

New Mexico Arts FY2011 Funding Guidelines

Final Application Deadline: December 11, 2009

Advance Review Deadline: October 16, 2009

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SECTION I: FY2011 GENERAL INFORMATION

Important Information for FY2011:

- All applicants are encouraged to submit an Advance Review. All new applicants are required to submit an Advance Review by the published deadline of October 16, 2009.
- If an applicant was declared ineligible or did not receive funding in the past year or has not applied in the past two years, an Advance Review is required.
- The FY2011 application must be submitted online through CultureGrants OnlineSM available on our website at www.nmarts.org. The application must be completed and submitted online by the published deadline of December 11, 2009.
- All required application materials must be sent by the published deadline of December 11, 2009.
- The criteria for the following categories is different from the General Application categories:
 1. Arts Learning in Schools: Projects and Artist Residency
 2. Local Arts Councils and Statewide Service Organizations
 3. Arts Enterprise Partnerships

Introduction to New Mexico Arts

New Mexico Arts contracts arts services on behalf of the state for the people of New Mexico. Activities funded for FY2011 should have a public presentation component that takes place between July 1, 2010, and June 30, 2011. **However, New Mexico Arts cannot reimburse programming expenses until the arts services contract has been approved by the State Department of Finance and Administration.**

Each year, New Mexico Arts receives requests totaling more than double the amount of funds available. Applicants should be aware that less than full funding for approved applications typically occurs. If a successful applicant receives less than full funding, New Mexico Arts will require a revised budget at contract time that identifies additional sources of funding or reduced programming in order to achieve a balanced budget.

Who May Apply:

Federal 501 (c) (3) tax-exempt nonprofit organizations, units of government, schools, colleges, universities, and Indian tribal government entities with offices in New Mexico are eligible to apply.

New Mexico based organizations wishing to apply that are not one of the above may enter into a fiscal sponsorship with a nonprofit organization. If using a Fiscal Agent, a formal agreement between the agent and the applicant is required. Please read the Fiscal Agent Agreement on pages 11-12 of these guidelines before submitting an application.

Each applicant organization is required to have one of the following: Federal 501 (c) (3) tax-exempt status and a Federal ID or Employer ID number; a Fiscal Agent Agreement with an organization that has 501 (c) (3) status; or to have filed with the IRS for 501 (c) (3) status by the published application deadline of December 11, 2009. Organizations (or Fiscal Agents) must provide New Mexico Arts with their Federal IRS number by June 2010. If an organization does not have a letter from the IRS with the Federal ID or Employer ID number on it, New Mexico Arts will be unable to enter into an arts services contract with the organization, even if funding has been approved. For more information about how to obtain IRS 501 (c) (3) status, contact New Mexico Arts at **1-800-879-4278, (505) 827-6490, or fax (505) 827-6043**, or visit the IRS website at <http://www.irs.gov/charities/article/0,,id=96590,00.html> and www.stayexempt.org.

Eligibility Requirements:

All applications must:

- Be submitted online by the published deadline of December 11, 2009;
- Have all required attachments sent by the published deadline of December 11, 2009. Applicants may send their application materials via any mail or shipping service, including the US Post Office. Each package must include either a postmark or other form of date verification issued by the shipping provider. Hand delivered items will not be accepted;
- Have been submitted for Advance Review if the following applies: if the applicant was declared ineligible or did not receive funding in the past year or has not applied in the past two years. All new applicants and any meeting the requirements stated above must have completed the Advance Review process in order to submit a final application;
- Not be handwritten, except where noted in the instructions;
- Include in one complete package all required application materials: Income and Expense Statement, Board Member List, Assurance Signatures and Fiscal Agent Agreement Signatures Form, IRS Status letter, and artistic samples. Refer to the Checklist on page 47 to make sure that all required materials are included;
- Include a letter of commitment from the principal of the participating school (Arts Learning in Schools applicants ONLY);
- Include an IRS Status letter. New applicants, applicants who have applied in 2008 for IRS 501 (c) (3) status, or applicants using a Fiscal Agent are required to submit a copy of a letter from the IRS granting 501 (c) (3) status which includes the Federal ID or Employer ID number or a copy of IRS Form 1023 that documents your application to the IRS (New applicants ONLY);
- Meet the eligibility requirements of a funding category. Program Coordinators may need to move your application to a different category as long as eligibility criteria are met for the new category;
- Not be discussed with NMA Commissioners or panelists during the grants process, December 11, 2009 – June 30, 2010, as this will make an application ineligible.

All applicants must use CultureGrants OnlineSM at www.nmarts.org. The guidelines are available in PDF format on our website. Technical difficulties with the online application or with personal computers are the applicant's responsibility and may not be accepted as an excuse for late or incomplete applications. It is advisable to print a hard copy after making any changes, in case you experience problems.

Advance Review:

An Advance Review is offered prior to the final deadline to help applicants improve their applications and to check for mistakes that might cause ineligibility. **If an applicant was declared ineligible or did not receive funding in the past year or has not applied to New Mexico Arts in the past two years, an Advance Review is required.** In addition, New Mexico Arts' Program Coordinators may require some organizations to submit an Advance Review based on past applications. Failure to comply will disqualify those organizations from submitting a Final Application in December.

New Mexico Arts strongly encourages all applicants to take advantage of this service. To complete an Advance Review, applicants must complete and submit an online application and send one set of all required application materials with titles but no signatures, including printed artistic materials. Do not send digital images, audio cds, or video dvds, unless you make prior arrangements with your program coordinator. **All Advance Review applications (Forms A-F) must be submitted online through CultureGrants OnlineSM by October 16, 2009. All required application materials must be sent by October 16, 2009.**

Please mail application materials to New Mexico Arts, PO Box 1450, Santa Fe NM 87504-1450, postmarked by October 16, 2009. If using another carrier, please send application materials to New Mexico Arts, 407 Galisteo, Suite 270, Santa Fe NM 87501, and ensure that the shipping service provides date verification on the package. Please enclose an SASE for the return of your Advance Review. Include the applicant organization's full name on the outside of the package.

Please note: an Advance Review by New Mexico Arts does not guarantee funding.

FINAL APPLICATION DEADLINE: POSTMARKED DECEMBER 11, 2009

All New Mexico Arts FY2011 applications **must be submitted online** through CultureGrants OnlineSM no later than December 11, 2009. All required application materials **must be sent** no later than December 11, 2009. Please check with your local Post Office regarding the time that postmark dates are changed, as they vary throughout the state and may change as early as 2:00 pm. Please mail application materials to New Mexico Arts, PO Box 1450, Santa Fe NM 87504-1450. New Mexico Arts strongly encourages applicants to mail materials Registered Mail and Return Receipt. If using another carrier, please send application materials to New Mexico Arts, 407 Galisteo, Suite 270, Santa Fe NM 87501, and ensure that the shipping service provides date

verification on the package. Include the applicant organization's full name on the outside of the package. **Hand delivered items will not be accepted.**

Staff will not open or check application packages until after the deadline date. Please make sure to send one complete package that includes all required application materials.

Technical Assistance:

New Mexico Arts' Program Coordinators are available to guide applicants through the application process. Help is available via telephone, fax, email, or personal appointment. Please call the coordinator listed for your category 1-800-879-4278, (505) 827-6490, or fax (505) 827-6043.

Application Process

Staff Review:

Following the application deadline of December 11, 2009, staff will determine eligibility and check that applications were submitted by the application deadline.

Panel Review and New Mexico Arts Commission Action:

Application Review Panels, comprised of peers from the field, meet from mid-March through April. Panelists review and score applications based on the panel evaluation criteria outlined for each funding category. Applications that do not meet stated eligibility requirements will not be reviewed by panels. The panel rankings will be posted on the NMA website within ten business days of the panel meeting at www.nmarts.org. The panel rankings will be presented to the Planning and Budget Committee of the New Mexico Arts Commission for funding recommendations in May. Final approval of funding recommendations occurs at the next meeting of the full New Mexico Arts Commission in May. New Mexico Arts will notify applicants of funding awards after June 1, 2010.

Avoidance of Conflict of Interest:

In adherence to New Mexico Arts' policies, applicants are asked not to contact panelists and New Mexico Arts Commissioners during the grants process December 11, 2009 – June 30, 2010. Organizational representatives and staff may not discuss their applications for funding from New Mexico Arts with members of the review panel or the commission. To avoid any perceived conflicts of interest, applicants should not attempt to contact New Mexico Arts Commissioners until after their May meeting at which funding recommendations are approved. Actions such as inviting commissioners and panelists to events, writing them personal messages about your program, and

speaking to them directly about the organization could be interpreted by some, including other applicants, as attempts to influence the commission or panel about your grant application score and ultimate funding from NMA. Any attempts to influence the commission or panel during the grants process may jeopardize future funding from New Mexico Arts.

Appeals Policy & Procedures:

Applicants Please Note: There is no Appeals Process for ineligible applications. Only applications reviewed by panels are eligible for the Appeals Process.

If an applicant believes that there are grounds for an appeal following the panel review of its application, a formal letter to the Executive Director of New Mexico Arts stating grounds for the appeal is required within thirty (30) days of receipt of funding notification, only if the applicant can demonstrate one of the following:

- The review of the application was based on criteria other than those appearing in the New Mexico Arts guidelines; or
- The decision was influenced by a review panel member or New Mexico Arts Commissioner with undisclosed conflicts of interest.

Applicants may not contact New Mexico Arts Commissioners or panelists to discuss their application during the review process or if filing an appeal. If an applicant has questions or concerns, s/he should contact New Mexico Arts program staff. Failure to comply with this policy may jeopardize the organization's future funding from New Mexico Arts.

All panel meetings are held in Santa Fe. For location and times, please call **New Mexico Arts at 1-800-879-4278 or (505) 827-6490.**

Folk Arts Apprenticeship Program:

Applicants interested in applying for the Folk Arts Apprenticeship Program should contact Claude Stephenson, Folk Arts Coordinator, for Apprenticeship Guidelines at **1-800-879-4278 or (505) 827-6490.** Apprenticeship Guidelines are also available in PDF format at www.nmarts.org.

Art in Public Places Program:

New Mexico Arts' Art in Public Places Program enhances New Mexico communities and public spaces by building, through community involvement, an excellent and diverse collection of public art. The program promotes public art as a resource for education, advocacy, and economic opportunity. The program commissions and purchases artwork using 1% appropriations from state-funded construction budgets exceeding \$100,000. For more information on the 1% and the Art in Public Places Program, please call New Mexico Arts at **1-800-879-4278 or (505) 827-6490.**

New Mexico Arts Funding Guidelines

Applicants can apply in only one category. Please read the category descriptions and criteria carefully to determine the appropriate category in which to submit an application. New Mexico Arts' Program Coordinators can assist applicants in determining the correct category (before the December 11, 2009, deadline).

Public Presentation:

Any organization that receives funding from New Mexico Arts should have a public presentation component during the contract period. Examples of public presentations include exhibitions, publications, screenings, lectures, or performances. All public presentations must be open and accessible to the general public.

Non-Discrimination:

New Mexico Arts complies with all local, state, and federal laws and regulations concerning civil and human rights and must assure that programs, grants, and employment practices are free of any discrimination based on race, color, national origin, disability, sex, or age. Any program or activity receiving state financial assistance through New Mexico Arts must:

- Comply with the following federal acts: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; The Americans With Disability Act of 1990; Title IX of the Education Amendments of 1972; Drug Free Workplace Act of 1988; Native American Graves and Repatriation Act; OMB Circular A-122, Cost Principles for Nonprofit Organizations; OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations; the Anti-Lobbying Provision of 18.I.S.C. Sec. 1913 and 31 U.S.C. Sec. 1352; and the Debarment and Suspension provisions of 45 CFR, Part 1154.
- Compensate professional performers and related or supporting professional personnel at no less the prevailing minimum compensation as defined by the Secretary of Labor and assure that no part of a supported project will be performed or engaged in under working conditions that are unsanitary, hazardous, or dangerous to the health and safety of the employees involved.
- Complete and sign an Assurance of Compliance Form and a 504 Compliance and Ethnic Participation Form provided in the contract packet.

The New Mexico Arts' Arts Services Contract Agreement signed by all funded organizations requires compliance with these federal laws.

Final Reports:

A final narrative and financial report must be submitted by the contracted organization by the receipt deadline stipulated in the contract. **Failure to comply can result in loss of 20% of the contracted amount. Non-receipt of required reports may jeopardize future funding from New Mexico Arts.**

Funding from New Mexico Arts is on a reimbursement basis. However, New Mexico Arts cannot reimburse programming expenses until the arts services contract has been approved by the State Department of Finance and Administration.

General Funding Restrictions:

Funding from New Mexico Arts cannot be used for the following:

- Any events or activities already listed as part of another organization's application;
- Projects or organizations (including fiscal agents) outside of the State of New Mexico;
- Investment or contingency funding (i.e., accounts earning interest);
- Direct aid to individuals, including fellowships, scholarships, cash prizes, or awards;
- Projects that have already occurred;
- Projects in which school, college, or university course credit is the primary purpose;
- Projects whose main purpose is recreational;
- Projects whose primary purpose is the re-staging of historical events, such as reenactments, mountain men gatherings, etc.;
- Cost of parties, receptions, fund-raising events, and other social functions;
- grant writing, solicitation of gifts/services, and donor appreciation programs
- Any food **except** when food is part of a per diem;
- Deficit reduction;
- Negotiated indirect costs;
- Projects in which commissions/acquisitions of permanent works of visual art are the primary purpose;
- Permanent acquisitions (i.e., buildings or land);
- Capital Improvements, new construction, renovation, or conservation;
- Capital supplies & equipment such as copy machines, musical instruments, electronic equipment, computers, etc.;
- Requests that fund other divisions, foundations, or employees and contractors of the Department of Cultural Affairs or members of the New Mexico Arts Commission;
- National Endowment for the Arts (NEA) direct funds and TourWest funds through the Western States Arts Federation (WESTAF) cannot be used as a cash match for New Mexico Arts funded projects.

