

**Erie Arts & Culture**  
**Northwestern PA Arts Recovery**  
2022 Individual Artist  
Frequently Asked Questions

**IS AN ARTIST WHO DOES NOT LIVE IN ERIE, WARREN, CRAWFORD, VENANGO, MERCER, OR LAWRENCE COUNTY BUT WORKS THERE ELIGIBLE FOR AN INDIVIDUAL ARTIST GRANT?**

No, the artist-applicant must live in one of the six counties served by Erie Arts & Culture (EAC) to be eligible for Northwestern PA Arts Recovery funding.

**WHAT IF AN ARTIST WORKS WITH A TEAM OR COLLABORATORS?**

Artists may propose a project that is developed or presented by a team but the application and all the responsibilities that ensue from that application, are attached to and in the name of the single artist whose name is on the application. The background/résumés of collaborators may be described in the project description and uploaded as support materials.

Please note that The Internal Revenue Service (IRS) considers National Endowment for the Arts grants to individuals as taxable income, and will be recorded as taxable income only for the single artist whose name is on the application. EAC does not withhold Social Security, State, or Federal income taxes from your award and we do not send out 1099s or other tax forms. Specific questions regarding the taxability of your award should be directed to the IRS, appropriate state or local officials, or your tax advisor.

**HOW MUCH CAN I APPLY FOR?**

Applicants may request grant amounts **between \$750 and \$2,500**. Panelists will evaluate the need for the funds to complete the project as well as the applicant's demonstrated ability to execute a project of the proposed budget. Panelists will either award the amount requested or not fund the project. They will not award a lesser or greater amount than requested.

## HOW CAN GRANT FUNDS BE SPENT?

EAC's Northwestern PA Arts Recovery program will provide artistic fees and stipends to artists for the production of community-based workshops or presentations that are accessible to a wide audience. Grant funds must be used in the service of such community presentations, and acceptable uses of funds include artist and/or teaching artist fees\*, materials and supplies necessary for presentation, production expenses (including facility rental, contracted services, etc.), and promotion and documentation. There is a complete list of ineligible expenses in the [grant guidelines](#).

\*The grantee may pay themselves for artist and/or teaching artist labor. This may be for project management, design, artmaking, teaching, or other functions necessary to complete the project.

## CAN I USE THIS GRANT TO FUND AN ART PROJECT?

Only art projects which are produced as part of a community-based presentation or workshop are eligible for Northwestern PA Arts Recovery funding. If the project is one in which community members are freely invited to participate (e.g., the collective painting of a mural or a dance workshop which culminates in a live performance with community members as dancers), are eligible. A more detailed description of eligible activities can be found in the [grant guidelines](#).

Individual artists who are seeking funding for non-community-based projects can apply for EAC's [Creative Entrepreneurial Accelerator Program](#), which funds creative entrepreneurs (i.e., individuals who are in the process of creating or have created a new business representing one or more of the creative industries) and their businesses.

## WHAT IF MY BUDGET CHANGES AFTER I AM AWARDED THE GRANT?

Individual artist grantees must assign expenses to specific budget categories in their application (artist fees, materials and supplies, etc.) and spend grant funds in those categories. They may adjust the specific expenses if the project needs to be adjusted, but the expenses must still be in the same category.

For example: An artist budgets \$750 for **materials/supplies** for their activity, but the actual supplies end up costing only \$650. The excess \$100 must be spent on **additional supplies** for the event and cannot be used to augment artist fees or promotional activities without prior authorization from EAC.

If necessary, the grantee may notify EAC of changes to the project and request approval to shift funds to another category.

## **IF I AM AN ARTIST WHO WORKS FOR AN ARTS ORGANIZATION THAT IS APPLYING FOR A NORTHWESTERN PA ARTS RECOVERY GRANT, CAN I ALSO APPLY FOR AN INDIVIDUAL ARTIST GRANT?**

Artists who have a practice outside of their responsibilities as a salaried staff person or as a contracted services artist for that organization, **may apply** for a grant for their own project. If the organization is in some way involved in the project, as, for example, providing a venue for the project to take place, both artist and organization must take care not to have both grants pay for the same expenses.

For example: If a musician who is employed by a grant-funded organization uses the organization's studio space for their artist talk, the organization may not use grant funds to pay the musician for any activities related to the musician's artist talk.

Likewise, if the musician is using the organization's website to promote their artist talk and the organization is using grant funds to pay for web support, the artist may not pay the organization for web promotion out of their grant. They may only pay the organization with funds outside of the grant budget.

If an artist is not employed by the organization but both entities have a Northwestern PA Arts Recovery grant, the same restrictions apply.

## **HOW DO WE GET OUR GRANT FUNDS?**

Grantees will receive awards in two disbursements.

Within 30 days of the execution of the grant agreement and submission of required forms including a request for payment, grantees will receive two thirds of the grant award.

Upon completion of grant funded activities, the grantee must submit a Final Report as described in the application guidelines [link] which includes an accounting of how all grant funds were expended. Upon review and approval, EAC will process the payment for the remaining third of the award. Final payment will be made within 30 days.

## **WHAT KIND OF DOCUMENTATION IS REQUIRED TO GET GRANT FINAL GRANT PAYMENTS?**

Within 30 days from the completion of grant-funded activities, grantees will submit a Request for Payment with a Final Report to EAC. The final report will include full documented accounting of all grant income and expenditures, as well as a written description of the grant activities (more details are included in the grant guidelines) [link].

Funding will be withheld if the grant recipient does not meet the necessary requirements laid out in these guidelines, and the completion of required reports as agreed to by the grantee's acceptance of EAC funding. Financial documentation can range from an Excel spreadsheet with columns for each budget category, to a professional accounting system maintained by financial professionals. The documentation should identify the entity who was paid, the amount, the date and a very brief entry for what was provided. EAC will offer documentation templates, and will review all accounting before releasing grant funds.

Grantees do not have to submit copies of receipts or invoices, but all records must be retained for three years.

### **WHAT ARE THE SPECIFIC STATE AND FEDERAL LAWS MY PROJECT SHOULD COMPLY WITH?**

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 National Endowment for the Arts upon request. The National Endowment for the Arts 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 National Endowment for the Arts 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 National Endowment for the Arts 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 National Endowment for the Arts 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 <https://www.dol.gov/agencies/whd/government-contracts/construction>. 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 <https://www.loc.gov/extranet/cld/constitution.html>.

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