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## Arts Capital FY2025 Guidelines

**DEADLINE: August 23, 2024**

**SUPPORT PERIOD: December 2024- December 2026**

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Individuals who do not use conventional print may contact the Maryland State Arts Council to obtain this publication in an alternate format. 410-767-6555 or [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov)



For individuals who are deaf or hard-of-hearing.  
TTY: Maryland Relay 1-800-735-2258 or 711

This publication is available as a PDF on the MSAC website: [www.msac.org](http://www.msac.org).

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# Program Overview

## Purpose

The purpose of the Arts Capital grant is to provide eligible organizations with direct access to state capital funding for projects that improve or produce a complete, usable, and accessible arts facility.

The Arts Capital grant provides support for projects that include the expansion of, renovation of, or major repairs to a facility or other infrastructure. Projects focused on increasing a facility's accessibility to serve a wider audience or prioritizing the use of energy-efficient building methods, and technologies are encouraged to apply.<sup>1</sup>

## Grant Cycle

### Funding

Arts Capital grants range from \$50,000 - \$500,000.

In FY2025, applications will be accepted from July 2024 to August 23, 2024.

Unless otherwise stipulated by the State or Board of Public Works, grantees of the Arts Capital grant receive funding in one payment (100% of the award amount) after the grant agreement and projects are approved by the state Board of Public Works.

### Support Period

If awarded, grantees will be able to start spending and obligating funds after the grant agreement has been approved and fully executed by the Board of Public Works. Grantees agree to spend or obligate all funds by December 31, 2026. Obligation means that awarded funds are expended, encumbered, or otherwise legally committed to be used, such that returning the unspent funds would cause the grantee legal harm. Grantees unable to complete their proposed project within the two-year window should notify MSAC staff as early as possible.

### Use of Funds

Grant funds may be used for:

- Capital projects that include the expansion of, renovation of, or major repairs to a facility or other infrastructure operated by<sup>2</sup> an eligible organization. All projects and purchases must have a useful life expectancy of at least 15 years.
- Projects that increase access to arts facilities, expand access to new audiences or prioritize the use of energy-efficient building methods and technologies are encouraged to apply.
- Arts Capital funds may only be used for a new project or phase of work. Work that is already underway prior to the award and Board of Public Works approval is not eligible for funding.
- Up to 15% of the grant award can be used for indirect administrative costs of the proposed project.

Grant funds may not be used for:

- Purchase of a building, land, or vehicle
- Design services or purchases of equipment that are not part of a permanent capital improvement to a facility or infrastructure.

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<sup>1</sup> A resource to assist with understanding this document is the MSAC Glossary, which provides an overview of terms commonly used in MSAC grant guidelines, on the website, and in other published materials. Access the Glossary by [clicking here](#).

<sup>2</sup> If the applicant organization does not own the property or facility where the project will take place, they must show evidence of a long-term lease (with a minimum of five years remaining on the lease term) submitted as part of the application.

- Feasibility studies or Master Plans
- Non-capital expenses such as research, studies, or pre-development outside of the capital project
- Debt Service (i.e, mortgage, rent, or loans)
- Activities for the exclusive benefit of an organization’s members
- Contributions to any persons who hold or are candidates for elected office
- Contributions to any political party, organization, or action committee
- Activities in connection with any political campaign or referendum
- Lobbying activities
- Expenses to further sectarian religious instruction or in connection with the design, acquisition, or construction of any building used, or to be used, as a place for sectarian religious worship or instruction or in connection with any program or department of divinity for any religious denomination.
- Expenses for activities or projects already completed at the time of grant application
- Expenses for which the applicant has been awarded funds through another MSAC grant program. (i.e., an applicant may only be awarded MSAC funds once for any individual project expense; contact MSAC staff with questions)
- Institutional indirect costs in excess of 15 percent of the total grant amount for all MSAC grants not providing general operating support

## Timeline

The grant timelines below are estimates and may change according to application volume, funding changes, constituent needs, staff capacity, or other factors. Refer to information published on grant pages on [mscac.org](http://mscac.org) for up to date information. [Click here](#) to learn more or subscribe to MSAC communications to be notified of any public information sessions and other program updates.

- Applications
  - Guidelines Published: July 2024
  - Application open in Smart Simple: July 22, 2024
  - Deadline: August 23, 2024
- Application review
  - August 26, 2024- October 18, 2024
- Notification
  - By end of October, 2024
- Reports
  - Funds spent or obligated by: December 31, 2026
  - Final Report Due: January 15, 2027

## Eligibility

Eligible applicants must meet the requirements listed below:

- Nonprofit organization (i.e., an organization with an IRS-designated 501(c)3 status), incorporated and based in Maryland;
- Have an annual operating budget of less than \$3,000,000; and
- Either:
  - Currently, participate in MSAC’s [Grants for Organizations](#) or [County Arts Development](#) programs
  - or**
  - Be open to the public and provide arts-based cultural education or experiences.

Ineligible Organizations include:

- Units of government (e.g., town, city, county, state, federal)
- Colleges or universities (i.e., an established higher education institution in Maryland)
- Schools (i.e., a public or private school serving students in grades pre-kindergarten through 12)

- Auxiliary non-profit organizations (i.e. “Friends of groups”, economic development organizations, neighborhood organizations, parent-teacher organizations) whose mission is primarily to benefit and fund specific activities, programs, or facilities that would otherwise be considered ineligible

Ineligible Projects include:

- Capital improvements to properties owned by schools, school systems, colleges, or universities
- Capital Improvements to properties owned by the State of Maryland Department of General Services or the Maryland Stadium Authority

The eligibility guidelines listed above provide an overview only. In some cases, the Board of Public Works, the Department of Commerce, and/or MSAC staff might make eligibility determinations addressing situations not described here.

## Application, Review, and Award

### Application and Review

#### SmartSimple

Applications are submitted via the secure, online grants management system, SmartSimple. Log in or create a free account by [clicking here](#).

- Except in the situation of certain accessibility requests, as described later in this document, applicants are required to complete and submit applications by electronic means, including the use of an electronic signature
- Technical support for SmartSimple is available during regular office hours
- Lost, misdirected, or late applications are the sole responsibility of the applicant
- Applicants must meet any revision deadlines requested after submission, as specified in writing, or the application will be withdrawn

#### Panelist service

MSAC convenes panelists, representing a range of arts expertise statewide, to evaluate applications electronically. Panelists are selected via public application process based on relevant experience and/or expertise. Opportunities to serve as panelists for various grant programs are posted throughout the year; individuals interested in panel service are encouraged to learn more and apply on MSAC’s Ways to Get Involved page [here](#).

## Application form and review criteria

The grant application is a digital form available in SmartSimple and consisting of prompts requiring dropdown menu selections, fill-in answers, and external file uploads.

Application evaluation is based on review criteria that correspond with the prompts in the application form. The review criteria provide guidance on rating an applicant’s response to a prompt.

Application prompts and review criteria are provided below, for reference.

Application prompt	Review criteria
<p><b><u>Summary of Grant Request</u></b>            Provide a brief one-paragraph synopsis of the proposed capital project and what it will achieve for the organizations.</p> <p><i>(150 words max)</i></p> <p><i>Note: The response to this section should focus on a high-level overview that summarizes the request for staff and grant panelists. Information provided in this section may be shared with partner agencies or used for external marketing (i.e. press releases and announcements)</i></p>	<p><i>Not scored</i></p>
<p><b><u>Property Address &amp; Ownership Status:</u></b></p> <ul style="list-style-type: none"> <li>● List the address where the proposed project will occur.               <ul style="list-style-type: none"> <li>○ Please note if this address is different than the address listed on the application, organization’s Smart Simple profile, and/or listed on the Federal W9 included with the application)</li> </ul> </li> <li>● Is the above property owned or leased by the applicant organization?               <ul style="list-style-type: none"> <li>○ If leased, please indicate the property owner name, address, and contact details.</li> </ul> </li> </ul>	<p><i>Not scored</i></p>
<p><b><u>Mission &amp; Vision Alignment</u></b></p> <ul style="list-style-type: none"> <li>● The applicant organization’s mission statement.</li> <li>● A description of how the proposed project relates to fulfilling the mission of the organization.</li> </ul> <p><i>(250 word max)</i></p>	<p><b><u>Mission Alignment &amp; Community Impact</u></b>  <b>Excellent to Outstanding</b>            The full Project Plan provides a clear, specific, and thorough explanation of how the proposed work and activities relate to fulfilling the organization’s mission and enhancing the county and communities surrounding the project.</p>
<p><b><u>Summary of the Organizations’ Programs and Community Served:</u></b></p> <ul style="list-style-type: none"> <li>● Describe the county where the organization is located and the proposed project will occur. Describe the audiences that are</li> </ul>	

<p>served by, regularly participate in, or benefit from the arts-based cultural education or experiences the organization offers. (300 words max)</p> <ul style="list-style-type: none"> <li>○ <i>Note: Please include relevant demographics of those participating in the organization’s programming. The response may focus on the statistical demographics of the county, the community in immediate geographic proximity to the project location, or the demographics of the audience served by the organization and its programs.</i></li> <li>● Describe the arts-based cultural education or experiences offered to the public by the organization. (200 words max)</li> <li>● Share an example of a recent organizational success that demonstrates service to the public in alignment with the organization's mission. (200 words max)</li> </ul>	
<p><b><u>Existing Challenges</u></b> Please describe the challenges the organization is currently facing, and how the proposed project will address these challenges. (300 word max)</p>	<p><b><u>Addressing Challenges</u></b> <b>Excellent to Outstanding</b> The application provides clear and specific evidence of how the project will directly address the challenges identified by the applicant.</p>
<p><b><u>Full Project Plan</u></b></p> <ul style="list-style-type: none"> <li>● Describe how the project may be divided into discrete phases of planning or work and provide an estimated timeline for accomplishing each phase. (In the case of large projects, specify which aspects of the overall project the Arts Capital grant will support.) How will the project team ensure the project will be delivered on time and within budget? (300 words max)</li> <li>● Describe how the outcome of the project is accessible to people living with disabilities and available for use by people of color, and individuals living below the federal poverty level. (150 words max)</li> <li>● For large contracts, or the purchase of major infrastructural equipment, please describe the process that went into acquiring quotes or estimates, and how the applicant organization arrived at their final decision. (300 words max)</li> </ul>	<p><b><u>Mission Alignment &amp; Community Impact</u></b> <b>Excellent to Outstanding</b> The full Project Plan provides a clear, specific, and thorough explanation of how the proposed work and activities relate to fulfilling the organization’s mission and enhancing the county and communities surrounding the project.</p> <p><b><u>Access &amp; Equity</u></b> <b>Excellent to Outstanding -</b> The application clearly and thoroughly describes how the outcome of the project will increase access for people living with disabilities, and will be available for use by people of color, and individuals living below the federal poverty level.</p>

**Capacity:**

- List the key personnel from the applicant organization and partners of the applicant that will be involved in the project, their titles, affiliations and roles. For partners, (*consultants, owners reps, project managers, lead contractors, etc.*) please describe how they were selected to support this project. (250 words max)
- Describe any prior experience the applicant organization or its partners have in successfully planning, managing, and completing similar capital projects on time and on budget. (250 words max)
- If the budget for the overall project exceeds the support available from the Arts Capital grant, please describe the fundraising strategy and ability of the applicant organization or its partners to identify and receive any additional funding support necessary to make the project a success. (250 words max)

**Budget Table:**

- Please complete the provided budget table, providing a clear, detailed and realistic financial plan for income and expenses tied to the proposed project. For income sources beyond the MSAC grant request, please provide a brief description and status (i.e. awarded, application pending, etc.)

**Organizational Capacity**

**Excellent to Outstanding**

The application includes clear and specific evidence that the applicant or partners of the applicant have the capacity to complete the project and a demonstrated ability to leverage non-state funding to accomplish their goals.

**Inclusionary Hiring & Workforce Development**

Describe the applicant organization's inclusionary hiring practices and how they contribute to increased local workforce opportunities. (200 words max)

*Note: The response to this section may be in reference to the application organization's hiring practices overall, and/or specific to the hiring of contractors and technical support that will help you plan and accomplish the proposed capital project.*

*(300 word max)*

**Inclusionary Hiring & Workforce**

**Development:**

**Excellent to Outstanding**

The application clearly and thoroughly describes the applicant's inclusionary hiring practices and provides clear evidence of how said practices contribute to increasing opportunities for the local workforce.

**Required Attachments**

- **Two Letters of Support:**
  - One (1) from the local governing body representing the area in which the project will be located;
  - One (1) from the State Senator or Delegate representing the area in which the project will be located
- **Project Imagery** (architectural sketches, renderings, imagery of the site, or specific equipment): At least one referential image is required. Larger projects may focus on architectural plans and renderings, small projects may provide an image of where the

*Eligibility - not scored*



new equipment or investment (i.e. air handler or accessibility ramp) will be located, or a stock image of the equipment to be purchased they intend to purchase and install.

- **Lease/Deed/MOU:** Any eligible organization that does not currently own their property must provide a copy of their signed lease/deed/MOU showing that there is at least 5 years remaining on the agreement from the date of the application.
- **Organizational Budget:** Approved by the organization's Board of Directors and for the organization's current fiscal year as of the date of the application.
- **Financial Statement:** From the organization's most recently completed fiscal year
- **IRS Form 990:** The most-recently filed version with any accompanying cover sheets and signatures. If the application submitted a "Postcard 990-N, a screenshot confirmation can fulfill this requirement.
- **IRS 501(c)(3) Letter of Determination:** Original or duplicate of IRS determination letter.
- **Signed IRS Form W9:** The applicant's address on the submitted W9 must match the address in the Smart Simple grant portal.
- **Most Recently Completed Audit:** This is only required for organizations with annual budgets of \$750,000 and above.

In addition to responding to the prompts above, all applicants are required to submit a current, signed [W-9 form](#) upon application submission. The address on the W-9 form must match the address entered in SmartSimple, both on the application form and under the SmartSimple account profile. If awarded, grant funds will be made payable to the person or entity indicated on the W-9 and sent to the address listed in the form.

## Award

### Notification

After the staff and panel reviews are completed, award and funding recommendations are presented to the Executive Director of MSAC for approval. The approved grants are forwarded to the Secretary of Commerce (or their designee) before the slate of recommendations and funding awards is presented to the Maryland Board of Public Works. Once BPW approves the awards, the Grant Agreement Form (GAF) will be fully executed. Grantees should not plan to expend funds for their project until the GAF has been fully executed.

Notifications will be sent to the primary contact listed in the application and any other contacts on the organization's account. Automated notifications from SmartSimple will be sent from [noreply@smartsimple.com](mailto:noreply@smartsimple.com). Please adjust email notification and security settings to ensure receipt of these notifications. Check your spam folder if a notification has not arrived to your inbox.

## Payment

The payment process begins when the GAF has been fully executed. The grantee will receive notification of full execution from MSAC staff. Please note that at the discretion of MSAC Program staff, grantees experiencing significant organizational change or transition may result in funding installments to be held until requested reports are submitted and approved by the MSAC Program staff. Grantees in such situations will be notified by the MSAC Program staff.

The grantee will receive payment six to eight weeks from the date of notification of the fully executed GAF. More information on MSAC's payment processing timeline can be found by [clicking here](#).

MSAC grants are generally considered taxable income. Payments are issued directly by the State of Maryland, not by MSAC, and no Social Security, state, or federal income taxes are withheld. Individuals receiving grant awards over \$600 will receive via mail a 1099 from the State of Maryland after the end of the calendar year in which the grant was paid. To request or access your 1099 electronically, register and login on the General Accounting Division (GAD) Online Service Center site by [clicking here](#). Specific questions regarding the taxability of your award should be directed to the IRS, the Office of the Maryland Comptroller, or your tax advisor.

Grantees are encouraged to sign up to receive payment via Electronic Funds Transfer (EFT). Those with existing State vendor profiles (typically, those that have received prior MSAC grants) can sign up for EFT payments by completing the relevant forms found on the Comptroller's site [here](#).

New grant recipients will receive grant funds via check made payable to the name and address indicated on the grantee's W-9. They will be able to sign up for EFT for any subsequent payments.

## Payment Status

Grantees are encouraged to deposit grant payment checks immediately. If the grantee has not received payment within eight weeks of notification of a fully executed GAF, the grantee should contact MSAC to inquire about payment status. The grantee is responsible for following up with MSAC staff if payment is not received within the fiscal year in which it was awarded. If the payment was lost in transit, the State of Maryland is able to re-issue payment. However, MSAC is unable to guarantee that funds will be available for re-issue after the end of the fiscal year in which a grant was awarded.

If the grantee owes any Maryland state taxes or other state liabilities, the General Accounting Division (GAD) of the State Comptroller's office may intercept grant payments and hold them until the liability is resolved. Should this be the case, GAD will send written notice of this directly to the grantee via mail. MSAC is not provided further information as it is confidential; grantees will be able to find more info and discuss options with the Central Collections Unit (CCU) at 410-767-1220 or 888-248-0345.

## Changes in Funded Activities

If there are significant changes to the proposed activities for which a grant has been awarded, the grantee is responsible for contacting the relevant staff member to inform them of such changes before proceeding. Staff will help ensure that any proposed changes remain in alignment with the GAF and program guidelines.

## Reporting

All grantees must file a final report in SmartSimple. The report will be added to the grantee's SmartSimple profile as soon as the GAF is fully executed.

The final report deadline for the FY25 Arts Capital grant is January 15, 2027.

The final report form collects information about the grantee and grant activities, including optional demographic information, data for the National Endowment for the Arts, summary of activities and use of grant funds, and other program-specific information and documents, as relevant.

Grant funds may not be used to offset grantees' State liabilities; as such, grantees whose grant payments were intercepted by GAD due to Maryland state taxes or other state liabilities (as outlined in the Payments section) are not exempt from submitting required report(s). Grantees must either return the funds to MSAC or follow through with their proposed grant activities and submit report(s) accordingly.

Failure to submit reports may jeopardize current or future MSAC grants and may result in the required return of grant funds to the State of Maryland. Before any funds are distributed, grantees are also required to submit any outstanding reports or address requirements for any other MSAC grants they have received.

### Ineligible and Declined Applications

Applications that do not receive funding generally fall into one of two categories: ineligible or declined.

An application is marked ineligible if it is not complete or does not comply with the eligibility requirements of a particular grant program. A rating of ineligible is typically made by staff early in the review process. However, an application can be marked ineligible at any time during the review process.

An application is declined if it is eligible and reviewed according to the review criteria but did not meet the grant program's requirement for funding (for example, minimum panel score, panel recommendation, etc.). The level of MSAC's funding does not allow for the funding of all eligible applications.

### Application Feedback

Applicants may request feedback on their applications—whether ineligible, declined, or approved for funding—by submitting a feedback request form, for which a link will be provided in grant notification emails.

## Contact Information

MSAC staff offer technical assistance throughout the application process. This includes professional development related to grant writing and program requirements, one-on-one conversations, and tailored feedback.

For more information on the [program name] application process, contact:

- C. Ryan Patterson, Arts Capital Program Coordinator/ Public Art Project Manager
  - Ryan.Patterson1@maryland.gov
  - 443.721.3085
- Grants logistics and technological assistance
  - Catherine Teixeira, Grants Director
    - [catherine.teixeira@maryland.gov](mailto:catherine.teixeira@maryland.gov)
    - 443.799.7256
  - Tammy Oppel, Grants Management Associate
    - [tammy.oppel@maryland.gov](mailto:tammy.oppel@maryland.gov)
    - 410.326.5555
  - Kirk Amaral Snow, Grants Management Associate

- [kirk.amaralsnow@maryland.gov](mailto:kirk.amaralsnow@maryland.gov)
- 410.767.8865

# MSAC Overview

## Description

MSAC is an appointed body of 17 Maryland citizens, 13 of whom are named by the Governor to three-year terms that may be renewed once. Two private citizens and two legislators are appointed by the President of the Senate and by the Speaker of the House. All councilors serve without salary.

To carry out its mission, MSAC awards grants to nonprofit arts organizations, arts programs, and individual artists, and provides application assistance, professional development, and other resources to individuals and groups. MSAC reserves the right to prioritize grant awards.

MSAC receives its funds from an annual appropriation from the State of Maryland; grants from the National Endowment for the Arts, a federal agency; and, on occasion, contributions from private, non-governmental sources.

## Authority

MSAC is an agency of the State of Maryland under the authority of the Department of Commerce, Division of Tourism, Film and the Arts.

Wes Moore, Governor  
Aruna Miller, Lieutenant Governor  
Kevin Anderson, Secretary of Commerce  
Signe Pringle, Deputy Secretary of Commerce  
Steven Skerritt-Davis, Executive Director, MSAC

## Staff

MSAC maintains a professional staff to administer its programs. For staff listing, visit the MSAC website by [clicking here](#).

## Meetings

Council and panelist meetings are open to the public in accordance with the Open Meetings Act set forth in Title 3 of the General Provisions Article of the Annotated Code of Maryland. The dates, times, and locations of Council and panelist meetings may be obtained from the MSAC website by [clicking here](#), or by contacting MSAC at [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) or (410) 767-6555.

## Mission and Goals

MSAC's mission is to advance the arts in our state by providing leadership that champions creative expression, diverse programming, equitable access, lifelong learning, and the arts as a celebrated contributor to the quality of life for all the people of Maryland.

MSAC's strategic plan outlines five goals:

1. Increase Participation: Broaden MSAC's constituency, providing avenues designed to increase pathways to engagement
2. Provide Intentional Support: Embrace thoughtful and targeted approaches to serving known and yet to be known MSAC constituents
3. Build Capacity: Work strategically to further build organizational and governance capacity to ensure that MSAC is capable of vigorously delivering on its mission

4. Leverage Connections: Further enhance current relationships and involve additional collaborators, and constituents who will benefit from and advance the work of MSAC
5. Bolster Maryland Arts: Showcase the high caliber, diverse and relevant work of Maryland's artists and arts organizations; their contributions to community vitality and MSAC's role as a catalyst

[Click here](#) to read MSAC's full strategic plan and learn more about implementation actions.

## Equity and Justice Statement

The arts celebrate our state's diversity, connect our shared humanity, and transform individuals and communities. MSAC and its supporting collaborators are committed to advancing and modeling equity, diversity, accessibility, and inclusion in all aspects of our organizations and across communities of our state.

MSAC and its grantees are committed to embracing equity and non-discrimination regardless of race, religious creed, color, age, gender expression, sexual orientation, class, language, and/or ability.

The driving goals of MSAC's granting processes are:

- To yield a greater variety of funded projects
- To eliminate biases that may be found in any part of the granting process (e.g., applications, panelist procedures, adjudication systems)
- To acknowledge positions of privilege while questioning practices, shifting paradigms of status quo arts activities, and taking more risks
- To expand deliberations to include criteria beyond current conventions or Western traditions

## Accessibility

MSAC is committed to making sure all Marylanders can access its programs and services. Everyone is welcome, and all MSAC events and activities must be fully accessible both physically and programmatically. MSAC complies with all applicable disability-related statutes and regulations and seeks to ensure meaningful participation by all Marylanders, regardless of need or ability. See the "Grantee Requirements" section below for more information on the accessibility-related expectations of all grantees.

### Accessibility Web Page

MSAC has a dedicated accessibility page available by [clicking here](#). It includes contact information for the accessibility coordinator, federal and state regulations, the organization's equity and justice statement, grievance procedures, an emergency preparedness plan, accommodation policies, other accessibility resources for artists and arts organizations, and Picture Exchange Communication System (PECS) images.

### Language Access

MSAC offers language accessibility services. Services include making translations of grant materials, remote American Sign Language (ASL) interpretation, subtitles, braille translation, translation into languages other than English, and more. Please contact MSAC at [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) or (410) 767-6555 for more information.

En Español/Spanish: MSAC pone a disposición servicios de traducción y accesibilidad de idiomas. Contacte [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) para más información.

中文普通话/Mandarin Chinese: 马里兰州艺术委员会(MSAC)提供翻译和语言无障碍服务。请联系 [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) 了解更多信息。

한국어/Korean: MSAC 는 한국어 지원을 돕고 있습니다. 자세한 문의사항은 [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) 로 연락 주시기 바랍니다.

## Feedback

If constituents would like to provide general feedback about the accessibility of programs funded or produced by MSAC, contact MSAC at [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) or (410) 767-6555.

## Grievances

For programs or services provided by MSAC:

If a program or service operated by MSAC, facilities operated by MSAC, or public meetings conducted by MSAC are inaccessible to persons with a disability, or is illegally discriminatory, and a constituent wishes to file a grievance, see the following steps.

- For questions or discussion prior to filing a grievance, contact MSAC at [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) or (410) 767-6555
- To file a formal grievance, contact Dan Leonard, Director of EEO & Fair Practices and ADA Coordinator for the Department of Commerce, at [daniel.leonard@maryland.gov](mailto:daniel.leonard@maryland.gov)

For programs or services that are not provided by, but are funded, by MSAC:

- Communicate the grievance to the sponsoring organization
- For situations in which a constituent feels a grievance was not handled appropriately by the sponsoring organization, or if a response from the organization has not been provided within 30 days, file a formal grievance by contacting MSAC at [msac.commerce@maryland.gov](mailto:msac.commerce@maryland.gov) or (410) 767-6555

MSAC will work with constituents to provide assistance as appropriate.

## Grantmaking

### Review Panels

To assist MSAC in its decision-making, Maryland residents with expertise in the arts are selected to serve on a variety of grant application review panels. The function of panels is to evaluate applications from organizations and individuals. Each year, MSAC publishes several open calls, and approximately 150 individuals serve as panelists for MSAC grant programs, including Grants for Organizations, Arts in Education, Independent Artist Awards, Public Art Across Maryland, Creativity Grants, Presenting and Touring, Professional Development Opportunity, Folklife Network, Folklife Apprenticeships, Heritage Awards, Special Requests, Arts Capital, and County Arts Development. In addition, MSAC occasionally releases calls for residents to serve as program editors evaluating grantmaking policies and procedures, and jurors or judges for various arts activities supported by MSAC. Anyone wishing to serve is encouraged to [click here](#) for detailed information and links to application forms for any open calls.

Constituents may also get involved with MSAC by creating a profile on the Arts Directory, an online resource for raising the profile of Maryland artists and arts organizations, by [clicking here](#); or by attending regularly scheduled virtual and in-person professional development sessions by [clicking here](#).

## Appeals

MSAC strives to ensure fair and equitable distribution of grant monies based on stated criteria. Therefore, dissatisfaction with the denial or amount of an award is not sufficient reason for an appeal. However, an application may be reconsidered if a procedural impropriety or error has affected its review.

Grounds for such reconsideration are:

- A decision based on review criteria other than those stated in these guidelines
- A decision based on material provided to panelists or Councilors that was substantially incorrect, inaccurate, or incomplete, despite the applicant having provided the staff with correct, accurate, and complete application information

Based on the above, if an applicant believes there is legitimate reason for an appeal, the following steps must be taken:

- The applicant must discuss the problem with the program director who handled the application
- To pursue an appeal, the applicant must write a letter to the MSAC Executive Director within 60 days following receipt of the grant award or denial notification; the letter should (1) request a reconsideration of the decision, (2) state the grounds for the request, and (3) certify that the applicant first discussed the problem with the program director and provide the date and time the discussion occurred.

The applicant will receive written notification on the determination of the appeal within 90 days of the receipt of the written request for reconsideration

## Grantee requirements

All MSAC grantees must:

- Comply with Title VI, Section 601, of the Civil Rights Act of 1964, which states that no persons, on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination related to, the arts
- Comply with Title IX, Section 1681 et seq. of the Education Amendments of 1972, and the Age Discrimination Act of 1975, Section 6101-6107, which prohibit discrimination on the basis of sex or age
- Maintain complete and accurate records of all activities connected with the grant
- Give credit to MSAC in accordance with published recognition guidelines, available by [clicking here](#), whenever and wherever credit is being given
- Notify the appropriate MSAC staff person in writing if a significant change is made in any MSAC-funded program or project

In addition to the requirements above, all MSAC grantees must ensure that any programming remains accessible to all, and if needed, conduct programs in accessible venues other than their own organization in order to meet accessibility requirements. Grantees are required to:

- Comply with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1991, as amended
- Prohibit discrimination on the basis of: (a) political or religious opinion or affiliation, marital status, race, color, creed, sexual orientation, or national origin; of (b) gender expression, sex, or age, except when age or sex constitute a bona fide occupational qualification; or (c) the physical or mental disability of a qualified individual with a disability
- Designate an Accessibility Point of Contact to ensure compliance, receive accommodation requests, and document grievances, as well as publish direct contact information for the Point of Contact to the public



- Create and publicly share a grievance procedure to allow stakeholders to address any events or programs that are inaccessible
- Upon request, submit documentation of operations and compliance with the above

### **Disclosure of personal information**

Certain personal information requested by the Department of Commerce, MSAC's parent agency, is necessary in determining eligibility for grants. Failure to disclose this information may result in the denial of one or all benefits or services, including funding, provided by MSAC. Availability of this information for public inspection is governed by the provisions of the Maryland Public Information Act, Title 4 of the General Provisions Article of the Annotated Code of Maryland. This information will be disclosed to appropriate staff of the Department, or to public officials, for purposes directly connected with administration of the program for which its use is intended. Such information may be shared with state, federal, and local governments if legally required.