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## Arts & Entertainment (A&E) Districts Operating Support FY2021 Guidelines

**DEADLINE(S): August 10, 2020**

**SUPPORT PERIOD: July 1, 2020 - June 30, 2021**

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

# Maryland State Arts Council

## Overview

The Maryland State Arts Council (MSAC) encourages and invests in the advancement of the arts for all Marylanders. Its grants and programs support artists and arts organizations in their pursuit of artistic excellence, ensure the accessibility of the arts to all citizens, and promote statewide awareness of arts resources and opportunities. Programs are aimed at all Maryland residents regardless of political or religious opinion or affiliation, marital status, race, color, creed, age, national origin, sex or sexual orientation, physical or mental disability, or geographic location within the State.

The Council comprises an appointed body of 17 citizens from across the state, 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 non-profit, tax-exempt organizations for ongoing arts programming and projects. The MSAC also awards grants to individual artists, and provides technical and advisory assistance to individuals and groups. The Council reserves the right to prioritize grants awards.

MSAC receives its funds in an annual appropriation from the State of Maryland and from grants from the National Endowment for the Arts, a federal agency. The Council may also receive 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.

Larry Hogan, Governor | Boyd K. Rutherford, Lieutenant Governor

Kelly M. Schulz, Secretary

Thomas B. Riford | Assistant Secretary, Division of Tourism, Film and the Arts

## Mission Statement and Goals

The mission of MSAC is to encourage and invest in the advancement of the arts for the people of our state. The goals of the Council are to support artists and arts organizations in their pursuit of artistic excellence, to ensure the accessibility of the arts to all citizens and to promote statewide awareness of arts resources and opportunities.

The MSAC's programs are aimed at benefiting all Maryland residents regardless of political or religious opinion or affiliation, marital status, race, color, creed, age, national origin, sex or sexual orientation, physical or mental disability, or geographic location within the State.

## Professional Grants Review Panels

To assist the Council in its decision-making, professionals in the arts are appointed to a variety of grants review panels. The function of panels is to evaluate applications from organizations and individuals and to offer policy recommendations to the Council. Each year, MSAC publishes an open call, and more than 100 individuals serve as grants review panelists for the Council's programs, including Grants for Organizations, Arts in Education, Folk and Traditional Arts, Independent Artist Awards, and Community Arts Development. Anyone wishing to serve should visit [msac.org](http://msac.org) for detailed information and nomination forms.

## Staff

MSAC maintains a professional staff to administer its grants programs and Council-initiated programs. Staff members are available to provide technical assistance to the arts community.

## Meetings

All Council and Grants Review Panel 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 Grants Review Panel meetings may be obtained from the MSAC website at [www.msac.org](http://www.msac.org) or by contacting MSAC offices at (410) 767-6555.

## Requirements For Grant Recipients

- 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.
- Must comply with Title IV, Section 1681, of the Education Amendments of 1972, and the Age Discrimination Act of 1975, Section 6101, which prohibit discrimination on the basis of sex or age.
- Must comply with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, which states that no otherwise qualified person shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination related to, the arts.
- Must maintain complete and accurate records of all activities connected with the grant.
- Must have filed a satisfactory reporting with MSAC for the most recently completed fiscal year.
- Must file a final report in alignment with the program requirements. Necessary reporting methods will be provided by MSAC in ample time to meet the deadline. Failure to report may jeopardize any future grant being received by the organization and may result in the organization being required to repay grant funds.
- Must give credit to MSAC in accordance with the Recognition Guidelines whenever and wherever credit is being given.
- Must notify the appropriate MSAC staff person in writing if a significant change is made in any MSAC-funded program or project.

*Notice: Certain personal information requested by the Department of Commerce is necessary in determining eligibility for grants. Failure to disclose this information may result in the denial of one or all of these benefits or services. 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 is routinely shared with state, federal, or local government agencies.*

## Appeals Process

MSAC takes great care during the grant review process to ensure fair and equitable distribution of grant monies based on stated criteria. Therefore, dissatisfaction with the denial of an award or with the amount of an award is not sufficient reason for an appeal. However, a grant request 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 and/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 letter requesting a reconsideration of the Council's decision and stating the grounds for the request.
- The applicant will receive written notification on the determination of the appeal within 90 days of the receipt of the written request for reconsideration.

# A&E Districts Program Overview

## A&E Districts Program Goal

The State's goal for the A&E Districts designation program is to develop, promote, and support diverse artistic and cultural centers in communities throughout Maryland that preserve a sense of place, provide unique local experiences, attract tourism, and spur economic revitalization and neighborhood pride.

Strategies supported by the program include:

- creating accessible and unique arts destinations;
- leveraging the State's regional identities, natural resources, and heritage;
- supplying opportunities for dynamic and participatory arts experiences;
- giving artists – visual, literary, performing, and folk – the opportunity to live, work, and
- create an economically prosperous future; and
- investing in the power of place.

In addition, A&E Districts further Maryland's goals of reinvesting in existing communities and creating places that help people, businesses, the economy, and the environment thrive as articulated in the Maryland Department of Planning's Reinvest Maryland strategy.

## Activities

MSAC recognizes that each A&E District is designated to promote its unique identity and leverage local connections to further its own goals as well as the designation program's goal. Districts may engage in a variety of activities in the course of this work, as determined by local needs and opportunities. This work ultimately networks the district in order to maintain a healthy ecosystem of artists, businesses, and spaces. Activities of A&E Districts may include:

- General promotion of the district, its benefits, and the activities and businesses within it
- Event/festival production and management
- Business attraction
- Providing support services for local artists (local artist registries, connections between artists and businesses, professional development workshops, etc.)
- Providing arts-related support services for businesses (creating opportunities and connecting non-arts businesses with artists, attracting and promoting arts-related businesses, etc.)
- Public art project management and implementation
- Promoting available real estate
- Managing partnerships/collaborations
- Facilitating coordination with overlapping designation programs (e.g. Main Streets Maryland)
- Other general activities, including: fundraising, board management, advocacy, etc.

## Expectations

The expectations of MSAC and of A&E Districts receiving operating support outlined below are intended to support A&E Districts' abilities to best serve their local constituencies and meet district goals while furthering the State's goal for the program.

MSAC is responsible for:

- Providing funding, guidance, resources, and support to aid in the creation and implementation of A&E Districts long-term planning efforts.

- Providing tools and resources to aid in A&E Districts' infusion of equity and justice in all aspects of their work.
- Maintaining MSAC grantmaking and reporting schedules, facilitating A&E Districts' access to MSAC application and reporting materials, and providing technical support as needed.
- Soliciting professional development needs and providing professional development opportunities for A&E District managers as well as technical assistance to individual districts and their constituents as needed or requested.
- Publicizing A&E Districts' opportunities, programs, and events.
- Sharing the impact of A&E Districts statewide.
- Responding to local needs and concerns communicated by A&E Districts through scheduled reports and other communications.
- Making at least one site visit per fiscal year to each district to meet with leadership, board, and/or constituents to assess needs and share ideas and opportunities.

Each A&E District is responsible for:

- Adhering to all grantmaking, crediting, and reporting requirements, as communicated by MSAC.
- Maintaining programs, events, projects, communication tools, vendors, and resources that are responsive to identified needs of the community and equitably benefit all district constituents.
- Maintaining a website or website page that publicizes the A&E District as well as its tax credits and other incentives, opportunities, and events, with links to MSAC's site and relevant opportunities for local constituents.
- Maintaining a distribution list of local constituents.
- Sending regular communications (email, social media, and/or print, etc.) promoting A&E District and MSAC opportunities.
- Maintaining a current profile page on MSAC's website.
- Notifying MSAC at least two months ahead of deadlines of available local grant opportunities relevant to artists.
- Providing MSAC with ongoing updates of local needs and concerns through scheduled reports and additional communications.
- Arranging at least one site visit per year for MSAC to meet with A&E District leadership, board, and/or constituents to assess needs and share ideas and opportunities.

# A&E Districts Operating Support Grant Overview

## Grant Purpose

Arts & Entertainment Districts Operating Support (AEDOS) grants provide financial support to the management entities of Maryland's designated Arts & Entertainment (A&E) Districts to support the district and state designation program's goals.

## Application Submission and Review Process

Districts submit one of the following forms annually for funding:

- On-Year
  - To request funding in the fifth fiscal year post-designation, district management entities submit updated goals, objectives, strategies, and outcomes as well as revised management and marketing plans and a proposed budget for A&E District activities for the next fiscal year.
- Off-Year
  - All other years (including redesignation years), districts submit a shorter application outlining the proposed budget for A&E District activities for the next fiscal year and providing updates as needed.

The A&E Districts Advisory Committee reviews on-year applications, provides feedback and an opportunity for revision (if needed), and recommends funding. MSAC Staff review and recommend off-year AEDOS applications, ensuring that districts' intended use of the funds meets program requirements and providing technical assistance as warranted or requested. Funding recommendations are subject to approval by the Council and the Secretary of Commerce.

*MSAC staff, A&E Districts Advisory Committee members, the Secretary of Commerce, or councilors may require an A&E District's management entity to submit an On-Year application in any subsequent fiscal year for reasons including but not limited to: submission of a weak five-year plan, grant noncompliance, or significant changes in budget, programming, operations, or leadership.*

*If a management entity does not submit an on-year application to request funding for their fifth year post-designation but wishes to apply in a subsequent year, they must submit an on-year application to re-enter the funding cycle.*

*If the designated management entity of a district changes, the new management entity must submit a on-year application to enter the funding cycle.*

## Eligibility

To be eligible to apply for AEDOS funds, the applying entity must be the appointed management entity for a designated A&E District in the State of Maryland. Management entities must be appointed by the county or municipality(ies) holding the A&E designation, and an annual agreement signed by the management entity's leader, the Chief Elected Official (CEO) of the county or municipality(ies), and MSAC's A&E Districts Program Director must accompany the AEDOS application. If the applying entity is not a branch of the county or city's government, it must be registered as a non-profit corporation in Maryland exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code. 501(c)(3) management entities are required to submit a current memorandum of understanding or contract affirming the relationship between the municipalities(ies) or county holding the designation and the management entity that outlines specific responsibilities and any financial arrangements.

## Requirements

An A&E District management entity receiving funding is required to:

- work toward the general goals of the program as well as the goals submitted its most recent application for designation, redesignation, or general operating support;
- maintain a Board or Advisory Board of at least five (5) individuals that oversee A&E District activities;
- submit an annual letter of agreement signed by the management entity's leader, the Chief Elected Official (CEO) of the county or municipality(ies), and MSAC's A&E Districts Program Director
- maintain at least one part-time employee whose job responsibilities include oversight of A&E District activities; and
- acknowledge MSAC as a funder.

## Allowable/Unallowable Expenses

AEDOS funds may be used for:

- Salaries and administrative expenses
- Events, programming, and projects in the A&E District
- Marketing of the A&E District and/or its businesses, artists, events, etc.
- Regranting to local organizations
- Services for district artists, businesses, and arts organizations
- Other operating expenses

AEDOS funds may not be used for:

- Professional development for A&E district staff
- Programming not open to the general public
- Capital expenses
- Lobbying activities

## Grant Amount and Matching Requirement

The Council determines the allocation for AEDOS grant program during its regular budgeting process during the spring preceding each fiscal year. The AEDOS allocation for the fiscal year is divided equally among approved management entities to determine individual grant amounts. The individual grant amount for FY2020 was \$15,000 per district. MSAC staff will be in touch with AEDOS applicants as updates about grant amounts are available. There is no matching requirement for AEDOS funds. The full grant amount is disbursed upon approval of an application.

## Reporting Requirements

Per legislation, A&E Districts are required to submit an annual report to the State of Maryland, which collects data that MSAC and the Department of Commerce use to calculate the districts' economic impact. AEDOS grantees are required to submit a brief additional report detailing the use of funds.

# A&E Districts Operating Support Grant Application

## EDI Statement

The Maryland State Arts Council has committed to equity, diversity, and inclusion in grantmaking, and therefore our funding mechanisms continue to be examined and updated. We are aided by the work of the National Endowment for the Arts, the National Assembly of State Arts Agencies, and Americans for the Arts, as they have clarified and shared approaches to uncover cultural bias in the procedures and policies of state arts organizations.

In the spirit of partnership and communal creativity, the design of the County Arts Development FY2021 application is meant to inspire authentic reflection and internal analysis for each network partner. The Maryland State Arts Council is to be seen and utilized as a collaborative partner in the application process. The overall driving goals of this new vision for the 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 (i.e. - 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.

## SmartSimple

MSAC utilizes the SmartSimple system to accept grant applications. Applicants are required to complete and submit their applications by electronic means, including the use of an electronic signature by the authorizing official of the organization or arts program.

- Technical support for SmartSimple is available during regular office hours, 8:00 AM through 4:00 PM, Monday through Friday.
- MSAC does not accept responsibility for lost, misdirected or late applications.
- Adjustments to the application will not be considered once an application has been successfully submitted and a review period has begun.

## On-Year Application

FY2021 (July 1, 2020 - June 30, 2021)

### Five Year-Plan

1. Describe the process for developing the district's five-year plan. Who was involved in its creation, and how was community input solicited and incorporated?
  - *Evaluation Criteria: The plan shows clear evidence of soliciting input from a wide variety of stakeholders and incorporating community input.*
2. What are the district's goals and objectives over the next five years?
  - *Evaluation Criteria: The district's goals further the goals of the State program and address identified needs of the district and its constituents.*
3. What strategies will the management entity employ to meet the goals and objectives above? Complete the chart below, listing strategies the district's management entity will employ to meet the district's goals, the activities, projects, or programs that align with each strategy and the ways that each strategy aligns with the district's goals and helps meet the designation program's goals. Outline the expected timeline for the strategy and anticipated outcomes?

Strategy	District activity(ies), project(s) or program(s) that align with this strategy (identify each as established, new, or planned)	How will the strategy, activity(ies), project(s) or program(s) address the A&E District's goals and objectives identified above?	How will the strategy, activity(ies), project(s) or program(s) address the goals of the State designation program?	What are the timeline and anticipated outcomes for this strategy?

- *Evaluation Criteria: Strategies are clear, fully address the district's goals, and help meet the program's goals. Activities, projects, and programs clearly align with strategies. Timelines are realistic. Outcomes are achievable.*
4. How will the success of the proposed activities be determined? What are the indicators and how will they be evaluated?
- *Evaluation Criteria: Clear, specific, and realistic indicators of success for the proposed arts activity are communicated as is a clear process for evaluation of these indicators.*

### Management Structure

5. What management structure will support the activities outlined above? Include information about paid employees, volunteers, collaborators, board, partners, etc.
- *Evaluation Criteria: The management structure is clearly outlined and appropriate for the district's size and activities. The structure includes at least one part-time employee whose job responsibilities include coordination of district activities. A board of directors or advisory board - composed of at least five community members and representative of the populations, communities, and constituencies that the district serves - provides oversight of district activities.*

### Marketing Plan

6. How will the management entity and the municipality(ies)/county market the proposed district to artists, businesses, and tourists? How will the state designation be recognized and marketed in broader marketing efforts?
- *Evaluation Criteria: Clear description of a marketing plan that considers marketing the district to artists, businesses, and tourists and will support the activities of the district to help meet its goals.*

### Budget

7. Enter the anticipated income and expenses for all A&E District activities in the coming fiscal year?
- *Evaluation Criteria: The budget is clear and reasonable, given the activities and income sources provided.*

### Additional Information

8. Give a brief overview of the district's past five years. Include successes and challenges.
9. What technical assistance from MSAC or the Department of Commerce would be helpful in implementing the district's five-year plan?

### Attachments

- Signed Letter of Agreement
- MOU or Contract (for 501(c)(3) management entities)

- Board list and bios
- Staff bios
- Management Entity's Financial Statement or Audit (from the most recently completed FY)
- W9
- IRS Letter of Determination (if applicable)

## Off-Year Application

FY2021 (July 1, 2020 - June 30, 2021)

### District Updates

Narrative Questions:

1. Have the District's goals, management plan, budget, or activities changed significantly since the district's most recent designation or AEDOS application? (Yes/No)
  - a. If yes, provide an update about the District's staffing, goals, activities, budget, etc. Include any changes to goals, management plan, budget, or activities
    - *Evaluation Criteria: Any changes to goals, management plan, budget, or activities are clearly described, in alignment with the program's goals, and serve to strengthen the district and its service to its constituents.*

### Activities

2. What activities will be supported with AEDOS funding in the coming fiscal year?
  - *Evaluation Criteria: Clear description of activities that are allowable and align with district goals as stated in the district's most recent designation, redesignation, or AEDOS application.*
3. How will the success of the proposed activities be determined? What are the indicators and how will they be evaluated?
  - *Evaluation Criteria: Clear, specific, and realistic indicators of success for the proposed arts activity are communicated as is a clear process for evaluation of these indicators.*

### Budget

4. Enter the anticipated income and expenses for all A&E District activities in the coming fiscal year?
  - *Evaluation Criteria: The budget is clear and reasonable, given the activities and income sources provided.*

### Additional Information

5. What technical assistance from MSAC or the Department of Commerce would be helpful in implementing the district's five-year plan?

### Attachments

- Signed Letter of Agreement
- MOU or Contract (for 501(c)(3) management entities)
- Board list and bios
- Staff bios
- W9
- IRS Letter of Determination (if applicable)