

CHAPTER 8
CULTURAL ENRICHMENT GRANT (CEG) PROGRAM

221—8.1(303) Purpose. The cultural enrichment grant program provides general operating budgetary support to major, multidisciplinary cultural organizations which demonstrate cultural and managerial excellence on a continuing basis to the citizens of Iowa.

221—8.2(303) Definitions. As used in these rules, unless the context otherwise requires:

“*Act*” means 1990 Iowa Acts, chapter 1272.

“*Application*” means a formal request on prescribed forms for funds available through this program.

“*CEG*” means the cultural enrichment grant program as established by the Act.

“*Department*” means the department of cultural affairs.

“*Director*” means the director of the department of cultural affairs.

“*Eligible applicant*” means any applicant as defined by rule 221—8.3(303).

“*Grantee*” means any applicant receiving grant funds from this program.

“*Matching funds*” means nonstate and nonfederal funds equal to or in excess of the grant award.

“*Multidisciplinary cultural organization*” means an eligible organization that is not eligible for any other general operating support grant program administered by the department or its divisions and whose mission statement or current programs include the disciplines of botany, zoology, geology, history, science, or the performing or visual arts.

“*Review committee*” means a committee of seven Iowans as defined by rule 221—8.7(303), who shall be appointed by the director for a one-year term to review and recommend approval for funding of applications submitted under this program.

“*Year-round*” means an applicant operating with at least one full-time, paid professional staff member for each of the 12 months of the year or an applicant whose facilities and programs are accessible to the public at least 1000 hours per year.

GRANT PROGRAM

221—8.3(303) Eligibility. Participation in the cultural enrichment grant (CEG) program is governed by the following eligibility requirements:

8.3(1) Applicants shall be museums, zoos, botanical centers, or arts or performance centers located in Iowa and shall be federally tax-exempt and incorporated under the Iowa nonprofit corporation Act, and shall not be eligible for other operating support grant programs administered by the department or its divisions.

8.3(2) Applicants shall have an annual cash operating budget of no less than \$150,000 for at least each of the three years prior to filing an application for CEG funds.

8.3(3) Applicants shall operate on a year-round basis, own or operate a facility, and employ at least one full-time, paid professional staff member.

8.3(4) Applicants shall not be a part of an educational institution, religious organization, political party or an agency of state or federal government.

221—8.4(303) Application procedure.

8.4(1) Procedure. All applications shall be submitted on forms obtained from the department. Interested applicants shall obtain application forms and procedures from the CEG Administrator, Department of Cultural Affairs, Historical Building, Capitol Complex, Des Moines, IA 50319, telephone (515)281-6078.

8.4(2) Information required. As a minimum, all applications shall contain the following information:

- a. Name, address, telephone number and contact person of the applicant;
- b. Proof of nonprofit, tax-exempt status;

- c. The mission statement and the long-range plan of the applicant, including information on the relationship of the application to the long-range plan;
- d. Evidence of cooperative planning with other cultural organizations;
- e. The total income and expense figures of the applicant for each of the preceding three years, showing proof of matching funds;
- f. Public use statistics of the applicant for each of the preceding three years, including information on the cultural and tourism impact of the applicant;
- g. List and qualifications of the applicant's managerial personnel involved in the administration of funds.

8.4(3) *Application period.* The department shall establish one or more application deadlines for the CEG moneys each year funds are available. The department shall allow at least 60 days for applicant response to requests for proposals.

221—8.5(303) *Matching funds.* Eligible applicants whose cash operating budgets include nonstate and nonfederal funds equal to or in excess of the grant award shall be determined to have met the matching requirements for this program. Grant funds from the department or its divisions shall not be used as matching funds for this program.

221—8.6(303) *Eligible applications.* Eligible applications include the submission for payment of any programmatic or operational expenses incurred by the applicant in the course of operations as defined by the applicant's mission statement or long-range plan. Applicants who receive CEG funds in any fiscal year shall be ineligible to receive Iowa community cultural grant moneys during the same fiscal year.

221—8.7(303) *Review committee.* The director shall appoint a committee of seven Iowans who shall review all eligible applications and recommend approval for funding under the guidelines of this program. The members of the review committee shall serve at the pleasure of the director for a term of one year. The review committee shall consist of the following members:

1. The chairperson of the cultural affairs advisory council, who shall serve as chair of the review committee;
2. One member of the Iowa arts council;
3. One member of the state historical society board of trustees;
4. One representative of the board of the Iowa museums association;
5. One representative of a performance center;
6. One member of the Iowa academy of sciences; and
7. One member of the general public.

221—8.8(303) *Application review and selection.*

8.8(1) *Procedure.*

a. Each application shall be reviewed by the CEG administrator for eligibility, completeness, and accuracy. Incomplete, inaccurate, ineligible applications, or applications hand-delivered or post-marked after the deadline date or applications not bearing an official U.S. Postal Service cancellation shall not be considered for funding. Telefacsimile applications for CEG funds shall not be accepted.

b. The review committee shall review all applications eligible for consideration and make recommendations for funding to the director. The review committee shall be comprised of members who are not employed by an applicant and who do not serve on a board, council, or commission of an applicant with or without compensation.

c. Final decisions and certification of grant awards shall be made by the director. All applicants shall be notified of the status of their application within 15 working days of the director's decision.

8.8(2) *Selection criteria.* Applications shall be evaluated on the basis of the following criteria:

a. Programmatic excellence and leadership	30%
b. Sound fiscal and managerial practices and administrative stability	30%
c. Community outreach and involvement	5%
d. Audience development plan	5%
e. Quality of long-range planning	5%
f. Cultural and tourism impact	5%
g. Cooperative planning with other cultural organizations	5%
h. Educational emphasis	5%
i. Strength of fund-raising effort	5%
j. Scope of volunteer participation	5%

221—8.9(303) Grant administration.

8.9(1) Contracts.

a. Upon certification of a grant award by the director, the department shall enter into a contract with the grantee. The contract shall state the terms and conditions of the grant award as well as the amount of the award.

b. All contracts shall be approved by the director and the legally responsible officer of the grantee. An agent of the grantee shall be clearly identified as the sole contact with the department on matters concerning the grant.

c. The grantee shall give preference to Iowans and Iowa products and services in the expenditure of CEG funds.

d. The grantee shall agree to refrain from using CEG funds to influence legislation or for any other lobbying function.

e. The grantee shall agree to include in all printed lists of contributors the following credit line: "Iowa Department of Cultural Affairs, Cultural Enrichment Grant Program."

8.9(2) Payments. Payments of the grant award shall be made upon the receipt by the department of a request for payment from the grantee.

8.9(3) Record-keeping and retention requirements.

a. Financial records, supporting documents, and all other records pertinent to the program shall be retained by the grantee for three years beyond the grant period.

b. Representatives of the department and the state auditor's office shall have access to all books, documents, account information, or other property belonging to or in use by the grantee pertaining to the receipt of funds under this program.

8.9(4) Audits. The recipient of any grant of \$25,000 or more in any single grant cycle shall have conducted an on-site financial compliance audit. This audit shall not be an eligible grant expense.

8.9(5) Reporting requirements. The grantee shall provide a final report of the use of CEG funds which shall be submitted according to a schedule as outlined in the contract.

8.9(6) Finding of noncompliance. The department may, for cause, find that a grantee is not in compliance with the requirements of this program or the terms of the contract. At the department's discretion, remedies for noncompliance may include suspension or return of grant funds. Reasons for a finding of noncompliance may include, but are not limited to:

- a. The grantee's use of funds for activities not permitted under the guidelines of this program;
 - b. The failure of the grantee to request payment of grant funds prior to the end of the contract;
 - c. The grantee's failure to comply with any applicable state or federal rules, regulations, or laws;
- or

- d. A violation of the terms of the contract.

221—8.10(303) Informal appeals.

8.10(1) Eligible applicants or grantees may informally appeal a decision of the department not to grant CEG funds on any of the following bases:

- a. Action was outside of the statutory authority;
- b. Decision was influenced by a conflict of interest;
- c. Action violated state law, administrative rules, or policy;
- d. Insufficient public notice was given; and
- e. Alteration of the review and certification processes was detrimental to the applicant.

8.10(2) Informal appeals in writing may be directed to the director within 15 days of the final certification of the incident. All informal appeals shall be directed to the Director, Department of Cultural Affairs, Historical Building, Capitol Complex, Des Moines, IA 50319.

8.10(3) All informal appeals shall contain:

- a. Facts of the case;
- b. Argument in favor of the appeal; and
- c. Remedy sought.

8.10(4) The director shall consider and rule on the informal appeal after receiving all documentation from the appellant and shall notify the appellant in writing of the decision within 30 days. Decisions by the director may be appealed through the contested case process as set out in Iowa Code sections 17A.10 to 17A.19.

These rules are intended to implement 1990 Iowa Acts, chapter 1272.

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CHAPTER 9

Reserved

ARTS DIVISION

See Arts Division[222]

CHAPTER 10

DESCRIPTION OF ORGANIZATION

Rescinded IAB 10/2/91, effective 9/13/91

CHAPTER 11

POLICIES AND PROCEDURES

Rescinded IAB 10/2/91, effective 9/13/91

CHAPTER 12

FORMS

Rescinded IAB 10/2/91, effective 9/13/91