



Georgia Council for the Arts FY17 Contract Compliance

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Introduction

Congratulations on your GCA grant!

This publication details the GCA policies and regulations regarding your FY17 grant. FY17 grantees are strongly encouraged to review this document as policies may have changed from previous years.

If you have any questions at any time during the coming year, please do not hesitate to contact us:

- Allen Bell, Arts Education Manager (abell@gaarts.org or 404-962-4839) with questions about Arts Education Program Grants
- Tina Lilly, Grants Program Director (tlilly@gaarts.org or 404-962-4827) with questions about Project or Partner Grants
- Marva Swanson, Database Manager (mwsanson@gaarts.org or 404-962-4837) with questions about grant payments

Important Deadlines

Return contract and all associated documents via e-mail to mwsanson@gaarts.org	August 3, 2016
Submit CRR for first payment (90% of grant)	Any time after expenses are at least double the amount being requested
Final Report	Project Grant- no later than 30 days after project is completed Partner Grant- August 3, 2017 Arts Education Grant- no later than 30 days after project is completed

Penalties

Sections of this document outline the penalties for missing deadlines during the year. GCA must receive contracts and reports from grantees by the stated deadlines in order to meet our own state and federal reporting deadlines. **Please note the deadlines above for the contract and the final report in order to avoid any penalties.**

General Provisions

All awards are made on a fiscal-year basis, according to the state of Georgia fiscal calendar (July 1 through June 30). The arts programming listed in the application must be completed within fiscal year 2017, and all expenses must be incurred within that same fiscal year.

A grant in one year does not guarantee an award in another year. All grantees must reapply each year.

GCA may terminate this grant agreement at any time by giving written notice to the Recipient of such termination and specifying the effective date of termination.

Contract Package

This section will address the components of your contract package.

Notification of an award will be via an e-mail of congratulations. The Contract Package will be e-mailed during July. The package will contain:

- the state of Georgia contract
- a Corrections and Stipulations (C&S) Memo (if needed)
- an ADA Checklist (if needed)
- a vendor form and W-9 form (if needed)

Grantees must return to GCA:

- A signed contract with sections 6 and 7.4 marked
- Residency verification (if your organization is a non-profit organization)
- A C&S memo response (if you received a C&S memo in your contract package)
- An ADA checklist (if you received an ADA checklist in your contract package)
- A vendor form and W-9 form (if you received these forms in your contract package)

These items must be e-mailed to Marva Swanson (mswanson@gaarts.org) at GCA no later than August 3, 2016. If the items are not returned by the deadline, the contract will be cancelled, and the grantee will not receive the FY17 award. In addition, FY18 grant panels will be informed that the contract was not returned, and they will take this into consideration when scoring.

If extenuating circumstances will prevent you from returning the contract by the deadline, contact one of the following staff members to request an extension:

- Allen Bell at abell@gaarts.org or 404-962-4839 for Arts Education Program Grants
- Tina Lilly at tlilly@gaarts.org or 404-962-4827 for Project or Partner Grants

See the items below for complete details about each element.

Contract

Please note: there are two sections within the contract which must be marked by the grantee:

- Section 6: Other State/Federal Grants (if there are none, mark NA)
- Section 7.4: Reports and Recordkeeping

Once GCA receives the contract package materials and everything is approved, GCA will e-mail a signed copy of the contract to the grantee. Contracts are not executed until signed, processed by GCA, and returned to the grantee.

The contract must be signed by one of the two authorized officials listed in the original application. If both of those people have left the organization, a Change of Information Form (CIA) should be submitted. This form can be found on GCA's website under Manage Your Grant. The signature must be an actual signature, not a typed signature.

Residency Verification

Residency verification is required of all non-profit organizations. It is not required of government entities, public libraries, city or county schools or state colleges/universities.

GCA is required by Georgia and Federal law to verify our grantees lawful presence in the United States prior to awarding any funds. In the case of non-profit organizations, GCA must verify the lawful presence of the individual that has signed the contract on behalf of the organization.

The individual that signs the contract must provide to GCA a photo copy of a "document issued by the state or federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies." Examples of such documentation include a United States passport or passport card, a United States military identification card, or a driver's license. A list of all acceptable documents can be found on the website of the Georgia Department of Law at <http://law.ga.gov/immigration-reports>.

If the individual cannot produce one of the acceptable documents, that person may submit:

1. An affidavit that Applicant is a United States citizen or legal permanent resident 18 years of age or older; **OR**
2. an affidavit that Applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, is 18 years of age or older, is lawfully present in the United States, and provides the applicant's alien number issued by the Department of Homeland Security or other federal immigration agency.

See Section 3 of the contract for complete details about this requirement.

Corrections and Stipulations Memo (C&S Memo)

If a grantee's application has errors, omissions and/or provides incomplete or confusing information, that grantee will receive a C&S Memo which details the information that must be provided to GCA before the grant contract will be executed. The C&S Memo and the grantee's response will become part of the binding contract with the state.

Secretary of State Registration

Grantees (exclusive of units of government) must annually register with the Georgia Secretary of State's website. GCA staff will check the Secretary of State's website to ensure that all grantees are in good standing and have a current, active registration. Organizations that do not will be notified via a C&S Memo and given a deadline by which their registration must be updated. If a grantee fails to update the registration by the deadline, the grant award will be forfeited.

ADA Checklist

Only organizations that received this form with the contract package are required to complete it.

All programs funded by GCA must be accessible to people with disabilities.

GCA grantees must have a current ADA Checklist on file. A current ADA Checklist is any Checklist submitted in or since FY2008. The checklist requires information not only on access issues, but also on programming for persons with disabilities. GCA will notify grantees that do not have an ADA checklist on file, and those grantees must submit a copy of the Checklist along with the signed contract. Organizations failing to submit the Checklist by the deadline noted in the Contract Package will have their award canceled.

Organizations that are asked to complete an ADA checklist should complete it for the venue being used for FY17 programming. If you are using a public facility (school, library, government building, etc.) or a venue that has received funding from GCA in the last five years, then you do not have to complete the ADA Checklist. If either of these exclusions apply to your organization, then indicate the reason that you are not submitting the ADA checklist when you return your contract.

Vendor Form and W-9 Form

Only organizations that received this form with the contract package are required to complete it.

If an organization has not received a grant from GCA before and does not have an account set up with the accounting system at the Department of Economic Development, then that organization must submit a Vendor Form and a W-9 Form. GCA included the form in the Contract Package of those organizations that need to return them.

During the Year

This section addresses things that you should keep in mind during the grant year.

Contractor's Request for Reimbursement (CRR)

In order to receive grant funds, a grantee must submit a Contractor's Request for Reimbursement (CRR). This form is located on the GCA website under Manage Your Grant. Grantees may request 90% of the grant during the grant year, and the final 10% is requested when the Final Report is submitted. A CRR may not be submitted until grant expenses totaling at least double the CRR request amount have been incurred. For instance, if a grantee is awarded \$5,000 for a Project Grant, then the grantee may request \$4,500 (90% of the award) once \$9,000 in expenses have been incurred.

The CRR may be submitted along with the contract as long as enough expenses have been accrued to meet the requirement detailed above.

CRRs should be e-mailed to Marva Swanson (mswanson@gaarts.org). Once GCA receives the form, it must be processed and then forwarded to another department. It takes approximately four-six weeks to receive a check after a CRR has been submitted.

GCA reserves the right to cancel a portion of an award or the total award should the grantee fail to meet any GCA contract requirements. No CRR will be processed if requirements from the preceding fiscal year, the Contract Package or the Final Report are outstanding.

Change of Information

Keeping your online GO account up-to-date is important to ensure that you are receiving notifications from GCA regarding your grant and that your grant payments are sent to the correct location.

To change information on your account, the primary account holder must login to GO. That person should go to the upper right hand corner of the screen and click on the icon next to the person's name. Information such as address and phone number can then be changed. Be sure that you change pertinent information not only under the My Account tab, but also under the My Organization tab.

If the primary account holder is no longer with the organization and you do not know the login and password to access the account, please contact your GCA Grant Manager and that person will reset the password on the account.

Ineligible Expenses

Due to prohibitions in the Georgia Constitution, by other regulations of the state, or by policy, there are expenses that Georgia Council for the Arts does not fund. No GCA grant money may be used to cover any of these expenses:

- Capital expenditures/equipment, which are permanent fixtures or equipment with a useful life of over one year. This includes:
 - Buildings or real estate
 - Renovations or improvements involving structural changes
 - Roads, driveways, parking lots or other projects/repairs
 - Permanent or generally immobile equipment
- Fundraising event expenses
- Programming outside of Georgia
- Tuition for college/university study
- Scholarships, prizes, or endowment funds
- Debt and interest associated with capital expenditures
- Depreciation
- Bad debt
- Entertainment expenses, such as receptions, refreshments, staff or cast parties, staff awards, flowers, etc.
- Late registration fees for conferences
- Fees paid to lobbyists
- Travel and accommodation expenses that are over the rate allowed by the state of Georgia
- Alcohol
- Miscellaneous expenses

GCA & NEA Credit Requirements

GCA seeks to increase the visibility and support of public funding for the arts. When GCA grantees acknowledge their organization's support from GCA, they are communicating to the public the importance of government support, whether local, state, or federal tax dollars. In addition to crediting GCA, grantees should also credit the National Endowment for the Arts (NEA), a significant supporter of GCA's grant program.

The general rule for crediting GCA and the NEA is that they should be credited wherever and however other funders/donors are credited. This includes printed material such as programs, newsletters, brochures, flyers, ads, calendars, posters, press releases, films, videotapes, websites and all electronic transmissions. Any organization receiving a Partner Grant must provide this recognition for the entire FY16 fiscal year. An organization receiving a Project or Arts Education Program Grant is required to provide this recognition only in material related to the funded project.

The GCA logo must be reproduced in the same size and proportion as that of other sponsors. It must be reproduced as it is, without alteration. The logo should be accompanied by the following language:

This program is supported in part by the Georgia Council for the Arts through the appropriations of the Georgia General Assembly. GCA also receives support from its partner agency - the National Endowment for the Arts.

If there is no printed material associated with a funded program, oral credit must be given. The statement above must be read before the event or performance, and during any radio broadcast or audiotape for the hearing impaired.

For the GCA logo- <http://www.gaarts.org/grant-funding/manage-your-grant/download-the-gca-logo>

For the NEA logo- <http://www.nea.gov/manageaward/logos/index.html>

Grantees will submit examples of material showing that GCA was credited with the Final Report. Grantees failing to meet the credit requirements will receive a 10% reduction to the grant, and grant panels in the following year will be notified that the grantee did not fulfill the terms of the grant contract.

Contact Legislators

GCA wants our state legislators to be aware of the work of our grantees as well as the impact of your GCA grant. All FY17 GCA grantees are required to write a letter to each of their state legislators which include the following information:

- the number of people served by the organization
- the ways that the organization serves its community
- the ways that the GCA grant will better enable the organization to serve its community

You will be required to submit copies of the letters with your Final Report.

Federal Requirements

All grantees are required to conduct operations in compliance with applicable federal statutes on labor standards [Section 5(j) of the National Foundation for the Arts and Humanities Act of 1965, L89-209, as amended].

Grantees must also comply with federal nondiscrimination standards, which state that no person in the US shall, on the grounds of race, color, creed, national origin, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Grantees also should not discriminate on the basis of sexual orientation [Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, and the American Disabilities Act of 1990].

Public Records

As a state agency, all submissions to GCA (application, financial statements, audits, Final Reports, etc.) are subject to the Freedom of Information Act. Because these documents are part of the legally binding agreement between the applicant organization and the state of Georgia, they are available for viewing at the GCA Offices. Any person wishing to review these documents should contact GCA.

Record Keeping

The grantee agrees to maintain complete financial records for all activities covered in the contract. While Partner Grant grantees have flexibility in the allocation of the award to any eligible expense, grantees are still required to keep comprehensive records and to not apply state funds to ineligible expenses.

Unused Funds

Throughout the fiscal year of award, contractors may be unable to use some or all of the award funds due to a variety of reasons, such as match not met or arts programming cancelled. Regardless of the reason, the funds awarded and not used must be returned to GCA by June 15, prior to the close of the fiscal year. With advanced notice of these dollars, GCA can reallocate the funds for other arts programming.

Programming Changes

If the programming and/or goals that were outlined in your original application change significantly during the grant year, contact your grant manager to discuss the changes. GCA understands that sometimes, the scope of a project changes. While this is not always problematic, sometimes, the changes take the project too far away from the version that was approved by the panel in the application. Discussing changes with GCA early in the process will allow time to make any adjustments needed to avoid penalties for not fulfilling the project as outlined in the application.

Final Report

This section addresses your Final Report and other things you should keep in mind at the end of the year.

Final Reports

Final Reports are required of all GCA grantees. The deadlines are:

Project Grants	30 days following the end of the project
Partner Grants	August 3, 2017
Arts Education Grants	30 days following the end of the project

Partner Grant Final Reports may not be submitted prior to the end of the FY17 fiscal year, which is June 30, 2017.

GCA will publish instructions for Project and Arts Education Grant final reports in the fall of 2016.

If the Final Report is not submitted by the deadline, there will be a 10% reduction to the grant, and grant panels in the following year will be notified that the grantee did not fulfill the terms of the grant contract.

Goals

In the Final Report, grantees will report on the progress they made accomplishing the goals that were outlined in the application.

Match Requirements

All GCA grants require a 1:1 cash match. The matching funds must be received by June 30, 2016. Failure to produce the proposed cash match results in cancellation of the unmatched portion of the award. In-kind contributions of goods, services, or space are not allowed as a match.

Audit Requirements

Organizations receiving \$100,000 or more from a combination of GCA and other Georgia state agencies during any fiscal year must submit an audit performed in accordance with generally accepted government audit standards.

Organizations receiving less than \$100,000, but more than \$24,999 from a combination of GCA and other Georgia state agencies during any fiscal year must submit a copy of their financial statement for the fiscal year in which the state funds were received.

Organizations receiving less than \$25,000 from a combination of GCA and other Georgia state agencies during any fiscal year do not have to submit audits or financial statements.

Audits and financial statements must be submitted to both GCA and to the Georgia Dept. of Audits & Accounts, Professional Practice Division, Suite 114, 254 Washington Street SW, Atlanta, GA 30334 no later than 180 days after the close of the organization's fiscal year.

All financial records submitted to the state of Georgia are subject to an audit by the National Endowment for the Arts and the U.S. General Accounting Office, regardless of the award amount.

Further, O.C.D.A §36-81-7 requires that local governments provide the state with a copy of their annual audit. The code adds, "No state agency shall make or transmit any state grant funds to any local government which has failed to provide all the audits required by law within the preceding five years."