Secondary
Educational Institution
Eligibility**

Non-arts divisions of universities, colleges, and post-graduate institutions that are nonprofit are eligible only for the Project Grant.

Museums, theatres, galleries and presenters dedicated to the arts, which use a parent entity's nonprofit status, may be eligible for other GCA grants such as GOS. Contact the appropriate GCA Program Manager to ensure eligibility.

These additional eligibility requirements apply to colleges and universities.

- All events and program services supported by GCA must have a public component and be accessible to the general public
- The community outside the institution must comprise a significant percentage of those participating or being served
- All events and program services must be supplementary to the regular curriculum. GCA awards may not be used to support projects involving classes or workshops for which college credit is given
- GCA funds may not be used to replace funds normally allocated for specific arts projects funded by the educational institution
- No portion of a GCA award or its required cash match may be assigned to the indirect costs of the educational institution
- Student programs are not eligible for GCA support

Match Requirements

Most GCA grants require a cash match. Most require a 1:1 match; others offer a smaller match requirement. See the requirements under the grant-specific Application Instructions.

Matching funds may be *pending* or *confirmed* at the time of the application, but all must be received by the closing date of the fiscal year of the award, June 30. Failure to produce the proposed cash match results in cancellation of the unmatched portion of the award.

For most GCA grants, *in-kind contributions* of goods, services, or space are not allowed as match; read the grant-specific instructions carefully. However, in-kind contributions are considered as evidence of community support by the Peer Review Panel adjudicating the application. A narrative question in the Grant Proposal Package allows the applicant organization to report on in-kind contributions received two years previously.

Continuation Cycles

Neither the state of Georgia nor any of its agencies may, by Constitutional authority, commit to multi-year funding.

In order to reduce paperwork for the applicant, as well as reducing the time and cost associated with the Peer Review Panels, GCA has created the continuation cycle for its GOS, CAPS, and some other grants. For the second and third year after a Year 1 continuation grant has been awarded, the grantee submits an abbreviated application that requires only necessary data for making an award in these successive years, which is based on the first year's application. Years 2 and 3 of continuation must relate to Year 1 application in number of services; deviation of more than ten percent must be explained. A complete budget and other financial data are also required.

Starting in FY2008, all GOS and CAPS applicant organizations were assigned a fiscal year (between FY2008 and FY2010) to enter into mandatory continuation. Years were assigned by budget size, phasing all applicants into Continuation over three-years, starting with the applicants with the largest budgets.

First-time Applicants are not eligible to apply for Continuation funding until they have been funded by GCA for at least one year.

Ineligible Expenses

Due to prohibitions in the Georgia Constitution or by other regulations or policies of the state, GCA does not fund the following budget items. These items may not appear in the required budget information in *e-Grant*

(Annual or Project) or any budgets appearing inside the *Grant Proposal Package*.

- Capital Expenditures/ Equipment
According to the IRS, capital expenditures are permanent fixtures and equipment that generally have a useful life of over two years. The IRS classifies such expenditures as depreciable assets, indicating that their cost is written off over the “life of the item” or that number of years for which it is deemed useful. The longest useful life classification by the IRS is for real estate (buildings), forty years. Thus, office equipment, office furniture, and even upgrades to these (such as a new computer chip or different lens for a camera, or re-paving of the parking lot) are not eligible for GCA grant awards and should not be included in the budget presented to GCA. NOTE: Office supplies are eligible.
The following are also deemed ineligible:
 - Purchase of buildings or real estate
 - Renovations or improvements involving structural changes
 - Expenses for roads, driveways, parking lots or other projects/repairs
 - Purchases of permanent or generally immobile equipment such as grid systems, sound systems, central air conditioning and all other capital expenditures
- Fundraising Event Expenses
Everything that is purchased for use in a fundraising event is an ineligible expense for a GCA grant application budget. This holds true for an auction or art sale fundraiser; the cost of artworks purchased are not eligible fundraising expenses, if they will be for sale or auction at a fundraising event. Entertainment, gifts, printing expenses, awards, refreshments, and all other expenses purchased for the fundraising event are all ineligible.
- Programming provided by the applicant outside of Georgia and the U.S.
- Tuition for college/university study, whether in the U.S. or abroad
- Scholarships, prizes, or endowment funds
- Deficits or campaigns to reduce deficits
- Depreciation
- Entertainment expenses, whether receptions, refreshments, staff or cast parties, staff awards, flowers, etc.
- Late registration fees for conferences
- Fees paid to Lobbyists
- Travel and accommodation expenses that are over the rate allowed by the state of Georgia (contact your Program Manager for the latest details)

- Items labeled “Miscellaneous” are not eligible and will be deducted by GCA Staff from the Expense Line if the application is approved for funding, the applicant may be required to provide a corrected application budget prior to full execution of the contract (see *Corrections & Stipulations Memo* for details and deadline information)

All organization’s budgets include some of these ineligible expenses. Therefore, the budget completed in a GCA application will not be the same as the organization’s operating budget.

Support Materials

Applicant organizations for all grants and rosters offered by GCA must submit Support Materials with their applications.

Support Materials provide the Peer Review Panel the means to evaluate artistic excellence, GCA/NEA Credit Requirements, marketing efforts, community support, and other criteria. Panelists are not allowed to provide personal knowledge of the applicant organization, other than information acquired in the Onsite Review, if applicable. Thus, the Support Materials are the sole source of artistic excellence adjudication.

Acceptable formats for support materials include: photographs, digital images, VHS tapes, CDs, DVDs, promotional materials, programs and published reviews. Letters of recognition are not acceptable.

All Support Material (documents, photographs, and electronic media) submitted with the Application and Final Report becomes part of the official record of the contract with the State of Georgia. GCA will use these as promotional collateral, crediting the organization when used. Support Materials should be submitted in the media that best represents the discipline, such as audio format for music, video format for presenters, and craft/visual arts through photographs or images on a CD. If the applicant does not want its Support Material so used, it must provide a self-addressed, stamped envelope for return of the materials.

General Instructions For Submission:

To submit Support Materials correctly as part of the ***Grant Proposal Package***, refer to the ***Application Instructions*** and follow these instructions:

- Panelists have 5 minutes to review Support Materials; do not send more material than can be reasonably reviewed during this time
- Read the required Support Materials listed in the ***Application Instructions*** for each grant

- Label each piece of Support Material submitted with the grant category and applicant name
- Attach all Support Material together
- If submitting a DVD, CD or VHS, the material should be of good production quality and may be of any length; however, the Peer Review Panel is provided a maximum of **five minutes to view or listen** to all A/V materials.
- Cue all materials as appropriate
- Include a cover sheet listing each piece of Support Material. Include on this sheet recommendations for the best sampling of work to review for audio/visual materials.
- If the applicant would like the materials returned, please make a note of this on the cover sheet and include a self-addressed stamped envelope with adequate postage to cover the cost of mailing materials back to applicants (GCA will not fund this expense)
- Support Materials are the only element of the application to be mailed. Their postmark date must be no later than the grant-specific deadline date.

▶ APPLICATION REVIEW

Peer Review Panel

GCA uses Peer Review Panels to adjudicate applications, following NEA standards. The panelists are fellow professionals experienced in the arts or type of grant under review or are citizens with a record of arts activity, experience, and knowledge. A separate document, the [Peer Review Panel Handbook](#), details the purpose, roles, and responsibilities.

Panel meetings are held at GCA offices. Only a staff report on the applicant's contract compliance history, the **Grant Proposal Package** including e-Grant, Support Materials, and the Onsite Review (where applicable) is considered. Please note: Contract compliance is about the applicant, not any individual grant program. Therefore, staff is charged with gathering information about an applicant's non-compliance and reporting it in every Peer Review Panel to which an application has been made.

Applicants are informed of the date and approximate time of the adjudication and may observe the proceedings. Applicants are encouraged to attend, for observation of the discussion provides insight into the process, standards, and panelists' concerns, enabling application improvement in succeeding years.

The panelists' collective conclusions are recorded in a Consensus Statement that is provided to each applicant; it is based on the published criteria.

Onsite Reviews are conducted for GOS and CAPS applicants, as well as for TAA grantees. *First-time Applicants* never receive an Onsite Review. During the transition to the mandated continuation cycle between FY2008-10, those grantees that received an Onsite Review in the previous two years will not receive an Onsite Review. The applicant will be contacted to schedule the Onsite Review, during which time arts programming will be viewed and interviews will be conducted with staff and board members. The applicant organization is required to admit the Onsite Reviewer to performance events free-of-charge. The applicant organization is requested to send a separate copy of the audio, VHS, CD, or DVD Support Materials to the Onsite Reviewer when contacted.

Structure of the Panel Meeting

1. Call to Order by GCA Advisory Board Member
2. Review of Ground Rules
3. Application Review (repeated for each application)
 - a. GCA Staff Report (applicant administrative history, application omissions and inconsistencies)

- b. Review Support Materials
- c. In-depth Reader's Report
- d. Onsite Reviewer's Report (where applicable)
- e. Discussion of each criteria
- f. Formation of Consensus Statements (commendations or concerns)
- g. Score each criteria
4. Panel Consensus
 - a. Review panel's final score for each applicant without applicant name to determine funding recommendations
 - b. Review panel's final score for each applicant by name
 - c. Review panel Consensus Statement for each applicant, aligning panel Consensus Statement with final score (scores may not be changed)
5. Conclusion
 - a. Complete *Peer Review Panel Evaluation*
 - b. Complete and submit Reimbursement Form
 - c. Complete and submit honorarium form
6. Adjourn

Award Calculations

GCA awards should be considered supplementary to the applicant's budget. Applicants are encouraged to seek funding from many and varied sources as a way of showing support from its community, with contributions from foundations, corporations, businesses, individuals, local, regional, and federal units of government, as well as from earned income (ticket sales, workshop tuition fees, etc.). This variety of sourcing helps to ensure stability in times of economic downswings.

GCA uses a funding formula to calculate the award amount for GOS and CAPS grants. This formula is based on:

- Peer Review Panel score
- Actual Previous Year Expenses (PYE)
- Population size of the applicant's county
- Budget size of the applicant

GAP awards are also based upon a formula that is based on an equal amount to each county and a supplemental amount based on population.

All other grant awards are fixed-sum: up to the maximum amount is available. The applicant receives the amount requested or the maximum amount, whichever is smaller.

Appeals Process

There is no appeal for the dollar value of the award. The Peer Review Panel does not review incomplete applications, and there is no appeal to this policy.

Applicant organizations not awarded a contract may appeal the decision. The appeal must be submitted in writing to the GCA Executive Director no more than fifteen (15) working days after receipt of the written notice. This notice must provide evidence to support one or more of the three grounds for appeal.

1. Information not presented during Peer Review Panel: It is grounds for appeal if information that was submitted with the application was not presented to the panelists. This does not include information that was in excess of the application's space limitations or information that was submitted after the application deadline. This also does not mean information that was misinterpreted or misunderstood by the panelists.
2. Violation of GCA Conflict-Of-Interest Policy: Panelists who are on the staff or governing board of an applicant organization are required to recuse themselves from any discussion or scoring of the application. Violation of this policy is grounds for an appeal.
3. Decision based on Improper Criteria: If panelists based their score on criteria not published, it is grounds for appeal.

The GCA Executive Director must respond to the appeal within fifteen working days by written correspondence. This ruling is the only administrative remedy, and there is no further right of appeal.

▶ **CONTRACT COMPLIANCE**

Contract Package

Notification of award will be a letter of congratulations from the Governor enclosed in the Contract Package from GCA. It will contain three copies of the state of Georgia contract, a Corrections & Stipulations Memo (if required), a cover memo, and instructions for downloading all necessary Forms, such as the Contractor's Reimbursement Request (CRR) Form, as well as the GCA and NEA credit logo.

The cover memo will detail the deadline for submission of all three signed copies of the contract. Contracts are not executed until signed, processed (by both GCA and the Governor's Office of Planning & Budget), and returned.

Corrections/ Stipulations Memo (C/S Memo)

When the application has errors, omissions and/or provides incomplete or confusing information as defined by the Peer Review Panel or GCA Staff, a Corrections & Stipulations Memo is prepared and attached to all three copies of the contract requiring a response (correction or clarification) by a specified date.

Because the application becomes part of the contractual agreement with the state of Georgia, these corrections and/or stipulations must be received by GCA before the contract is executed by GCA and the Governor's Office of Planning & Budget (OPB). The Corrections & Stipulations (C/S) Memo articulates the specific steps that must be taken, provides the deadline date, and requires the signature of the highest-ranking staff person. The applicant must submit the signed C/S Memo and required responses with each of the three, signed copies of the contract.

Scope of Services

A GCA award becomes a legally binding agreement between the contractor and the state of Georgia. The contract articulates the delineation of type and quantity of services in the application, making these contractual obligations. Applicants complete this listing of services in *e-Grant*.

The list of types of services has been developed by the NEA; definitions and examples of each type are available in the [Glossary](#).

If the GCA award is ninety percent (90%) or less than the amount requested in the application, and the applicant will not be able to fulfill the originally proposed Scope of Services, the organization is required to submit a [Scope of Services Request for Revision](#) form. If, however, other revenue sources will be used to complete the original commitment of services as enumerated in the application and duplicated in the contract, then no revision is

required. A copy of this form is available on the GCA website under General Forms & Resources.

Throughout the year, other circumstances may arise that may necessitate a reduction in the Scope of Services. The applicant must complete a Scope of Services Request for Revision Form and forward to the Program Manager for review and for determination if the contract award must be reduced.

GCA grants are awarded as contracts for services rendered, therefore contractors are required to deliver the services in both number and type as outlined in the contract, or an approved SOS Revision Form. Failure to fulfill the services as defined in the contract (within 10%) will result in a reduction to the award amount.

Contractor's Request for Reimbursement (CRR)

The state of Georgia contract requires that the contractor may not receive the awarded funds until after expenses have been incurred and as match funds are received. Except for Arts Education and GAP Grants, the CRR may not exceed fifty percent (50%) of the actual expenses incurred during the reporting period of the request, nor may it exceed ninety percent (90%) of the total contract amount until the close of the fiscal year. A CRR may not be submitted more frequently than once per month.

Ten percent (10%) of the award is not available for reimbursement until the Final Report has been submitted to and approved by GCA. This final CRR is due on the same date as the Final Report. Once GCA approves the CRR, it is forwarded to OPB for payment. Allow a minimum of sixty (60) working days for receipt of reimbursed funds.

GCA strongly recommends that all GAP, TAA, and AE contractors submit the initial CRR with the signed contracts, enabling the funds to be received in a timely manner for payment to sub-grantees and sub-contractors.

GCA reserves the right to withhold more than 10% of a contractor's award should the contractor fail to meet reporting requirements or if other conditions exist. No CRR will be processed if requirements from either the preceding fiscal year or requirements in the Contract Package are outstanding.

GCA & NEA Requirements

GCA seeks to increase the visibility and support of public funding for the arts. When GCA contractors acknowledge their organization's support from GCA, they are communicating to the public the importance of government support, whether local, state, or federal tax dollars.

Contractors are therefore required to credit both GCA and NEA in program related publicity. Failure to provide proper credit is deemed *Administrative Noncompliance*. Credit for GCA and NEA must appear when other donors are credited.

Printed Credit

GCA requires all contractors to feature visible recognition in all materials, publications, and programs* that are supported by state funds. Note: any organization receiving operating support funding (GOS and CAPS) must provide this recognition for the entirety of its Scope of Services. *Programs, Newsletters, Brochures, Flyers, Calendars, Postcards, Press Releases, Films & Videotapes, and all electronic transmissions, including the contractor's website.



Such recognition must be a duplication of the GCA Logo (shown, at left), reproduced in the same size and proportion as that of other sponsors. It must be reproduced as a unit, without alteration.

Oral Credit

Should a printed credit not be an option (ex. no program for a production, no wall listing of donors for an exhibition), oral credit must be provided. The statement below must be provided before the event or performance, and during any radio broadcast or audiotaping for the hearing impaired.

This program is supported in part by the Georgia Council for the Arts through the appropriations of the Georgia General Assembly. GCA also receives support from its partner - the National Endowment for the Arts.

NEA Credit

GCA receives significant funding from the National Endowment for the Arts. Where space allows, contractors should recognize the NEA on their materials in addition to, but not instead of, the GCA Logo.

GCA & NEA Logos

Both the GCA and NEA logo are available via the [GCA website](#).

For GAP Agencies and Sub-Grantees

GAP Agencies must use the GAP Logo and a printed credit line on all materials (such as letterhead and application forms) relating to the Grassroots Arts Program. This requirement applies both to the GAP Agency and its sub-contractors. The following credit line must be used with the logo, in a type size no smaller than 8-point, and should be presented verbally at events at which no printed program is used:

The Grassroots Arts Program is supported in part by the Georgia Council for the Arts through an appropriation of the

Georgia General Assembly and administered by (GAP Agency name here).

Consult the [GCA website](#) to find the GAP Logo.

Failure to Follow NEA/GCA Credit Requirements: GCA and NEA logo and credit requirements are mandated. Failure to meet these requirements by the end of the fiscal year as evidenced in the Final Report will result in:

- Cancellation of remaining balance
- Peer Review Panels will be provided the details of this Administrative Noncompliance, and will consider this information when determining scores for the applicant's management capabilities

Access for Persons with Disabilities

All arts programming funded by GCA must be accessible to persons with disabilities, including those with visual, hearing, mobility, and learning impairments.

The Americans with Disabilities Act (ADA) requires that persons with disabilities must have access to public programs on an equal basis with the general public. Furthermore, federal law mandates that any program or service that receives federal or state funding must be accessible. GCA is committed to ensuring this principle.

Applicants must complete the **ADA Checklist** portion of the application if there is not a current ADA Checklist for the venue on file at GCA. A current ADA Checklist is any Checklist submitted within the last two-years (FY2008 or FY2009). This form includes not only access issues, but also programming for persons with disabilities. If the applicant's programming is to be offered at multiple venues, an **ADA Checklist** must be completed for each venue. If an applicant organization is renting a facility owned/managed by a known GCA Contractor, only the Arts Programming section of the checklist must be completed. First-Time applicants must submit this Form. This section will not be scored, but must demonstrate compliance with ADA requirements in order for the application to be deemed eligible for review. If the project venue is a public facility, this checklist is not required.

The **ADA Checklist** is available as a download from the GCA website and can be found on the "General Forms" & "Resources" pages.

Audit Requirements

Organizations receiving \$100,000 or more from a combination of GCA and other Georgia state agencies during any fiscal year must submit an audit

performed in accordance with generally accepted government audit standards. Organizations receiving less than \$100,000, but more than \$24,999 must submit a copy of their financial statement for the fiscal year in which the state funds were received. These documents must be submitted to both GCA and to the Georgia Dept. of Audits & Accounts, Professional Practice Division, Suite 114, 254 Washington Street SW, Atlanta, GA 30334 no later than 180 days after the close of the applicant organization's fiscal year.

All financial records submitted to the state of Georgia are subject to an audit by the National Endowment for the Arts and the U.S. General Accounting Office, regardless of the award amount.

Further, O.C.D.A §36-81-7 requires that local governments provide the state with a copy of their annual audit. The code adds, "no state agency shall make or transmit any state grant funds to any local government which has failed to provide all the audits required by law within the preceding five years."

Federal Requirements

All grantees are required to conduct operations in compliance with applicable federal statutes on labor standards [Section 5(j) of the National Foundation for the Arts and Humanities Act of 1965, L89-209, as amended].

Grantees must also comply with federal nondiscrimination standards, which state that no person in the US shall, on the grounds of race, color, creed, national origin, or 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. Grantees also should not discriminate on the basis of sexual orientation [Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, and the American Disabilities Act of 1990].

Public Record

As a state agency, all submissions (application, financial statements, audits, Final Reports, etc.) to GCA are subject to the Freedom of Information Act.

Because these documents are part of the legally binding agreement between the applicant organization and the state of Georgia, they are available for viewing at the GCA Offices, but may not leave the premises. Copies will be provided at fifteen cents (\$0.15) per page.

It is requested that applicants and members of the general public wishing to review these documents contact GCA for an appointment, so that

appropriate space can be arranged that will not interfere with the agency's regular operations.

Record Keeping

Terms of the state of Georgia contract are administered through the Governor's Office of Planning & Budget (OPB). The only obligation of OPB under the contract is to provide no more than the total contract amount, as approved by GCA and stipulated in the contract.

The contractor agrees to maintain complete financial records for all activities covered in the contract.

While the GOS and CAPS contracts offer flexibility in the allocation of the award to any eligible expense, grantees are still required to keep comprehensive records and to not apply state funds to ineligible expenses.

Change of Information

In order to receive an award, the successful grantee (now contractor) must sign a contract with the state of Georgia. Because this is a legally binding agreement, any changes in the address or personnel that signed the contract or application must be reported to GCA. An electronic notification (e-mail) does not suffice, for original signatures are required.

The [Change of Information Form](#) is available via the GCA website by selecting the "General Forms" tab on the navigation menu. It is to be completed and mailed to GCA to report:

1. [Change of Address](#): Street address, email address, and telephone number changes
2. [Change of Personnel](#): Executive Staff and/or Board Chair/President or other persons authorized to sign the application and/or the contract

Immigration Reform & Control Act

Beginning in FY2009, all GCA grantees must verify compliance with the Immigration Reform & Control Act of 1986 (IRCA) D.L. 99-603 and the Georgia Security and Immigration Compliance Act OCGA 13-10-90 et.seq. In doing so, grantees must register on the [Employment Eligibility Verification](#) page of the U.S. Citizenship and Immigration Service's website (<https://www.vis-dhs.com/EmployerRegistration>) to verify information of all new employees. Language concerning compliance and instructions for registering will be included in the FY2010 GCA Contract.

▶ ADMINISTRATIVE COMPLIANCE – Details & Deadlines

Administrative Compliance refers to mandated actions that must be taken or completed as required by GCA and/or the state of Georgia; they are discussed in this document. During the Peer Review Panels, GCA Staff presents an Administrative Report that details all administrative compliance issues.

Noncompliance may negatively affect any potential contract award and existing awards. These negative affects (i.e., reductions in award, forfeiture of remaining award balance, and/or ineligibility in succeeding years) are cumulative, meaning that multiple noncompliance reductions are possible.

Compliance resides with the applicant organization, not with the grant. Thus, a noncompliance issue will be reported in all panel meetings in which the organization has made an application.

Contracts

Late Return of the State of Georgia Contract and

Correction/Stipulation Requirements: GCA provides thirty (30) days for the signing and return of the contract. FY2010 contracts not signed and returned by the specified deadline will result in:

- Cancellation of the contract
- Peer Review Panels will be provided the details of this Administrative Noncompliance and will consider this information when determining scores for the applicant's management capabilities

Final Reports

Late Submission of the Final Report: Two months are provided from the end of the fiscal year (June 30) to the required deadline for Final Reports for all grantees on August 31. All FY2010 Final Reports received late (hand-delivered after 4:45 PM on August 31 or postmarked after August 31) will result in:

- Cancellation of the contract balance
- Peer Review Panels will be provided the details of the late submission and will consider this information when determining scores for the applicant's management capabilities

Failure to Submit a Final Report: Failure to submit the Final Report by October 15 will result in ineligibility for all future grants. Eligibility is not restored until the FY2010 Final Report is complete, correct, and approved by GCA.

Scope of Services

Failure to Meet Scope of Services: GCA allows grantees to request a revision in the *Scope of Services* proposed in the original application. Revisions may be necessary for a number of reasons: difference between the grant amount requested and the grant amount awarded, cancellation by an artist, or other unplanned or uncontrollable events. Multiple requests for revisions during the year will be considered.

If the grantee fails to meet the approved Scope of Services, defined as failure to render services within 10% of approved SOS, by the end of the fiscal year in either quantity or type of service (whether the original or the revised as approved by GCA), these policies apply:

- a. Adjustment of any balance remaining on the contract may be made by GCA. Balances will be pro-rated for the reduction in services rendered.
- b. If necessary, both the contract balance and the balances on any other awards may be cancelled to account for the reduction in services rendered.
- c. If cancellation of all existing balances is not sufficient to account for the reduction in contracted services, the grantee will be invoiced for the amount to be returned to the state of Georgia and will remain ineligible for future funding until the balance due is paid in full. Additional action may be taken by the state of Georgia to secure any remaining balance owed.
- d. Peer Review Panels will be provided the details of this Administrative Noncompliance, and will consider this information when determining scores for the applicant's management capabilities.

Credit Requirements

Failure to Follow NEA/GCA Credit Requirements: GCA and NEA logo and credit requirements are mandated. Failure to meet these requirements by the end of the fiscal year as evidenced in the Final Report will result in:

- Cancellation of remaining balance
- Peer Review Panels will be provided the details of this Administrative Noncompliance, and will consider this information when determining scores for the applicant's management capabilities

Unused Awards

Award funds not used by a contractor within the fiscal year (by June 30) and returned after that date are directed to the Treasury of the state of Georgia, making them no longer available to support the arts.

Throughout the fiscal year of award, contractors may be unable to use some or all of the award funds due to a variety of reasons, such as match not met

or arts programming cancelled due to artist incapacitation or weather. Regardless of the reason, the funds awarded and not used must be returned to GCA prior to the close of the fiscal year. With advanced notice of these unused funds, GCA disencumbers the funds and reallocates them for other arts programming.

On February 01 of each year, GCA forwards a letter to all contractors that requests notification of any award dollars that will not be used before June 30. NOTE: This letter is mailed to the executive that signed the contract at the address of record. A response is required by March 01. GCA acknowledges that changes in programming, resulting in changes to the SOS and/or changes to expenses can occur after the March 01 deadline for the UAF Letter. However, contractors are still required to notify GCA and return unused funds before June 30.

The following consequences exist for non-compliance to Unused Award Funds Letter or failure to return unused funds before June 30.

Failure to Respond to Letter of Unused Award Funds: Failure to respond by March 01 will result in:

- Cancellation of contract balance
- Peer Review Panels adjudicating an application will be provided with the details of this Administrative Noncompliance

Failure to Release and Return Unused Award Funds before April 30:

Should a contractor notify GCA of unused funds with the return of the UAF, but fail to release (via a written statement) and return the unused funds before April 30 in the fiscal year awarded, the organization will lose eligibility for one complete year in all grant categories.

Failure to Release and Return Unused Award Funds before June 15: Should changes occur between the return of the UAF Letter and the close of the fiscal year which impact a contractor's award, GCA must be notified immediately. Contractors are required to notify GCA and release the funds no later than June 01. If money is to be returned to GCA, it must be received no later than June 15. Funds returned with the Final Report in August are directed to the Treasury of the state of Georgia, making them no longer available to support the arts. Failure to notify GCA and return funds before June 30 will render the organization ineligible for one complete year in all grant categories

For GAP Partners: These re-granting agencies distribute funds through the end of the fiscal year and cannot confirm that all of the award will not be distributed. Therefore, only failure to return the funds on the deadline date of the Final Report will result in non-compliance.

ADA Checklist

With some exceptions, GCA applicants are required to conduct a self-audit and develop a plan to address deficiencies in meeting the federal government's Americans Disability Act requirements. The plan must address policies, practices, and programs that ensure that those with disabilities, as well as organizations that represent them, may participate.

If an **ADA Checklist** was completed for a continuation application, Year 1 in GOS or CAPS and there have been no changes in policies, practices and programs, there is no requirement to complete the **ADA Checklist** for the remaining years of continuation. However, the checklist must be submitted in any year when:

- Program accessibility has changed from one year to the next
- Different venues are used for the arts programming

All non-continuation applications require a completed **ADA Checklist** if one does not currently exist on file at GCA. New applicants are required to submit this form. The following applications are not required to complete the **ADA Checklist**:

- All Arts Education applications
- All Artist Roster applications
- All applications for public events in public venues and facilities

Accessibility, by federal definition, references to not just physical, visual, and other disabilities, but also programming accessibility or the involvement of disabled persons in the planning and execution of arts programming.

If a question is not applicable to the venue or application, leave the check-box empty.

The original of this form must be submitted with the **Grants Proposal Package**.