

TABLE OF CONTENTS

ARTISTS IN SCHOOLS & COMMUNITIES PLANNING MANUAL

Introduction to the Artists In Schools & Communities Program	2
Sponsor Information.....	3
Project Coordinator Checklist	
Four Weeks Prior to the Residency.....	4
During the Residency	4
After the Residency.....	4
Guidelines for a Residency	
Residency Requirements.....	5
Core Group	5
Sample Schedule Terms.....	6
Sample One Week Residency Schedule	7
Components of a Successful Residency	
Teacher In-Service Workshops.....	8
Community Involvement	8
Artist’s Travel, Lodging and Meals.....	9
Publicity	10
Instructions for Completing Evaluation Form.....	11
Artist Information.....	12
AISC Artist/Sponsor Agreement	13
Form 1099: Miscellaneous Income.....	13
Travel and Lodging.....	13
Four Weeks Prior to the Residency.....	14
During the Residency	14
Federal and State Compliance.....	15

Established in 1966 and funded by the State of South Dakota and the National Endowment for the Arts, the South Dakota Arts Council fosters the arts in the State by providing funds, services and information to artists and arts organizations working in any discipline. In addition, the Council encourages active cultural participation of ethnic and minority groups, particularly Indigenous artists, living in the state. Members of the South Dakota Arts Council Advisory Board are appointed by the Governor.

INTRODUCTION TO THE AISC PROGRAM

The **Artists In Schools & Communities (AISC) Program** places professional artists in South Dakota schools and communities as resources to supplement arts education. Participants in AISC residencies work directly with a professional artist. Artists stimulate students' individual creativity, assist teachers in developing arts curricula and encourage school/community commitment to the arts as basic to education.

This planning guide provides artists, project coordinators and representatives from schools and communities with practical guidelines for a successful residency. These guidelines are based on the state arts councils experience with thousands of residencies in large and small school districts, community centers, healthcare facilities and many other sites across South Dakota.

The manual describes the sponsor's responsibilities and role in conducting a successful AISC residency. Included are ideas for supplementing a residency program with teacher in-services and activities involving the local community. Please read this manual in preparation for your AISC residency.

If you need assistance with any aspect of your AISC program, please do not hesitate to contact:

South Dakota Arts Council
711 E. Wells Ave.
Pierre, SD 57501
Phone: (605) 773-3301
E-mail: sdac@state.sd.us
Website: <https://artscouncil.sd.gov>

SPONSOR **INFORMATION**

The local project coordinator for an AISC residency is responsible for coordinating activities involving the artist with the school and community. To ensure a successful residency, the project coordinator should:

1. Develop a residency plan that is consistent with the guidelines of the South Dakota Arts Councils AISC program.
2. Provide a suitable work space for the artist, whether that be performance space, studio space, or a place to plan activities or edit student writings.
3. Furnish student supplies as requested by the artist.
4. Promote the residency within the school and community. A sample press release is available to help guide your correspondence with your local media.
5. Arrange for the artists lodging in a hotel or similar facility. Housing should be provided at no cost to the artist.
6. Inform the artist about school procedures. For example: how to borrow equipment or get into the school after hours. Introduce the artist to the faculty and administrators.
7. Arrange payment schedule for the artist. Full payment is due on the final day of the residency, but an alternate payment schedule may be needed for longer residencies.
8. Complete and return the AISC Evaluation Form (which will be forthcoming) within 30 days of the residency.

The success of your residency and future residencies will depend on the work done by the project coordinator before, during and after the residency program.

SPONSOR

INFORMATION

PROJECT

Coordinator

CHECKLIST

6 WEEKS PRIOR TO THE RESIDENCY

- ✓ Be on the lookout for your AISC paperwork from the South Dakota Arts Council. It will be e-mailed through the Adobe Sign platform ahead of your residency start date.
- ✓ Well in advance of the residency, contact the artist and discuss the residency plan, providing information on teaching schedule, housing, meals, workspace, the school, community and students and staff with whom the artist will be working.
- ✓ Make sure materials necessary for the residency are in stock or ordered.
- ✓ Provide information to local media, as well as administration, staff, students, parents and community. Invite them to participate during the artists residency.
- ✓ Distribute finalized class and in-service schedule to the artist and teachers participating.
- ✓ Make payment arrangements for artist. The total amount owed to the artist will be provided to you in your AISC packet of paperwork. **Final payment is due to artist on the last day of the residency**, so talk with your business manager to make sure the check will be ready! If you're hosting a long-term residency, agree upon payment terms with the artist and provide the schedule to your business manager.

DURING THE RESIDENCY

- ✓ Classroom teachers must remain with their classes when the artist is working with their students. In alternate settings, a staff member or volunteer should be with the artist during all teaching hours.
- ✓ Communicate successes and concerns to the artist throughout the residency. If a residency is multiple weeks, schedule a mid-term evaluation with the artist and teachers involved to assess the progress of the residency and correct any problems.
- ✓ Be flexible and realize that some changes in the pre-arranged schedule may occur due to weather, school activities or illness.
- ✓ Ensure artist is paid in full on final day or alternate payment schedule is followed.

AFTER THE RESIDENCY

- ✓ Complete and return the Artists In Schools & Communities Evaluation Form within 30 days of completion of the residency.
- ✓ Begin planning for next year's residencies. Sponsor application deadline for AISC residencies is March 1 annually.

RESIDENCY REQUIREMENTS

1. In accordance with grant guidelines, the sponsor must agree to schedule artists no more than four sessions (40-60 minutes each session) per day, unless an alternative schedule has been agreed to by the artist. Sessions should be scheduled with a **CORE GROUP** of participants, daily, throughout the residency. This core group will be no larger than a regular class size and may be smaller for certain residencies.

Core Group: A core group consists of a single classroom or selected students meeting separately on a regular basis with the artist during a residency.

A month-long residency can accommodate up to four core groups daily, providing opportunity for a total of sixteen core groups (4 core groups daily x 4 weeks = 16 core groups). A month-long residency also allows for core groups to have multi-week sessions with the resident artist.

If the sponsor organization wishes for all students or large groups of students to meet with the artist, an assembly or demonstration can be scheduled in place of one core group session or a longer-term residency should be requested. Artists may have teaching hours with up to approximately 20 students per session, but one daily session should be with the same **core group** of students.

Assemblies, lectures, demonstrations, teacher in-services, or community presentations can be a part of the residency planning schedule so long as they are well balanced with **core group** sessions.

Consult with the artist as you work out the residency schedule. This will ensure your goals for the residency will be met.

2. During long term residencies (one month or longer), the artist will observe the same holidays or days off as faculty/staff. If a residency is scheduled during Parent-Teacher Conferences, the artist may demonstrate his/her discipline on-site for parents as part of the Parent-Teacher Conference. In such cases, artist time involved should equal no more than four classroom sessions per day at 40-60 minutes per session.



Cultural artist and hoop dancer Dallas Chief Eagle presents to students during a residency program.

SPONSOR

INFORMATION

GUIDELINES

FOR AISC

RESIDENCY

3. A regular classroom teacher must be actively present in the classroom with the artist at all times. If residency is occurring outside of a school setting, a staff member or volunteer of the sponsor organization must be present in the classroom at all times. Discipline is the responsibility of the teacher/staff, not the artist. If a teacher/staff is not present in the classroom, the artist should not conduct the session due to liability concerns.
4. Each arts discipline requires different materials, work space or equipment. Be sure your site can meet these needs by discussing them with the artist prior to the residency. Local sponsors are responsible for student art supplies to be utilized during the residency. Sponsor and artist should agree on necessary supplies and costs in the initial planning stages for the residency.
5. Arrange in advance to have the artist paid on the last day of the residency. During long term residencies (one month or longer), a more frequent payment schedule may need to be arranged.
6. Near the end of the residency, the Arts Council will send the project coordinator a residency evaluation form via email. Evaluations are due within 30 days from the ending date of the project period.
7. Contact the South Dakota Arts Council Arts Education Coordinator any time you need help or advice regarding details of your residency.

SAMPLE SCHEDULE TERMS

Artist School Assembly: Artist can demonstrate their medium being used for residency, present artwork with narrative, or perform to introduce their arts discipline.

Core Group: Any group of students (normal class size) at the same level meeting regularly with the artist during the residency.

Artist Individual Work Time (in-residence): Artist is free to do individual work within the discipline presented during the residency in space provided by the sponsor.

Staff In-Service: Artist can demonstrate art form to and become acquainted with staff and administration. Artist can provide a workshop for teachers/staff.

Evening Community Performance or Exhibit: Artist can present art form or performance to parents and community members enhancing the arts for the community.

Assembly Performance or Exhibit: Students can perform, demonstrate or have an exhibit of works accomplished during the residency for the school and parents, under the direction of the artist.

Sample one-week residency schedule showing core group participation and other sessions. A week-long schedule could be replicated to equal a one-month residency involving several grade levels as core groups or core groups could have multi-week sessions with the resident artist.

SPONSOR
INFORMATION
GUIDELINES
FOR AISC
RESIDENCY

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Period 1	Artist School Assembly	Artist Individual Work Time			
Period 2	Core Group 1 (3rd grade)	Core Group 1 (3rd grade)	Core Group 1 (3rd grade)	Core Group 1 (3rd grade)	Core Group 1 (3rd grade)
Period 3	Core Group 2 (6th grade)	Core Group 2 (6th grade)	Core Group 2 (6th grade)	Core Group 2 (6th grade)	Core Group 2 (6th grade)
Period 4	Artist Individual Work Time	Artist Individual Work Time	Artist Individual Work Time	Artist Individual Work Time	Artist Individual Work Time
Period 5	Artist Individual Work Time	Core Group 3 (11th grade)			
Period 6	Staff In-Service or Workshop	Core Group 4 (2nd grade)	Core Group 4 (2nd grade)	Core Group 4 (2nd grade)	Artist Individual Work Time
Period 7	Artist Individual Work Time	Artist Individual Work Time	Artist Individual Work Time	Artist Individual Work Time	Assembly, Performance, or Exhibit

Evening
Community
Event

TEACHER IN-SERVICE/STAFF WORKSHOPS

Residency sponsors should host a teacher in-service or staff workshop as part of the residency plan. An in-service could be something as informal as a coffee meeting before or after school to acquaint staff with the artist or a demonstration of the artists discipline can be planned. Consult with the artist for in-service ideas.

An in-service teacher workshop can:

1. Help teachers become familiar with various ways of presenting the particular art form as part of a sequential arts education curriculum.
2. Demonstrate to teachers how the art form can be integrated into other curriculum areas.
3. Allow the artist to describe ways in which teachers can reinforce the skills and learning that took place during the residency.
4. Give teachers an opportunity to meet the artist and become familiar with concepts the artist will be presenting to the students.

COMMUNITY INVOLVEMENT

Community events can be an important part of an AISC residency. They provide learning experiences in which students, teachers, families and the community can work together to enhance the values of partnerships in arts education. They present an opportunity to show school board members, community leaders and parents the value of the arts to the community and school.

Community classes can involve parents working as partners with their children in fun and educational artistic experiences. Classes conducted in the evening can be in lieu of one of the classes normally held for students during the school day. (See number 1 on page 7.)

Examples of successful community events:

VISUAL ARTS

Exhibitions of the students' art works at the conclusion of a residency. Ask the resident artist to include examples of his/her work in the exhibit. Invite a community group or local arts council to assist in making this event into a gallery opening with the artist giving a gallery talk.

PERFORMING ARTS

Performances by the artist and/or students. In a short-term residency, this might take the form of an informal demonstration. A long-term residency could accommodate a full-scale production. The purpose of the residency is to provide education about the art form by giving participants firsthand experience.

LITERATURE

Public poetry or prose readings by a literature artist and student readings demonstrate the importance of creative writing and literacy as part of a complete arts education.

SPONSOR

INFORMATION

COMPONENTS

OF A

SUCCESSFUL

RESIDENCY

SPONSOR

INFORMATION

ARTIST TRAVEL

LODGING

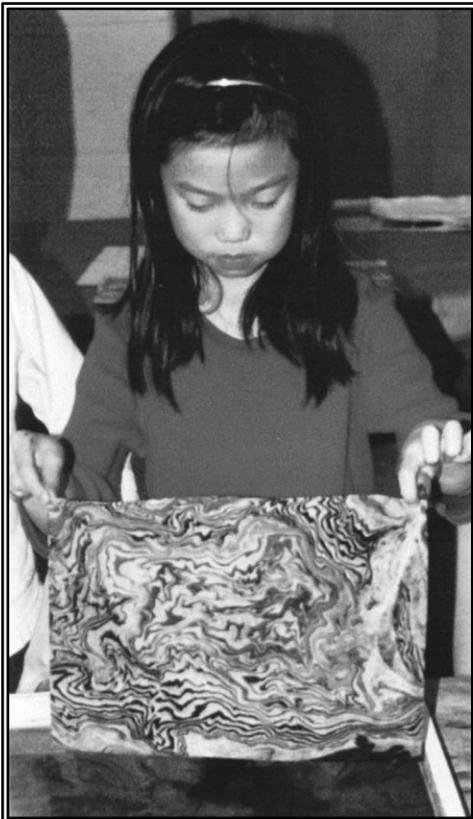
AND MEALS

The local sponsor is responsible for housing the artist in a hotel or similar facility during the residency **at no cost to the artist**. If there is no hotel in the residency community or if the artist prefers to stay in a private home, the sponsor and the artist may negotiate alternative housing. Because the artist may drive a considerable distance to the residency site, an artists request for housing the night before the residency begins or through weekends for long-term residencies is appropriate. If the residency is in the artists home town, the housing requirement does not apply.

The South Dakota Arts Council pays for the artists travel by providing mileage reimbursement for one round trip in the sponsor's grant award. If the residency is within daily driving distance of the artists home, the artist and sponsor may negotiate additional daily mileage reimbursement in lieu of sponsor-provided housing. If the artist is commuting daily to the residency site, this should be disclosed to SDAC at the time of residency confirmation.

Out-of-state artists are responsible for their own ground transportation if they travel by air into the state.

Meals are the responsibility of the artist; however, most artists appreciate your courtesy in providing school lunches, meals, or meal stipends when appropriate.



Above, Mary Wipf demonstrates marbling during one of her many popular residencies.

At left, a student displays her completed work.

Making people aware of your participation in the AISC program is good public relations for your school, community, the artist and South Dakota Arts Council. The arts are an important part of education. Contact with newspapers, television and radio stations in your area is the best way to ensure coverage and inform students. It is vital that the faculty and staff, as well as parent organizations, be informed about the residency, so that teacher in-services and community activities can be arranged.

To assist in developing public relations for your residency, the following is suggested:

1. A template press release will be provided upon request. Please add the appropriate local information and distribute to the media two to three weeks prior to the residency.
2. Set up an interview between the artist and your local newspaper for a feature story and photo opportunity. Radio and television stations should be contacted for publicity, including interviews or on-site reporting. Or invite the media to attend the artists' sessions.
3. Your school newspaper, faculty notices, civic clubs and church bulletins, Chamber of Commerce, parent-teacher organization or local arts council newsletters can be valuable ways of publicizing your residency.
4. The following credit line must appear on all printed publicity. "South Dakota Arts Council support is provided with funds from the State of



South Dakota, through the Department of Tourism and the National Endowment for the Arts.”

Classroom teachers and artists are also asked to announce the South Dakota Arts Council credit during the residency, at in-service meetings or other public presentations.

5. Write letters to your legislators thanking them for the support to make this residency possible at your site. Have students write to them, as well, and include photos!

Vickie Fuller provides fun and educational activities during her theater residencies.

SPONSOR

INFORMATION

PUBLICITY

SPONSOR

INFORMATION

INSTRUCTIONS

FOR COMPLETING

EVALUATION

FORM

A link to the **Artists In Schools & Communities Evaluation Form** will be emailed to the Project Coordinator during, or immediately after, the conclusion of the AISC residency. This evaluation should be completed and returned to the South Dakota Arts Council office within **30 days** of the conclusion of the residency. **Please complete all questions.** The questions we ask are part of our federal reporting requirements to the National Endowment for the Arts, so if evaluations are incomplete, we will send them back to be completed. When completing the evaluation, pay particular attention to the following:

- Some of the information will already be filled in (artist, sponsor, event dates, SDAC Grant Award, address). Review and note any necessary corrections to this information.
- Please provide physical locations for ALL residency activities. Locations may be physical addresses or coordinates.
- Fill in the number of youth, number of artists, number of teachers and the total number of people attending the AISC residency. (If you aren't sure of the exact number, a good-faith estimate is appropriate.)
- Evaluate the residency using a 1-5 point scale, 1 for poor and 5 for excellent. Please rate all seven characteristics listed on the form.
- Take a few moments to write appropriate comments about the residency in the box provided. These comments will be forwarded to the artist to assist him/her and SDAC in planning future residencies.
- In the EXPENSES section under **Sponsor's Cash Expense**, record your **actual cash expenses**.
 - ✓ When reporting the Artists Fee, do **NOT** include the grant amount you received from the South Dakota Arts Council (this is not your expense); **DO** record the Sponsor's cash match (i.e. \$800 for a one-week residency).
 - ✓ If you rented space for any part of the residency, if you paid for advertising or printing, if you compensated the artist for meals, or additional mileage reimbursement, or if you incurred any other **cash expense**, record those items in the specified lines.
 - ✓ Record the cost of supplies (paint, costumes, etc.) used in the residency as an **Operating Expense**.
- In the EXPENSES section, **In-Kind Contributions** refer to goods or services donated by individuals or other organizations. For example, if someone in the community housed the artist or provided meals, estimate what it would have cost had the artist stayed in a motel or eaten in a restaurant and record that *in-kind contribution* as travel/lodging or travel/meals. Likewise, if studio or rehearsal space was provided at no charge to the Sponsor, if a newspaper ran an ad for which you were not charged, or if art supplies were donated by an individual or organization, include the value of those donations in the proper space under In-Kind Contribution.

ARTIST INFORMATION

Each year, South Dakota Arts Council accepts applications from professional artists for AISC endorsement. The standing deadline for artists wishing to join the roster is September 1 for residencies after July 1 of the following year.

Applications are reviewed by an arts education panel for artistic quality and for artistic merit. Panel recommendations for AISC endorsement are considered during the fall South Dakota Arts Council meeting. Artists are endorsed for a three-year period. Second and third year participation is contingent upon successful annual evaluations.

Artists In Schools & Communities application materials are distributed to all South Dakota school systems and other potential sponsors in January. Sponsor applications must be received by 11:59 pm, March 1. Residencies are announced in June.



Students execute choreography during a creative movement residency at John Harris Elementary.



ARTIST INFORMATION

AISC ARTIST/SPONSOR AGREEMENT

South Dakota Arts Council will send you an agreement for each scheduled residency. Sign and return the agreement(s) to SDAC within five business days of receipt.

Sponsors will receive a matching grant from South Dakota Arts Council for one-half the artist's fee plus travel. On the last day of the residency, the sponsor is responsible for paying the total amount of the residency cost to the artist which includes the Arts Council's matching grant plus travel expenses and the sponsor match for the residency.

During long term residencies (at least one month) you may want to make arrangements with the sponsor to be paid more frequently. These arrangements are the responsibility of artist and sponsor, but SDAC Arts Education staff will support artists in this request.

School art supplies are the responsibility of the local sponsor. Artists must contact the local sponsor prior to the residency to negotiate the cost of supplies.

FORM 1099: MISCELLANEOUS INCOME

Any endorsed AISC artist earning more than \$600 in residency fees in-state must declare those earnings to the Internal Revenue Service. The school district should submit one copy of Form 1099 to the Internal Revenue Service and one copy to the artist. It is the artist's responsibility to declare these earnings. Form 1099 shows only residency fees earned and does not reflect travel reimbursement.

TRAVEL AND LODGING

The Sponsor is responsible for housing the artist in a hotel or similar facility during the residency **at no cost to the artist**. If there is no hotel in the residency community or if the artist prefers to stay in a private home, the sponsor and the artist may negotiate alternative housing. The artist may request housing the night before the residency begins. If the residency is in the artist's hometown, the housing requirement does not apply.

The South Dakota Arts Council will reimburse the artist's mileage at state rates. In-state artists receive mileage for one round trip for a week residency, two round trips for a month residency and five round trips for a semester residency. If the residency is within daily driving distance of the artist's home, the artist and sponsor may negotiate additional daily mileage reimbursement (over and above that provided by SDAC) in lieu of sponsor-provided housing.

Out-of-state artists will be reimbursed round trip travel expenses from the artist's home address to the residency site at state mileage rates or round-trip airfare, whichever amount is less, but not to exceed a total reimbursement of \$500. Block booking several residencies is usually required to reduce the cost of travel. Out-of-state artists are responsible for their own ground transportation if they travel by air into the state. Artists are responsible for their own meals.

ARTIST INFORMATION

FOUR WEEKS PRIOR TO THE RESIDENCY

The local project director is to contact the resident artist at least four weeks before the residency begins. If this contact has not been made, the artist must contact the project director listed on the AISC Artist/Sponsor Agreement to discuss the residency. You will need to discuss the following:

- ✓ Residency outline
- ✓ Scheduling
- ✓ Grade levels and numbers of students
- ✓ School policies that might affect the residency activities
- ✓ Supplies that might need to be ordered
- ✓ Equipment needs and workspace
- ✓ In-service and community demonstration opportunities
- ✓ Publicity
- ✓ Lodging
- ✓ Payment

See Project Director Checklist and Guidelines for a Residency included in this manual.

AISC ARTIST PAPERWORK

The South Dakota Arts Council will provide a Sponsor-Artist agreement, which is a contract between sponsor organization and artist. Both parties will sign this agreement and receive a final copy for their records. As the artist, if you have not received your agreement at least one month ahead of the residency, you should reach out to our staff to check on the progress. This communication will ensure a smooth residency experience.

DURING THE RESIDENCY

- Discuss successes and concerns with the sponsor/project director on a regular basis throughout your residency. Be diplomatic; try to resolve disagreements if they occur.
- Be flexible and innovative toward schedule changes, availability of materials, equipment, and space.
- Introduce yourself to the school's head of maintenance and the secretary. They can provide many answers and assistance during your residency.
- Provide time for students and the community to observe your work. This is an opportunity for them to learn how an artist works and it can be a way to involve the community during your residency. From you they can gain an understanding and appreciation for the arts as an integral part of life and education.
- Be sure to meet the principal(s) in your building(s) and thank them for sponsoring AISC.

**FEDERAL
AND STATE
COMPLIANCE**

As a recipient of federal funds, your arts programs must be fully accessible. This availability applies to everyone connected with the program: staff, artists and volunteers, as well as audiences, participants or visitors.

Fair Labor Standards Act compliance states that all professional performers and related or supporting professional personnel employed on projects or productions which are financed in whole or in part under the grant will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities.

No part of any project or production which is financed in whole or in part under the grant will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production.

Title VI of the Civil Rights Act, as amended, 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.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified disabled individual in the United States, as defined in section 7 (6)*, shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance. Under this regulation, a federally-funded arts program when viewed in its entirety must be accessible to all persons. The National Endowment for the Arts issued its regulations to enforce the law in 1979. Failure to comply with Section 504 can result in the loss of federal funds.

* For the purposes of Section 504, the term “disabled individual” means any person who (a) has a physical or mental impairment which substantially limits one or more of such person’s major life activities, (b) has a record of such impairment, or (c) is regarded as having such an impairment.

The Americans with Disabilities Act (ADA) of 1990 requires all public accommodations, including arts organizations, to be accessible when taken as a whole. The ADA requires both the removal of barriers and the provision of “auxiliary aids and services” required to make programs accessible, and defines failure to do so as discrimination.

Age Discrimination Act of 1975 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.

**FEDERAL
AND STATE
COMPLIANCE**

Title IX of the Education Amendments of 1972 provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Drug-Free Workplace Act of 1988 requires grantees of more than ten employees to identify a coordinator to implement the provisions of this act.

Pro-Children Act of 1994 requires that smoking not be permitted in any indoor facility used routinely or regularly for the provision of “children’s services” to persons under age 18, if the services are funded by specified federal programs either directly or through state or local governments. Local educational agencies must adopt the provisions of this act.

Gun Free Schools Act requires that local educational agencies adopt a Gun Free Policy which is in compliance with SDCL 13-32-4.

As required by **Section 1352, Title 31 of the US Code**, grantees must adhere to the prohibition against **lobbying** within a federally supported grant project which states that no federal appropriated funds have been paid or will be paid by or on behalf of the grantee, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant, the entering into any federal grant or cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.



Students display their creations during a residency in Buffalo, South Dakota.

**FEDERAL
AND STATE
COMPLIANCE**

As required by **Executive Order 12549, Debarment and Suspension**, the Grantee certifies that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

(2) Have not within a three-year period preceding the awarding of this grant been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsifications or destruction of records, making false statements, or receiving stolen property.

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental agency (federal, state or local) with commission of any of the offenses enumerated in the above paragraph;

(4) Have not within a three-year period preceding this grant award had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the Grantee is unable to certify any of the above statements, he or she shall send a written explanation to the South Dakota Arts Council.

The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001 et seq.) applies to any organization which controls or possesses Native American human remains and associated funerary objects, and which receives Federal funding, even for a purpose unrelated to the Act.

As required by **Federal Debt Status** (OMB Circular A-120), the grantee certifies that it is not delinquent in the repayment of any Federal debt.

If your non-profit organization receives **\$300,000 or more in federal financial assistance**, the State of South Dakota requires that an **annual audit** be conducted in accordance with OMB Circular A-133. Audits shall be completed and filed with the Department of Legislative Audit by the end of the 12th month following the end of the fiscal year being audited.*

*Audits must be conducted by an auditor that is approved by the Auditor General of the State of South Dakota. Auditor approval must be obtained annually and can be requested by forwarding a copy of the audit engagement letter to the Department of Legislative Audit. The Department of Legislative Audit will notify each auditor of approval or disapproval. For information concerning audits contact:

**Department of Legislative Audit A-
133 Coordinator
427 S. Chapelle,
c/o 500 E. Capitol
Pierre, SD 57501**