

Community Project Grants provide competitive funding for projects, events, productions, festivals, and exhibitions that:

- Increase access to and participation in arts, culture, history, or science programming within our communities!
- Act as a catalyst for positive change through arts and culture-based community development (creative community development)
- Amplify diverse cultures and voices.

This is currently the only cycle of Community Project grants planned for FY24. The next cycle of project grants is tentatively scheduled to open in the spring of 2024 for projects occurring July 1, 2024 – June 30, 2025.

### What's New This Cycle?

- This round of Community Project Grants is leveraging funds from the National Endowment of the Arts.
  - All organizations must have a valid Unique Entity ID number to receive federal funds.
  - Projects receiving federal funds must be a 501(c)(3). Fiscal Sponsors are not eligible to receive federal funds.
  - A [Section 504 self-evaluation](#) - Arts and Accessibility] *must* be on file at your organization [[NEA Funding Requirement](#)] – Use the links provided to complete your workbook.
- This is currently the only cycle of Community Project grants planned for FY24. The next cycle of project grants is tentatively scheduled to open in the spring of 2024 for projects occurring July 1, 2024 – June 30, 2025.
- Those who were awarded a project grant in March 2023, will not be eligible for this cycle.
- Operating Support grantees are eligible to apply, but the project must be focused on increasing access in the community. The work must be either an expansion to new sites, or a new program / service etc., being offered to a new community.
  - For the purposes of this funding opportunity – United Arts is defining community as both place-based as well as population / social identity-based.

### Deadline & Important Dates

- Application open: Monday, April 24, 2023
- Application deadline: Tuesday May 16, 11:59 pm
  - Staff will be available to answer questions until Monday May 15 @ 3 pm
- Board Approval and notification of award: Mid-June 2023
- Funding period: July 1, 2023, – June 30, 2024
- Final Report: August 1, 2024, or 30 days after the project ends

### Maximum Request Amount: \$5,000

- Funding is competitive; not all projects of merit are able to be funded.
  - Any applicant whose project will not be possible with partial funding must indicate so in the application.
- United Arts funds may be used to support eligible project related activities within the one-year grant period.
  - Applicants will be notified if they include ineligible expenses in their project budget/ application.

### Organizational Eligibility

- Applicant organizations must have current 501(c)(3) status and current good standing with the state of Florida Division of Corporations as a nonprofit organization. United Arts will verify with at [www.irs.gov](http://www.irs.gov) and [sunbiz.org](http://sunbiz.org).
- The nonprofit 501(c)(3) must be in Lake, Orange, Osceola or Seminole counties (United Arts uses the principal address

listed on an organization's W-9 and Sunbiz registration).

- The nonprofit organization must have a Unique Entity ID through the federal government to receive United Arts Funding (learn more about getting a Unique Entity ID here)
- Faith-based organizations who have 501(c)(3) status as long as the event is a non-faith-based program open to any segment of the population.
- Applicant organizations must be in good standing with any prior United Arts grant or contract reporting.
- Operating Support grantees are eligible to apply, but the project must be focused on increasing access in the community. The work must be either an expansion to new sites, or a new program / service etc., being offered to a new community.
  - For the purposes of this funding opportunity – United Arts is defining community as both place-based as well as population / social identity-based.

Organization Eligibility Restrictions - Organizations are NOT eligible if they are:

- In a period of disbarment with the federal government
- Those who were awarded a project grant in March 2023, will not be eligible for this cycle.
- Organizations that are adjuncts to for-profit organizations. ("Friends of" organizations are eligible to apply only in lieu of the parent nonprofit organization.)
- A public or private entity governed by an agency of the state government.
- Fraternal or sports organizations.
- Political causes, candidates, organizations, or campaigns
- Do not have a [Section 504 Self-Evaluation](#) on file

In all cases, final eligibility decisions are made by United Arts staff. **Approval of a previous project grant funding carries no assurance of continued funding in subsequent years.**

## Project Eligibility

Projects based in the arts and culture, science or history that take place in Lake, Orange, Osceola, or Seminole counties and are open to the public. Exhibits, performances, festivals, arts education, outreach programs, and art-based community development activities are examples of typical projects. Professional artists must be involved in the planning and execution of each project. For arts education programming, teachers must have an arts background. Administrative costs can be included, up to 7% of the project budget. Social and Human Service Organizations must partner with professional artists and / or arts organizations.

## Unallowable activities and costs – This Grant Cannot Fund

- General operating or seasonal support.
- Projects that replace arts instruction provided by an arts specialist.
- Projects outside of Lake, Orange, Osceola, or Seminole counties
- Projects of a religious nature designed to promote or inhibit religious belief and/or practice and that have no basic underlying secular theme or topics
- Generally, courses/coursework in degree-granting institutions.
- Literary publishing that does not focus on contemporary literature and/or writers.
- Generally, exhibitions of, and other projects that primarily involve, single, individually owned, private collections.
- Private events closed to the public and activities restricted to an organization's membership (including school competitions, recitals, and graduations – professional competitions are eligible if applications and events are open to the public)
- Social activities such as receptions, parties, galas, community dinners, picnics, and potlucks.
- Awards to individuals or organizations to honor or recognize achievement.
- Projects benefiting for-profit organizations.

- Commercial (for-profit) enterprises or activities, including concessions, food, T-shirts, artwork, or other items for resale. This includes online or virtual sales/shops.
- 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.
- Voter registration drives and related activities.
- Construction, purchase, or renovation of facilities. (Design fees, preparing space for an exhibit, installation or de-installation of art, and community planning are eligible. However, no NEA or cost share/matching funds may be directed to the costs of physical construction or renovation or toward the purchase costs of facilities or land.)
- Subgranting or regranting awarded funds.
- Cash reserves and endowments.
- Costs for the creation of new organizations.
- Costs to bring a project into compliance with federal grant requirements. This includes environmental or historical assessments or reviews and the hiring of individuals to write assessments or reviews or to otherwise comply with the National Environmental Policy Act and/or the National Historic Preservation Act.
- Expenditures related to compensation to foreign nationals and/or travel to or from foreign countries 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/organizational-structure/offices/pages/office-of-foreign-assets-control.aspx> or contact our Office of Grants Management at [grants@arts.gov](mailto:grants@arts.gov).
- Project costs supported by any other federal funding. This includes federal funding received either directly from a federal agency (e.g., National Endowment for the Humanities, Housing and Urban Development, National Science Foundation, or an entity that receives federal appropriations such as the Corporation for Public Broadcasting or Amtrak); or indirectly from a pass-through organization such as a state arts agency, regional arts organization, or a grant made to another entity.
- Alcoholic beverages.
- Purchase and/or use of gift cards and gift certificates to support project costs.
- Gifts and prizes, including cash prizes as well as other items (e.g., electronic devices, gift certificates) with monetary value.
- Stipends/fees to individuals who are incarcerated.
- Contributions and donations to other entities.
- General miscellaneous or contingency costs.
- Fines and penalties, bad debt costs, deficit reduction or any other comparable financial costs
- Marketing expenses that are not directly related to the project.
- Audit costs that are not directly related to a single audit (formerly known as an A-133 audit).
- Rental costs for home office workspace owned by individuals or entities affiliated with the applicant organization.
- The purchase of vehicles.
- Visa costs paid to the U.S. government.
- Costs incurred before the beginning or after the completion of the official period of performance.

### Evaluation Criteria:

The application will be scored based on the following criteria:

	Artistic Excellence	Artistic Merit	Board Governance & Financial Mgmt.	Community Impact + Access
Operating Support (GOS)	X	X	X	X
Diversity in the Arts (DITA)	X	X	X	X
Community Project Grants	X	X	Adjusted to fit project-based funding	X
Individual Artist Grants	X	X	Board governance is not applicable	X

Criteria Category	Definitions	Score Impact
Artistic Excellence	The recognized quality of the artists and other key individuals, creative process, works of art, organizations, arts education providers, artistic partners, and/or services involved in the project and their relevance to the audience or communities the project aims to serve.	10
	Innovation and creativity in programming and artist selection	
Artistic Merit	The value and appropriateness of the project to the organization's mission, artistic field, artists, audience, community, and/or constituency.	10
	Evidence of the ability to carry out the project based on such factors as the appropriateness of the budget, clarity of the project activities, resources involved, and the qualifications of the project's personnel, partnerships, and collaborations.	
	Clearly defined goals and/or proposed outcomes and an appropriate plan to determine if those goals and/or outcomes are met. This includes, where relevant, measures to assess student and/or teacher learning in arts education.	
	Evidence of direct compensation to artists, art collectives, and/or art workers.	
	Exhibited diverse and inclusive decision making. Commitment and actions furthering Diversity, Equity, Inclusion.	
As Applicable - Ability to strengthen the arts sector through knowledge-sharing and resources.		

Criteria Category	Definitions	Score Impact
Board Governance + Financial Management	Fiscal Responsibility – the appropriateness of the budget (the clear and realistic presentation of the proposed budget during the grant period); demonstrated evidence of strong and/ or developing financial support from the community.	10
	Adoption and commitment to best practices in board governance -- approving financial statements & budgets	
	Adherence to bylaws	
Community Impact + Access	Engagement with individuals whose opportunities to experience the arts are limited by geography, race or ethnicity, economics, disability, or another identified barrier.	10
	<a href="#">Social Impact</a> (Including cross-sector partnerships & collaborations)	
	<a href="#">Economic Impact</a> (as applicable – This may look different for arts education projects)	
	Potential of the project activities to advance local economic, physical, or social outcomes desired by the community. Evidence of a marketing and promotion plan for the organization and/or project to reach and cultivate new audiences.	

## Grant Payment Schedule

Grantees will sign an online award agreement and provide proof of insurance before receiving grant funds; these are due 30 days after the award approval, or three business days before the project starts, whichever comes first. 75% of funds will be issued once award agreements are in place. The final report is due 30 days after the final project, and all expenditures must be complete by this date; the final 25% of funds will be released as reimbursement upon approval of the final report.

## Requirements During the Grant Period:

- *Request Permission for Changes:* Significant project or budget changes (**changes in dates**) **must be requested in advance**. Changes may or may not reduce the grant amount, requiring a return of grant funds to United Arts. Contact [Elyse@UnitedArts.cc](mailto:Elyse@UnitedArts.cc) with questions or to discuss a potential project change.
- *Notification:* During the project, grantees must keep [Elyse@UnitedArts.cc](mailto:Elyse@UnitedArts.cc) on their email list, renew insurance policies when they expire, and notify United Arts of any contact changes or changes in IRS tax-exempt status. United Arts will add grantees to its email list, including resources and opportunities.
- *Publicity:* Organizations are strongly encouraged to post their events on [OrlandoAtPlay.com](http://OrlandoAtPlay.com) when the dates and other details have been set. United Arts promotes posted programs through our email newsletter and, if at least two months in advance, the calendar section of *Orlando Arts Magazine*. To add your event, go to [www.OrlandoAtPlay.com/page/submit\\_event/](http://www.OrlandoAtPlay.com/page/submit_event/).
- *Legal & Insurance:* Grantees must comply with fair labor standards and a drug-free workplace, maintain PCI (Payment Card Industry) compliance, provide business EIN or social security number for tax purposes, and maintain insurance coverage. At the time of award acceptance, all grantees are required to provide a Certificate of Insurance, listing United Arts as additionally insured and proving current coverage for the following types and limits of coverage:
  - Commercial General Liability of \$500,000 or event insurance purchased through the venue, or insurance held by the venue that covers your organization.
  - Workers' Compensation, as required by law.
  - Any organization that believes it cannot meet the coverage requirements throughout the project period may request a reduction or waiver. Any such request shall include an explanation of the need for a reduction or waiver, signed by a board representative and accompanied by a quote in writing from a potential insurer.
- *Electronic payment:* Grantees are required to sign up for payment via ACH (electronic deposit), whereby funds will be directly deposited into the grantee's business account. This provides more prompt delivery of grant funds by alleviating mail time and bank holds. The form to sign up will be available in the award agreement.
- *Inclusion:* Grantees must provide equal access and opportunity in employment and services and may not discriminate on the basis of race, color, ethnicity, religion, gender, ancestry, national origin, geography, age, varying abilities, pregnancy, sexual orientation, gender identity, marital status, familial status, citizenship status, or socioeconomic status. United Arts expects that the make-up of the staff, board, audience, volunteers, artists, scientists, historians, etc. involved with grantee organizations be inclusive of the diversity of the community and compatible with the organization's mission.
- *Acknowledgement:* Grantees must acknowledge the grant in all project publicity and materials (whether printed, online, verbal, or other), with the United Arts logo and statement "(Name of Grantee Organization) is funded in part by United Arts of Central Florida, home of [OrlandoAtPlay.com](http://OrlandoAtPlay.com) and [UAArtsEd.com](http://UAArtsEd.com)."
- *Recordkeeping:* Grantees must keep information (including description and photos of the project, press or publicity about the project, including use of logo or acknowledgement statement, audience demographics, and financial records) for the final report. Also, all grantees must keep records about the grant activities and financials for at least five years after the project is completed; such records must be available for audit by United Arts representatives.
- *Final Report:* a final report form will be provided in your online account. This report will be due 30 days after the final project event to receive the final 25% of funds and maintain eligibility for future funding.

## Application Tips

For tech support or other questions: Contact [Elyse@UnitedArts.cc](mailto:Elyse@UnitedArts.cc) or 407-790-7844

- Start early!
  - Read these guidelines thoroughly and take note of any questions.
  - Proofread! You can ask for a *brief* courtesy review by United Arts up to 4 days before the deadline.
  - Gather the documents: organization financials (most recent IRS Form 990 or financial statements – balance sheet and income/expense statement), support materials (press, flyer/program, patron surveys, link to max 5 minutes of video, etc.) and Letter of Support
- Save often.
- Submit early! Leave extra time at the end in case you have questions or computer trouble. Missing documents or fields will prevent the submission of the application. *Contact and project information for all grantees will be made available to the press, and United Arts may use quotes or pictures from applications or reports in publicity.*
- Don't stop here!
  - Post your events for free on [OrlandoAtPlay.com](http://www.orlandoatplay.com) at [http://www.orlandoatplay.com/page/submit\\_event/](http://www.orlandoatplay.com/page/submit_event/). Once you create an organizational listing, make sure to ask how to become a featured event, or get discounts listed in the weekly email.

## Required National Endowment for the Arts Information

Appendices A, B, & C contain information United Arts is required to share from the National Endowment for the Arts. If awarded, your organization will receive the information in Appendix A as part of its official Award letter. It will also be part of the Award agreement. Appendices B & C - contain grant award management information. Please review in full and contact Elyse Jardine, Program Officer – [elyse@unitedarts.cc](mailto:elyse@unitedarts.cc) with any questions.

## Appendix A: Required Data Elements for Subaward Notices under 2 CFR 200.332

2 CFR 200.332	SAMPLE RESPONSE	NOTES
(i) Subrecipient name (must match the name associated with its SAM Unique Entity Identifier)	<i>Dance Council of Birmingham</i>	Legal name of the subrecipient; must match the entity's name in SAM.gov.
(ii) Subrecipient's unique entity identifier (UEI)	<i>Subrecipient's SAM.gov UEI</i>	The subrecipient's SAM UEI; UEI record must reflect the entity's legal name and current physical address.
(iii) Federal Award Identification Number (FAIN)	<i>xxxxxxx-62-21</i>	The NEA award number as included on the LAA's NEA Notice of Action for the prime award.
(iv) Federal Award Date of award to the recipient by the federal agency	<i>May 15, 2021</i>	The award date on the NEA's Notice of Action (NOA) for the LAA's prime award.

(v) and (vi) Subaward Period of Performance and Budget Period	<i>July 1, 2021 - May 31, 2022</i>	The start and end dates for the subaward grant period during which allowable expenses must be incurred. This subaward period of performance must be <u>within</u> the period of performance for the LAA's NEA prime award.
<b>2 CFR 200.332</b>	<b>SAMPLE RESPONSE</b>	<b>NOTES</b>
Total amount of subaward (includes both <b>non-Federal and Federal funds</b> , if applicable)	<i>\$15,000</i>	This is the total amount of the subaward to the subrecipient.
<b>The next three items are <i>usually</i> the same amount</b>		
(vii) Amount of Federal funds obligated by this action by the pass-through entity to the subrecipient	<i>\$10,000</i>	This is the amount of federal funds obligated by you-- if any--to the subrecipient for the subaward. If the subaward does not include any federal funds, this amount should be \$0.
(viii) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation	<i>\$10,000</i>	This is usually the same amount as the row above, (i.e., the initial amount of the subaward made with federal funds.)  If you add additional federal funds to the subaward later in the grant period through an amendment, that amount would be included here.
(ix) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity	<i>\$10,000</i>	Total amount of federal funds awarded under this NEA grant.
(x) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA)	<i>To support a subgranting program providing commissioning funds to small and mid-sized dance companies.</i>	The project description included on the NEA's Notice of Action (NOA) for the LAA's NEA prime award.
(xi) Name of Federal awarding agency, pass-through entity, and contact information for awarding official	<ul style="list-style-type: none"> <li>• <i>National Endowment for the Arts</i></li> <li>• <i>Birmingham Arts Council</i></li> <li>• <i>John Doe, BAC Exec. Director</i></li> <li>• <i>555-333-5555</i></li> <li>• <i>email@BAC.gov</i></li> </ul>	The NEA's name, the LAA's name, and name and contact information for the person authorizing the subaward on the LAA's behalf.

(xii) Assistance Listings number and Title (previously known as the CFDA Number); the pass-through entity must identify the dollar amount made available under each federal award and the Assistance Listings Number at time of disbursement.	<i>45.024 Promotion of the Arts - Grants to Organizations and Individuals</i>	The NEA's Assistance Listings number and title as provided on the Notice of Action for your NEA prime award.
(xiii) Identification of whether the Federal award is R&D	<i>Yes/No.</i>	Identify whether your NEA award supports Research & Development activities. This information is provided on the Notice of Action for your NEA prime award. This is usually a NO answer.
(xiv) Indirect cost rate <u>for the prime federal award</u> (including if the de minimis rate is charged per 2 CFR 200.414)		The indirect cost rate, if any, charged to the approved project budget for the LAA's NEA prime award.
<b>2 CFR 200.332</b>	<b>SAMPLE RESPONSE</b>	<b>NOTES</b>
(xv) Indirect cost rate <u>for the subaward</u> (including if the de minimis rate is charged per 2 CFR 200.414)	<i>The de minimis indirect cost rate is approved.</i>	The indirect cost rate you approve for the subaward, if any. See <b>3.6</b> for more detail.
All requirements imposed by the pass-through entity on the subrecipient so that the federal award is used in accordance with federal statutes, regulations and the terms and conditions of the federal award.		
Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the federal awarding agency including identification of any required financial and performance reports	<i>Your performance and final financial reports are due MM/DD/YYYY.</i>	Provide your subrecipients with a list of required final reports for the subaward and the deadline for receipt.  Subrecipients must submit their required final reports to you no later than 90 days from the end of the period of performance for the subaward.



A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part;		
Appropriate terms and conditions concerning closeout of the subaward		

**APPENDIX B: 2 CFR 25 Appendix A Award Term**

**I. SYSTEM FOR AWARD MANAGEMENT AND UNIVERSAL IDENTIFIER REQUIREMENTS**

**A. Requirement for System for Award Management (SAM)**

Unless you are exempted from this requirement under 2 CFR 25.110, as the prime recipient, you must maintain current information and registration in SAM. This includes information on your immediate and highest-level owner and subsidiaries, as well as on all of your predecessors that have been awarded a federal contract or federal financial assistance within the last three years, if applicable, until you submit the final financial report required under this federal award or receive the final payment, whichever is later. This requires that you review and update your entity information in SAM at least annually after the initial registration, and more frequently if required by changes in your information or another federal award term.

**B. Requirement for a Unique Entity Identifier**

If you are authorized to make subawards under this federal award:

1. You must notify potential subrecipients that they must provide you with their Unique Entity Identifier (UEI) in order to receive a subaward; and
2. You may not issue a subaward to an entity that fails to provide you with its Unique Entity Identifier.

Note: subrecipients are not required to register for and/or maintain a full and active SAM registration, but they must obtain a Unique Entity Identifier from SAM.

**C. Definitions**

For purposes of this term:

1. System for Award Management (SAM) means the official website of the U.S. government where an entity can register to do business with the federal government. Additional information may be found at <https://www.sam.gov>.
2. Unique Entity Identifier means the identifier assigned to uniquely identify business entities. On and after April 4, 2022, this is a UEI assigned by SAM.gov.
3. Entity includes non-federal entities as defined at 2 CFR 200.1 and also includes all of the

following, for purposes of this part:

- a. A foreign organization;
- b. A foreign public entity;
- c. A domestic for-profit organization; and
- d. A federal agency.
- e. Subaward has the meaning given in 2 CFR 200.1.
- f. Subrecipient has the meaning given in 2 CFR 200.1

## **APPENDIX C: National Policy and Other Legal Requirements, Statutes, and Regulations that Govern Your Award**

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).

As a registrant with SAM.gov, in most cases, you have already self-certified 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. A copy of this Financial Assistance Certifications Report is available in your SAM.gov entity registration record.

### **1. Nondiscrimination Policies**

As a condition of receipt of federal financial assistance, 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 NEA upon request. The NEA 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 NEA 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. We may ask you to respond to specific questions or provide additional information in accordance with the Act. If there are environmental implications, we 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. We 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. Agency review must be completed prior to any agency 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 NEA in 2 CFR 3254.10.

There are circumstances under which we 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, we 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 the NEA Office of Grants Management 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 [www.dol.gov/compliance/guide/dbra.htm](http://www.dol.gov/compliance/guide/dbra.htm). 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 <http://thomas.loc.gov/teachers/constitution.html>.

**9. Prohibition on use of funds to ACORN or its subsidiaries.** None of the federal or cost share/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).