



**City of Kingston
Report to Council
Report Number 15-228**

To:	Mayor and Members of Council
From:	Cynthia Beach, Commissioner, Corporate & Strategic Initiatives
Resource Staff:	Colin Wiginton, Cultural Director
Date of Meeting:	April 21, 2015
Subject:	Service Level Agreement with the Kingston Arts Council and Council Participation in the 2015 City of Kingston Arts Fund

Executive Summary:

The purpose of this report is to seek Council approval to enter into a Service Level Agreement with the Kingston Arts Council to carry out the 'Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2015' as approved and to ask Council to appoint two Councillors and a City staff member to participate as part of the jury Review Committee meetings scheduled for May 2015.

Recommendation:

That the Mayor and Clerk be authorized to enter into a Service Level Agreement, in a form satisfactory to the Director of Legal Services, providing for administration of the City of Kingston Arts Fund in 2015 by the Kingston Arts Council; and

That Councillor _____ and Councillor _____ be appointed to participate in each of the two jury Review Committee meetings scheduled for May 23 and May 24, 2015 (the Operating Grants Review Committee for arts organizations and the Project Grants Review Committee for arts projects respectively); and

That Annalee Adair, Manager, Community Engagement and Education, be appointed as the City staff member to participate in the two jury Review Committees as the designate for Colin Wiginton, Cultural Director.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Cynthia Beach, Commissioner,
Corporate & Strategic Initiatives**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Lanie Hurdle, Community Services	Not required
Denis Leger, Transportation, Facilities & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

In December 2014, the Arts Advisory Committee passed a motion to support the revised 'Plan for Administration of the Arts Funding for the Corporation of the City of Kingston Arts Fund in 2015' prepared by the Kingston Arts Council. Their motion was subsequently approved by the Arts, Recreation and Community Policies Committee in January 2015 and by Council in February 2015.

Since that time, the Kingston Arts Council has begun to implement the 'Plan for Administration' as approved and the deadline for submissions are April 17 for the 2015 Operating grant program and April 20 for the Project grant program. In order to complete the work required it is necessary for the City of Kingston to enter into a Service Level Agreement with the Kingston Arts Council and to appoint two Councillors, plus a City staff member, to participate in each of the two jury Review Committee meetings scheduled to take place in May 2015.

In recent years, Colin Wiginton has been the City staff member appointed to participate in the jury Review Committee meetings. Due to a scheduling conflict in 2015, it is being recommended that Annalee Adair, Manager, Community Engagement and Education, be appointed as his designate in his absence.

Existing Policy/By-Law:

Beginning in 2012, the City of Kingston has entered into a Service Level Agreement with the Kingston Arts Council that requires them to manage the City of Kingston Arts Fund on behalf of the City of Kingston. This Service Level Agreement is signed each year based on an annual review and submission of a City of Kingston Arts Fund Administration Plan that is approved by Council.

Notice Provisions:

Not applicable

Accessibility Considerations:

Not applicable

Financial Considerations:

The funding needed to support the Kingston Arts Council and City of Kingston Arts Fund has been included within the approved 2015 Operating budget for the Cultural Services Department, with \$108,243 allocated to the Kingston Arts Council for the services provided as part of the Service Level Agreement and \$532,519 allocated to City of Kingston Arts Fund.

Contacts:

Cynthia Beach, Commissioner, Corporate & Strategic Initiatives, 613-546-4291, extension 1150

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Colin Wiginton, Cultural Director, 613-546-4291, extension 1357

Other City of Kingston Staff Consulted:

Alan McLeod, Senior Legal Council

Exhibits Attached:

Exhibit 'A' - AAC-15-001, Review and Endorsement of the Kingston Arts Council Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2015



**City of Kingston
Report to Arts Advisory Committee
Report Number AAC-15-001**

To:	Chair and Members of Arts Advisory Committee
From:	Cynthia Beach, Commissioner, Corporate & Strategic Initiatives
Resource Staff:	Colin Wiginton, Cultural Director
Date of Meeting:	January 15, 2015
Subject:	Review and Endorsement of the Kingston Arts Council Plan for Administration of Arts Funding for The Corporation of the City of Kingston in 2015

Executive Summary:

This report is being provided to update the Arts Advisory Committee regarding the approved Kingston Arts Council Plan for Administration of Arts Funding.

Each year the Plan for Administration is reviewed and revised by the Kingston Arts Council. The 2015 version of the Plan was previously accepted by the Kingston Arts Council's Board of Directors last November and was presented to the Arts Advisory Committee in a draft form for discussion and input at their regular meeting on November 20, 2014.

The advice provided at that time has been considered and further revisions made to come up with a final version of the Plan for implementation in 2015, which is now being provided back to the Arts Advisory Committee to ensure the Committee is fully informed as to the process for funding through the City of Kingston Arts Fund in 2015.

Recommendation:

That the Arts Advisory Committee recommend to the Arts, Recreation & Community Policies Committee, that the revised Kingston Arts Council 'Plan for Administration of the Arts Funding for The Corporation of the City of Kingston Arts Fund in 2015', attached as Exhibit A to Report AAC-15-001 be approved.

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Authorizing Signatures:

**Cynthia Beach, Commissioner,
Corporate & Strategic Initiatives**

Gerard Hunt, Chief Administrative Officer

Consultation with the following members of the Corporate Management Team:

Lanie Hurdle, Community Services	Not required
Denis Leger, Transportation, Facilities & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

Each year the Arts Advisory Committee is asked to review and endorse the 'Plan for Administration of Arts Funding for the Corporation of the City of Kingston' prepared by the Kingston Arts Council. Once endorsed, the administration plan passes from the Arts Advisory Committee to the Arts, Recreation and Community Policies Committee and, subsequently, Council.

The Arts Advisory Committee was given the chance to review the 'Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2015' during its regularly scheduled meeting on November 20, 2014. That feedback has been considered and further revisions made to come up with a final version of the Plan for implementation in 2015.

At this time City staff has been asked by the Kingston Arts Council to forward the administration plan to the Arts Advisory Committee so they are apprised of the changes that have been made to the plan as a result of the annual review process that is required. The final version of the 'Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2015' has been attached to this report as Exhibit 'A' and a summary of the changes made to the document have been outlined below.

Summary of Changes**C.2.g. Exclusions from Eligibility:**

Added:

- (iii) Charitable organizations or Foundations, the primary mission of which is fundraising.

C.2.h. Exclusions from Eligible Costs:

CKAF Project funding may not be used:

Added:

- (iii) to fund a project that appears on more than one CKAF Project grant application in the same year and/or that identifies one CKAF Project grant as a source of funding for another CKAF Project grant.

Conflicts of Interest

City staff have been informed by staff from the Kingston Arts Council that one clause discussed and voted on by the Arts Advisory Committee on November 20, 2014 has not been included in the final revision of the Plan. The reasons for this decision are outlined in a letter submitted by Ted Worth, Grants Director, dated January 7, 2015 attached to this report as Exhibit 'B'.

The new clause that was discussed was to read as follows:

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(vi) To prevent conflicts of interest and ensure the arm's length character of the peer jury, those employed by or under contract with the City of Kingston are ineligible to serve as voting members of the jury.

City staff have been informed that this clause has not been included in the final version of the KAC Plan for numerous reasons as outlined in the letter:

- Currently, for all jurors selected to serve on the Grants Committee, a juror with a conflict of interest is already required to absent themselves from the discussion.
- The Kingston Arts community is a small group, and in populating the juries we would hope to select from as broad a group as possible.
- Current conflict of interest rules used by CKAF extend to family members with a horizon of 2 years. So if we declare a city worker/contractor ineligible for a CKAF jury, this status would continue for two years after their end of their employment/contract and would also make their spouse/partner/child ineligible.

It should be noted this issue was raised before and discussed as part of the review of the Plan for Administration being proposed for 2014. That discussion was recorded as part of the minutes of the Arts Advisory Committee for their meeting dated December 12, 2013 and was identified as not having been an issue given the rigour with which Conflicts of Interest are dealt with as part of the jury process from year to year.

Additional Considerations

In his letter, Ted Worth has also requested the Arts Advisory Committee consider a request from the Review Committee to follow up on a number of the recommendations the Committee itself made and approved regarding the City of Kingston Arts Fund in 2013. Of particular interest are the recommendations that reference the need for inclusivity, examine best practices, improve reporting and introduce additional funding streams.

Existing Policy/By Law:

Every year the City of Kingston enters into a Service Level Agreement with the Kingston Arts Council (KAC) that requires them to manage the City of Kingston Arts Fund (CKAF) on behalf of the City of Kingston. This SLA is signed each year based on an annual review and submission of a CKAF Administration Plan that is approved by Council.

Notice Provisions:

None

Accessibility Considerations:

This report is available in alternate formats.

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Financial Considerations:

Funding for the City of Kingston Arts Funding (CKAF) is approved each year by Council as part of the regular budget cycle. It is incorporated as part of the operating budget for Cultural Services and is paid out to the Kingston Arts Council which, in turn, distributes the funds in the form of operating and project grants to successful applicants based on the administration plan as approved.

Contacts:

Colin Wiginton, Cultural Director, 613-546-4291, extension 1357

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit 'A' – Kingston Arts Council Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2015

Exhibit 'B' – Letter from Ted Worth, Grants Director, dated January 7, 2015.



Kingston Arts Council Plan
for Administration of Arts Funding
for the Corporation of the City of Kingston in 2015

Version Final

**Kingston Arts Council Plan for Administration of Arts Funding
for the Corporation of the City of Kingston in 2015
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Kingston Arts Council

Plan for Administration of Arts Funding in 2015

A. Introduction and Overview - The City of Kingston Arts Fund

CKAF provides grants to local arts groups and organizations to foster creativity at all levels and enrich how Kingston residents experience and engage with the arts. It is important that diverse identities, perspectives, languages, cultures and artistic practices are recognised, experienced and supported. It is acknowledged that this program should be accessible to all, and as the administrator the KAC will endeavour to ensure it is responsive to the needs identified by the community by facilitating CKAF to nurture the quality and capacity of the arts, artists and arts sector in Kingston.

On March 20, 2007 City Council approved the budget increase of \$400,000, coupled with transferring \$100,000 from the Healthy Community Fund Grant Program, to create the City of Kingston Arts Fund (hereafter referred to as the CKAF). City Council asked the Kingston Arts Council (hereafter referred to as the KAC) to submit a Business Plan for administration of the CKAF which was subsequently approved. The approved plan includes a requirement to review the plan annually with a view to improving it in light of experience gained. This document is the proposed plan revised and re-titled for 2015.

Since its inception in 2007, the CKAF has provided a mechanism for the City to invest in the arts and arts organizations. As part of this program the KAC submits a Plan for Administration of Arts Funding (originally titled the Business Plan) on an annual basis as part of a Service Level Agreement with the City. At the outset \$500,000 was committed to support a combination of project and operating grants, generally allocated as a 30/70 split.

Based on recommendations contained in the Kingston Culture Plan it is also anticipated that the total funding to be made available through CKAF will increase to \$5.00 per capita over five years and that core funding to the KAC will also increase by 2% per year over five years, pending Council approval on an annual basis.

These public funds are transferred to the KAC as an investment in Kingston's cultural capital to foster cultural vitality and also to increase the capacity of the arts community to create and produce artistic work of importance. It enhances the community's cultural life and cultural economy, and helps promote financial stability and sustainability, but as noted above, CKAF Program funding for each year is contingent on City Council budget decisions.

As Kingston's umbrella arts organization, the KAC has the necessary expertise, understanding of, and contacts within the arts community to carry out the administration successfully. It is able to draw on the arts community to provide jurors for the *peer assessment* required. The model described in this Plan for Administration is consistent with models in other municipalities. It has been developed and revised after extensive

consultation and discussion with other granting agencies, City of Kingston staff and consideration of input from artists, arts organizations and the jurors involved in the decision making for this program over the past seven years.

Applications are reviewed and administered, in a City-wide context, by *peer assessment* through the Jury component (hereafter referred to as the Jury) of the KAC Grants Committee (hereafter referred to as the Grants Committee) The jury members will be representative of the arts, arts professionals, practitioners and/or persons who are knowledgeable in the arts with high standing within the arts community, knowledgeable about the City of Kingston context and the broader arts environment and, where possible, reflective of the gender, demographic and cultural diversity of the City of Kingston. Conflict of interest rules have been established for all members of the Grants Committee and other KAC volunteers and staff associated with administration of the CKAF). These rules, committee membership and responsibilities are described in detail later in this document.

Funding provided by the City under this program, as administered by the KAC, must be used to further the applicant's non-profit activities and may not be used to further a profit venture or *for-profit partner*. It must also not be intended or used for major capital purposes including but not restricted to the purchase of land, equipment, fixtures or physical facilities.

As part of its agreement with the City, the KAC will provide the Cultural Services department with a quarterly financial report on the state of the CKAF Account and an annual report of the allocation of funds pursuant to the CKAF.

Successful applicants will acknowledge the City of Kingston and the KAC in a manner acceptable to the City's Corporate Communications, Legal Services and Cultural Services Departments, and to the legal advisors of the KAC. Acknowledgement protocols will be specified by the KAC at the time of application.

The KAC reviews the guidelines and effectiveness of the administrative procedure of the CKAF program annually. If there are substantive amendments recommended they will be referred to the KAC Board of Directors and thence to the Kingston City Council for approval.

Please find the following:

- The KAC Plan for the Administration of Arts Funding for the Corporation of the City of Kingston in 2015;
- Appendix A: Policy Statement Regarding Non-Profit Eligibility (Operating);
- Appendix B: Policy Statement Regarding Non-Profit Eligibility (Project);
- Appendix C: Glossary of Terms (Note – Terms that appear in *italics* in this document are defined in the Glossary).

B. The City of Kingston Arts Fund

B1. Objectives

The objectives of CKAF are to nurture the capacity of the arts, artists and the arts sector in Kingston while fostering creativity, encouraging social cohesion, enhancing quality of life and stimulating economic development through direct investment.

B.1.a. Objectives: City of Kingston;

- (i)** Foster creativity within the Kingston Community at all levels;
- (ii)** Enrich how all Kingston residents experience and engage with the arts to encourage awareness, understanding, appreciation, participation, inclusion, diversity and access;
- (iii)** Leverage arts and culture to assert Kingston's distinctiveness and to stimulate economic development and tourism;
- (iv)** Ensure that arts funding aligns with that of comparable municipalities; and
- (v)** Bring provincial, national and international recognition to Kingston as a centre for the arts and culture.

B.1.b. Objectives: Arts Sector;

- (i)** Leverage municipal investments in the arts sector to increase their profile, capacity, quality, professionalism, impact, relevance and sustainability;
- (ii)** Foster innovation, collaboration and excellence among emerging and established professional practices across a spectrum of artistic disciplines and modes of expression;
- (iii)** Seek professional development opportunities that benefit the arts sector and that impact the community at different levels;
- (iv)** Pursue projects, programming and operations that are both creative and well managed and that align with the City of Kingston's strategic objectives;
- (v)** Ensure that projects, programming and operations foster inclusion, diversity and access within the arts; and
- (vi)** Emphasize partnership building with other sectors and orders of government to encourage diversity in terms of access and funding.

C. Scope

Categories of Funding

At this time, the CKAF is comprised of two funding categories, Operating Grants and Project Grants.

C.1. Operating Grants Program

The amount allocated to this pool is normally 70% of total available funds.

C.1.a. Purpose of Operating Grants

The Operating Grants Program is intended to foster sustainability among leading arts organizations through support for operating and programming expenses in keeping with the CKAF objectives as stated.

C.1.b. Term of Operating Grants

At this time, Operating Grants are for a one-year term. Organizations that have received an Operating Grant are eligible to reapply for the following year. Access to multi-year Operating Grants may be available in the future. See C.1.h below.

C.1.c. Eligibility – (see also Appendix A):

In order to be eligible to apply for an Operating Grant, organizations must meet all of the following criteria. Applicants must:

- (i) be located in the City of Kingston;
- (ii) be a *non-profit arts organization*;
- (iii) have been incorporated for a minimum of two years by the end of the calendar year in which the grant application is made;
- (iv) exhibit high achievement in arts programming;
- (v) fulfill a significant role in the Kingston community through the arts;
- (vi) demonstrate efficient planning and administrative practices which meet professional standards.

A policy statement concerning arts organizations that have non-profit status through being a division of a larger corporation is contained in Appendix A.

C.1.d. Exclusions from Eligibility:

- (i) Academic units of educational institutions;
- (ii) schools, conservatories and other organizations the primary mission of which is training or education. (The presence of education or training as an ancillary part of an organization's mandate will not result in an exclusion from eligibility.)

C.1.e. Eligible Costs:

- (i) artistic production, presentation and dissemination costs;
- (ii) artists' fees;
- (iii) utilities, staffing, office expenses, rent, minor equipment (i.e. current expenses);

C.1.f Exclusions from Eligible Costs:

CKAF funding may not be used:

- (i) for major capital purposes including but not restricted to the purchase of land, equipment, fixtures or physical facilities;
- (ii) to further a profit venture or advantage a *for-profit partner*.

C.1.g. Grant Size:

The Jury has discretion with regard to the amounts awarded but Operating Grants normally range between \$10,000/annum and \$79,000/annum. The issue of limits to funding is re-examined each year to determine if set criteria should be instituted. Under the present guidelines the Jury is required to balance the following requirements:

- (i) the need to allocate the funding to the maximum number of eligible, high quality applications that would be beneficial to the Kingston community; **and**
- (ii) the awarding of grants that are sufficient to make a substantial improvement in the operations of the receiving organization.

C.1.h. Grant Stability:

CKAF endeavours to provide a measure of stability in its Operating Grant Program.

Each year a minimum funding increase, based on inflation (CPI Index), will be allocated by the Grants Committee following its assessment of all Grant Applications provided that additional funding is allocated by the City of Kingston as part of its annual support of CKAF.

If an organization has maintained its activities as outlined in its Grant Application, the Jury will not recommend a reduction of more than 20% in that organization's Operating Grant. Notwithstanding the above statement, a Grant reduction may be made for one or more of the following reasons:

- (i) a shortfall in available funds,
- (ii) an increase in the number of high quality applicants,
- (iii) evidence of inadequate performance,

Should a reduction be recommended, the Grants Committee will provide an explanation in its notification letter.

This new system came into effect in 2011, based on 2010 Grant levels.

C.1.i. Reporting Requirements:

- (i) All organizations receiving Operating Grant funding from the CKAF will be required to submit an Interim Report by the 31st December of the year the grant is received.

- (ii) For organizations which receive a CKAF Operating Grant in any year and reapply to the Operating Grant program the following year, the Final Report will be integrated as part of the subsequent application form.
- (iii) Organizations which receive a CKAF Operating Grant in any year and choose not to reapply to the Operating Grant program the following year will be required to indicate those intentions and submit a Final Report no later than the following year's application deadline.

C.2. Project Grants

The amount allocated to this pool is normally 30% of total available funds.

C.2.a. Purpose of the Project Grants Program:

The purpose of the Project Grants Program is to support the creation and presentation of arts projects that reflect the objectives of CKAF.

C.2.b. Term of Project Grants

Project Grants are awarded for a term of one year.

Applications for projects that recur must be submitted annually and will be adjudicated based on the following:

- (i) success of the project in the previous year;
- (ii) innovation within the project; and
- (iii) availability of funds in the context of the priorities for funding;

C.2.c. Eligibility (see also Appendix B):

In order to apply for an *eligible arts project* groups must be located in the City of Kingston and be one of the following:

- (i) an incorporated *non-profit arts organization*;
- (ii) a *charitable arts organization*;
- (iii) an incorporated *non-profit organization*;
- (iv) an unincorporated *artist collective* (defined as 3 or more individuals) using an eligible sponsor;
- (v) an unincorporated *community collective* (defined as 3 or more individuals) using an eligible sponsor;
- (vi) an unincorporated *artist collective* agreeing to and meeting all conditions listed in C.2 d;
- (vii) an unincorporated community collective agreeing to and meeting conditions listed in C.2.d.

Each organization or collective may apply for support for one project each year.

C.2.d. Sponsors and Collectives

- (i)** In the case of collectives, in order to satisfy the CKAF requirements for proof of insurance, reports and financial statements, any incorporated non-profit or *charitable organization* in Kingston, other than the KAC, may agree to sponsor a collective's application to CKAF. It is the responsibility of the unincorporated collective that wishes to receive CKAF funding through this sponsor to complete the application. The Sponsor will also sign the application and include a letter of support for the project that identifies the Sponsor's support and financial agreement if any, with the collective. The KAC may look to the partnering *sponsor* for final reports on the project should the collective not provide them as required.
- (ii)** The sponsoring organization may apply for its own project in addition to one sponsored project in each grant cycle.
- (iii)** Organizations receiving CKAF Operating Funds may *sponsor artist or community collectives* for Project Grants in the same year.
- (iv)** In the case of collectives applying directly to CKAF without support of a sponsor, the applicants must all be listed on and sign the application and grant agreement. In addition the applicants must submit two letters of reference from individuals who can speak to the collective's ability to execute the proposed project as set out in the application.
- (v)** Collectives, as described in **(iv)** above are also required to satisfy the CKAF requirements for proof of insurance and reports and to establish or to possess a bank account in the name of the collective. Payment of the grant cheque will not be issued to any individual member within the collective.
- (vi)** Collectives, as described in **(iv)** above may be required as part of their CKAF agreement to provide additional communication reports to the CKAF staff in order to provide sufficient accountability on the use of funds.

C.2.e. Co-Projects/Joint Projects

- (i)** Applicants that co-produce or otherwise work with a project partner (either non-profit or for-profit) will be required to identify the lead partner, state the terms of the *co-project*, and the manner in which the duties and responsibilities will be shared.
- (ii)** Applicants will also be required to identify the division of project costs or budget responsibilities, as well as the distribution of any potential project *surplus* or *deficit*.
- (iii)** The jury may require a copy of the partners or co-producers agreement prior to the delivery of the CKAF grant.
- (iv)** As a general rule, it is expected that either the non-profit applicant would assume all responsibility for any *surplus* or *deficit* generated by the project, OR the project partners involved would share any *surplus* or *deficit* proportional to their contributions to the project as defined in (i) above.

C.2.f. Individual Artist Grants:

There are no Individual Artist Grants available as part of the CKAF Program.

C.2.g. Exclusions from Eligibility:

Normally, the following organizations will not be eligible for Project Grants.

- (i) academic units of educational institutions;
- (ii) schools, conservatories and other organizations the primary mission of which is training or education. (The presence of education or training as an ancillary part of an organization's mandate will not result in an exclusion from eligibility.)
- (iii) Charitable organizations or Foundations, the primary mission of which is fundraising.

C.2.h. Exclusions from Eligible Costs:

CKAF Project funding may not be used:

- (i) for major capital purposes including but not restricted to the purchase of land, equipment, fixtures or physical facilities;
- (ii) to further a profit venture or advantage a *for-profit partner*.
- (iii) to fund a project that appears on more than one CKAF Project grant application in the same year and/or that identifies one CKAF Project grant as a source of funding for another CKAF Project grant.

Organizations receiving CKAF Operating Funds in any given year are not eligible for Project Grants in the same year. However, organizations may apply for both.

C.2.i. Grant Size

The Jury has discretion with regard to the amounts awarded, but normally the maximum award for a Project Grant will be \$20,000. In 2014 the average grant was \$7,800.

C.2.j. Reporting Requirements

- (i) For all organizations receiving Project Grant funding from the 2015 CKAF program, an Interim Report will be required by 31st December 2015.
- (ii) For organizations that receive a CKAF Project Grant in any year and reapply to the Project Grant Program the following year, a second Interim Report will be integrated as part of the subsequent application form.
- (iii) A Final Report is required 60 days after project completion.
- (iv) If a funded project is not completed by Dec 31, 2016, the organization must file a second Interim Report along with a request for an extension of the Final Report deadline.

D. Adjudication Criteria

D. 1. Operating Grant Program:

The Jury will consider the degree to which the organization demonstrates:

- (i) compatibility of the organization's objectives with those of CKAF;
- (ii) the ability and effectiveness of the organization to achieve its own mandate and objectives;
- (iii) effectiveness in administrative and financial procedures, including appropriate compensation and professional practices in the management of artists and staff;
- (iv) initiative and success in generating revenue outside of the CKAF;
- (v) the ability to measure and report on the success of its activities and programs on an ongoing basis.

D. 2. Project Grant Program:

The Jury will consider the degree to which the proposed project demonstrates:

- (i) compatibility of the project's objectives with those of CKAF;
- (ii) clarity of the project objectives and plan;
- (iii) the capacity to realize the proposed project;
- (iv) the ability to make efficient use of existing resources;
- (v) a commitment to the development of artists and the art form, and
- (vi) a commitment, where appropriate, to engage *professional artists*.

D. 3. Other Adjudication Criteria

As part of CKAF it is important that applicants ensure that operations, programs and projects foster inclusion, diversity and access within the arts. Applicants are encouraged to present their own definitions of these terms in relation to their submission for the benefit of the jurors who will be adjudicating the applications.

E. Procedures

- E.1.** Each year's grant allocation for the CKAF is subject to approval annually by City Council through its budget process and will be provided for distribution purposes to the KAC on approval of the annual budget.
- E.2.** To be considered for funding, organizations or collectives must submit a grant application to be received at the KAC office by or before the appropriate published deadline.

- E.3.** The KAC will provide an annual report to the City of Kingston Cultural Services Department following the distribution of funds under the CKAF. This report will identify successful applicants, their request for funding, the dollar value of each of the requests received and details of all allocations. The report will also specify the number of unsuccessful applicants and the total amount of funds requested. This report is intended to be brought forward to City Council as part of the City's annual budget process.
- E.4.** The application form, submission process and dates will be determined by the KAC Grants staff in consultation with the KAC Board and Grants Committee Chair.

F. Responsibilities of the Kingston Arts Council

F.1. General Principles

The KAC will be responsible for the overall administration of the CKAF, subject to the approval of the City of Kingston. This will include the following tasks:

- F.1.a.** ensuring that the administration and adjudication of applications are consistent with the CKAF's objectives;
- F.1.b.** developing the application submission process, application forms, dates and administrative criteria including, but not limited to:
 - (i)** determining and confirming terms of eligibility for the CKAF;
 - (ii)** establishing a complaints review process;
- F.1.c.** appointing the *peer assessment* Jury for the purpose of adjudicating applications and allocating the CKAF;
- F.1.d.** enacting and overseeing compliance with the terms of reference for the KAC Grants Committee including, but not limited to:
 - (i)** the number of Jury members,
 - (ii)** representation on and composition of the Jury including the appointment of a chair,
 - (iii)** rules pertaining to conflict of interest,
 - (iv)** length of service,
 - (v)** reporting requirements of the Grants Committee to the KAC Board;
- F.1.e.** providing administrative support to the Grants Committee by hiring administrative staff;
- F.1.f.** awarding honoraria to CKAF jurors in recognition of their work on the program;

- F.1.g.** distributing funding to successful applicants;
- F.1.h.** Reviewing the CKAF Program and formulating recommendations for future funding.

F.2. Time Frame for Establishing the Grants Committee

The KAC will establish the Grants Committee annually with reference to the deadlines for receipt of grant applications.

F.3. Governance

- F.3.a.** The Chair of the Grants Committee will be assisted by the KAC Grants Administrator(s) at all meetings of the Grants Committee.
- F.3.b.** The KAC will facilitate the selection of members for the Grants Committee in accordance with the outline for membership contained in section G.
- F.3.c.** The KAC will be responsible for implementing the guidelines and terms for the allocation of funds pursuant to the CKAF.
- F.3.d.** The KAC, through the Chair of the Grants Committee, will be responsible for ensuring that all members of the Grants Committee are aware of the terms of this document, and adhere to the rules and guidelines for adjudicating applications and allocating funds.
- F.3.e.** The KAC Board of Directors will not be involved with the decision making function of the Jury.
- F.3.f.** The Chair of the Grants Committee and the Grants Administrator(s) will report to the KAC Board on an ongoing basis.
- F.3.g.** The proposed distribution of funds and a report will be presented for ratification to the KAC Board by the Chair of the Grants Committee.
- F.3.h.** Application forms and guidelines are established by the KAC in accordance with the principles described in this document.
- F.3.i.** Decisions of the Jury are final. Discretionary feedback concerning Grants Committee comments on applications will be provided by the KAC Grants Administrator(s), when requested by the designated contact person for the applicant.

- F.3.j.** It is understood that, in order to respect the decisions of the Jurors, the KAC Board will support decisions made by the Jurors so long as they comply with the current KAC Plan for Administration of Arts Funding for the Corporation of the City of Kingston.

F.4. Dispute Resolution

- F.4.a.** All complaints and concerns relating to the adjudication, guidelines and criteria for the allocation of funds pursuant to the CKAF will be forwarded to the Chair of the Grants Committee by the complainant. The Chair will then forward a written report with respect to such complaints and concerns to the President of the KAC.
- F.4.b.** The City of Kingston will be notified by the KAC of all concerns and complaints received.

F.5. Monitoring and Reporting Requirements of the KAC

- F.5.a.** Once approved by Kingston City Council the Report of the Chair of the Grants Committee will be a matter of public record and available through the KAC office. Prior to that approval, the Grants Committee Report is confidential.
- F.5.b.** The Report of the Grants Committee to the KAC Board is subject to the provisions of the applicable Municipal Freedom of Information and Protection of Privacy legislation. Any application pursuant to the applicable Municipal Freedom of Information and Protection of Privacy legislation will be restricted to information pertaining to the specific applicant.

F.6. Application Periods and Receipt of Applications

There will be two application deadlines; one for Operating Grants and one for Project Grants. All applications will be date stamped and numbered when received. Applicants will receive a notification that their application has been received and will be forwarded to the jury. A file copy of this notification will also be retained in the KAC Grants Department files.

F.7. Incomplete or Inaccurate Applications

After review of the applications by the KAC Grants Administrator(s) together with the Chair of the Grants Committee, the Chair will instruct the Grants Administrator(s) to contact applicants to ask for any required missing information or to seek clarification of items in the application. There will be strict time limits set for the receipt of responses to these requests.

F.8. General Principle for Fund Allocation

- F.8.a.** As a general principle all sectors of the arts should be funded to ensure that the grants portfolio is balanced at the end of each year. However there will not be any specific allocation percentage made to each sector of the arts, as the quality and range of the applications received will also influence this element of the Jury's decision-making process.
- F.8.b.** A Jury may decide, in exceptional circumstances, not to award all the monies available for the Operating or Project Grant Program.
- F.8.c.** Any unawarded grant funds or grant funds returned to the KAC will be allocated to the following year's grants programs at the discretion of the Grants Administrator(s) in consultation with the Chair of the Grants Committee.

G. Kingston Arts Council Grants Committee

G.1. Grants Committee Membership

There are two categories of membership in the Grants Committee, voting members and non-voting members.

G.1.a. Voting Members - the Jury

The voting members are the Jurors who are responsible for adjudicating the applications and allocating funding in accordance with CKAF guidelines and criteria. Voting members include:

- (i)** the Chair of the Grants Committee (who may vote only to break a tie vote);
- (ii)** five Jurors appointed according to the process described below.

G.1.b. Ex-Officio Non-voting Members

There are two categories of ex-officio non-voting members as follows:

(i) City of Kingston representatives:

two City of Kingston Councillors, and
the Cultural Director of the City of Kingston and/or his/her delegate.

These members bring broader community perspectives to the discussions and are present also to ensure transparency and fairness in the process. They participate in discussions about applications but are not permitted to vote.

(ii) KAC Grants Administrator(s)

The KAC Grants Administrator(s) are present to act as Executive Secretaries and resource persons. At the discretion of the Chair, they may be asked for information concerning factual details. They are not permitted to participate in discussion unless requested to do so by the Chair, and only within the conflict of interest parameters specified in their contract(s), as set out elsewhere in this document. They are not permitted to vote.

G.2. KAC Grants Committee Meetings

Normally, there will be two separate Grants Committee meetings, one for Operating Grant applications and one for Project Grant applications. The Chair and the non-voting members may be the same for both meetings but the Jurors will be different for each meeting.

G.2.a. Quorum

A quorum shall consist of a majority of the voting members (The Chair is considered a voting member for the purposes of establishing a quorum). A schedule of meetings will be established for the Grants Committees at the beginning of the adjudication process. There must be at least a 48-hour notice of changes of meeting dates to all members of the Grants Committee.

G.2.b. Confidentiality and Conflicts of Interest

Each member of the Grants Committee (Voting and Ex-Officio) is required to fill out and sign:

- (i)** A Confidentiality Form, acknowledging that they have read, understand, and agree to the rules of Confidentiality as described later in this document;

- (ii) A Conflict of Interest Declaration Form, in which they disclose the applications with which they have any direct or indirect conflict of interest. This form is the basis upon which the Chair will require members of the Grants Committee to conform to the Conflict of Interest Rules and Procedures as described in sections 6.a. and 6.c. below.

G.2.c. Decisions

Jurors are required to assess applications in accordance with CKAF objectives, the application guidelines and assessment forms provided.

After discussion within the Grants Committee the Jurors will decide on the allocation of grant funding. Decisions will usually result from consensus but, should a vote be required, only the Jurors may vote. In the event of a tie the Chair will vote to arrive at a decision. Thus the decisions are at arms-length from the KAC and the City, and are adjudicated by independent *peer assessment*.

Decisions of the Jurors, together with a report of the meetings, will be brought forward to the KAC Board of Directors for ratification. Thereafter a report listing successful applications and details of amounts awarded will be forwarded to city staff, to be ratified by Kingston City Council.

G.3. Selection of Grants Committee Members

G.3.a. All members of the Grants Committee will:

- (i) have an understanding, interest and appreciation of the arts and their diversity;
- (ii) bring vision, open-mindedness and generosity of spirit to the deliberations;
- (iii) declare conflicts of interest;
- (iv) provide fair and objective opinions in their assessment of applications in accordance with the CKAF Objectives.

G.3.b. Ex-officio members representing the City are appointed by City Council.

G.3.c. The Chair is appointed by the Executive Committee of the Board of Directors of the KAC.

G.3.d. Jurors are chosen and appointed from a list of potential jurors by the CKAF Jury Selection Committee composed of the Chair of the Grants Committee, Grants Administrator(s) and the Executive Committee of the KAC, or their designates.

G.3.e. Potential Jurors: To be included on the list of potential jurors all interested parties will be asked to submit an Expression of Interest Form and a CV to the CKAF Jury Selection Committee which will review these to ensure that those selected meet the juror eligibility requirements.

G.4. Criteria for eligibility to be appointed as a Jury member

Jury members must be:

- G.4.a.** arts professionals, practitioners and/or persons who are knowledgeable in the arts with high standing within the arts community; representative of a wide range of artistic disciplines; knowledgeable and experienced in the arts, arts organizations and related issues;
- G.4.b.** knowledgeable about the City of Kingston context and the broader arts environment beyond their area of expertise;
- G.4.c.** able to articulate their opinions, and work in a group decision-making environment; good communicators;
- G.4.d.** reflective of Kingston's gender, demographic and cultural diversity as much as possible.

G.5. Terms of Appointment of Grants Committee Members

- G.5.a.** Terms of appointments of the City of Kingston representatives are at the discretion of City Council.
- G.5.b.** Appointment of the Chair is normally for a term of 2 years. The Chair may not serve more than 3 consecutive terms.
- G.5.c.** Appointment to a Jury component of the Grants Committee is for a term of 1 or 2 years. Each successive Jury should have at least two new members (i.e. jurors who have not served on the previous Jury) in order to ensure that diverse perspectives are brought into play over time. To provide continuity, ideally, at least two and not more than three members should continue on a Jury for a second year.
- G.5.d.** A voting member of a Jury may not serve more than 4 consecutive years.

G.6. Conflict of Interest Rules for Members of the Grants Committee

The KAC is particularly concerned with potential conflicts of interest. There are two types of conflict of interest – **direct** and **indirect**. There are also two kinds of direct conflict of interest – **financial** and **private**.

G.6.a. Jurors' Conflicts of interest

- (i) A juror is in a **direct** conflict of interest with a particular application if he or she, or a member of the Juror's immediate family (spouse or equivalent, son or daughter, parent, sibling or member of the immediate household) has a **financial** interest in the success or failure of the application.
- (ii) A juror is also in a **direct** conflict of interest with a particular application if he or she has a **private** interest in the success or failure of the application. Staff or board members of the organization applying for funds, or members of their immediate families (spouse or equivalent, son or daughter, parent, sibling or member of the immediate household) would be in direct conflict. For such applications a private interest also includes affiliations or activities that compromise or unduly influence decision-making.
- (iii) Any reason that makes it difficult for a juror to evaluate an application objectively may create an **indirect** conflict of interest. For example an indirect conflict of interest may arise when a juror's record includes previous participation with an applicant. The KAC will request potential Grants Committee members to identify present and past membership or participation in Kingston arts organizations over the previous 2 years.
- (iv) All jurors are asked to sign forms to identify **direct** and/or **indirect** conflicts of interest as a means of documenting the integrity of the process. At the jury meeting, the Chair answers any questions, facilitates a discussion on the juror's impartiality and decides how the situation will be managed.
- (v) To prevent conflicts of interest, members of the Board of Directors and staff of the Kingston Arts Council will not serve as voting jurors. This clause will not apply to the Chair of the Grants Committee, who is an ex-officio member of the Kingston Arts Council Board of Directors.

G.6.b. Non-voting Members' Conflicts of Interest

- (i) **City of Kingston members (Ex-officio)**
Only the jurors make decisions about which applications to fund and by what amounts, but because City of Kingston ex-officio members may participate in discussing applications during the adjudication meetings they are subject to the same rules pertaining to conflicts of interest as are jury members.

(ii) KAC Grants Administrator(s) (Ex-officio)

The KAC Grants Administrator(s) who act as Executive Secretaries and resource people to the Grants Committee are subject to the same conflict of interest rules as the jury members. They are not permitted to take part in adjudication discussions (except as specified in section G.1.b.ii., above), and in addition they have in their employment contracts the following clause(s):

"To avoid conflicts of interest while you are employed as a Grants Director or Administrator by the KAC you will agree to the following:

- that you will not take any action to either favour or prejudice any applications submitted to the CKAF (see Note 1 below);
- that you will not participate in the writing of any application to the CKAF for another party (see Note 2 below);
- that while serving as an Executive Secretary on the Grants Committee you will abide by the Conflict of Interest Rules for that Committee.

Note 1: As part of the grant management process, informing the Chair of the Grants Committee about incomplete or inaccurate applications and, at the direction of the Chair, requesting information and clarification from the applicant, do not constitute favouring or prejudicing applications.

Note 2: As part of the grant management process, providing information or clarification of application guidelines to applicants or potential applicants do not constitute participation in the writing of grant applications."

G.6.c. Procedures with respect to Conflict of Interest Issues

- (i)** All Members of the Grants Committee must abide by the Conflict of Interest Rules set out in this document and as amended from time to time.
- (ii)** All disclosures of conflicts of interest must be submitted in writing to the Chair of the Grants Committee, and will be retained as part of CKAF records.
- (iii)** The course of action to be taken in a direct or indirect conflict of interest shall be that the member will be required to leave the meeting and therefore not be party to discussion or voting on the application in question.
- (iv)** If any conflict of interest becomes apparent during the discussion of the relevant application, the Chair of the Grants Committee will ask the juror to leave the room immediately for the remainder of that discussion.
- (v)** If a member of the Grants Committee failed to make proper prior disclosure of his or her conflict(s) of interest and that omission resulted in a profit or benefit to the member or member's family, the Executive Committee of the KAC shall review the circumstances and if satisfied that the member failed to comply with the applicable Conflict of Interest Rules, then the member may be required to compensate the KAC for the profit or benefit improperly realized.
- (vi)** The Chair of the Grants Committee will oversee compliance with conflict of interest rules pertaining to the Grants Committee adjudication meetings.

- (vii) Any concerns or complaints regarding a potential conflict of interest of a member of the Grants Committee shall be made in writing to the President of the KAC.

G.7. Confidentiality

- G.7.a.** No Grants Committee member may divulge to any person or use in any way not directly related to the activities of the KAC the information contained in the applications for funding, unless an applicant has given express written consent to such disclosure.
- G.7.b.** Any information pertaining to the CKAF obtained during a meeting of the Grants Committee, or a meeting of the KAC Board of Directors or Executive Committee, or from reading any minutes of a meeting of the KAC Board of Directors, Executive Committee, or Grants Committee, is considered confidential.
- G.7.c.** Communication of Jury results and relevant Jury comments will be made via the CKAF Administrator's office only.
- G.7.d** Prior to the ratification by Kingston City Council, results are confidential.
- G.7.e** In order to maintain independence in decision-making, Jury members of the Grants Committee shall not disclose that they have been selected until their names are published when the decisions regarding the allocation of funds are ratified by Kingston City Council.

H. Funding

- H.1.** The KAC Board of Directors anticipates that the amount allocated by the City of Kingston pursuant to the CKAF will increase to \$5.00 per capita over five years for a total of \$586,000 as recommended in the Kingston Culture Plan.
- H.2.** The Fee for Service for administration of the fund is accounted for as part of the Service Level Agreement between the City and the KAC. Based on the recommendations contained in the Kingston Cultural Plan it is anticipated that the Fee for Service will increase by 2% per year over five years, pending Council approval on an annual basis.
- H.3.** The funds received from the City of Kingston for allocation pursuant to the CKAF will be deposited and managed in a separate bank account from which the allocations will be made. Withdrawals from this account must be supported by approved applications for funding and must bear the signatures

of two signing officers of the KAC. See below for details regarding financial arrangements.

- H.4.** Allocations of funds are decided by the Grants Committee Juries. After ratification by the KAC, the Report on the Adjudication of Applications to the CKAF will be forwarded to City Council for ratification of the distribution of CKAF funds.
- H.5.** Upon City Council ratification of the 2015 Report on the Adjudication of Applications to the CKAF, KAC will draw up an agreement with each recipient organization of the 2015 CKAF as decided by the Grants Committee Juries.
- H.6.** An officer of each organization and/or collective receiving a CKAF grant will be required to sign an agreement, recognizing the organization's and/or collective's obligations regarding the use of the funds and reporting requirements. Once the agreements have been signed by both KAC and the recipient organization, KAC will issue a cheque for 100% of their 2015 grant. Evidence of \$5 million liability insurance coverage naming the Kingston Arts Council and the City of Kingston as additional insureds will be required from the organization or collective before the funds are released.
- H.7.** Applicants will not be eligible to receive further CKAF funding until all required reports have been submitted to and accepted by the KAC.
- H.8.** A grant recipient in default of its grant agreement may be required to return funds to the KAC and may be judged to be ineligible for future grants.

I. Financial Plan of the KAC for administrating the CKAF

- I.1.** Responsibility for the financial arrangements rests with the elected Treasurer of the KAC.
- I.2.** A separate bank account shall be set up at the Kingston Community Credit Union in the name of the Kingston Arts Council, designated as the City of Kingston Arts Fund (CKAF) Account and used solely for receiving and disbursing grant funds.
- I.3.** The signing officers on the CKAF Account shall be the same as for the existing KAC Operating and Bingo accounts, and will normally be the President, the Treasurer, the Executive Director and one other director to be chosen by the KAC Executive. Two signatures shall be required on all grants cheques.

- I.4.** The KAC Operating Grant and the Fee for Service, paid by the City of Kingston under the terms of their Service Level Agreement, shall be deposited in the KAC Operating Account, to be used at the discretion of the KAC Treasurer and Board.
- I.5.** Cheques shall be written on the authority of the Grants Director or Administrator(s), based on the decisions of the Juries and upon approval of the KAC Board and City Council.
- I.6.** The KAC bookkeeper will be the bookkeeper for the CKAF Account, and will keep records and provide reports for the Treasurer.
- I.7.** Cheques on the CKAF Account will be commercially printed and the details written directly from the accounting software.
- I.8.** For each grant approved, a cheque will be written for 100% of the total. Applicants will not be eligible to apply for further funding until all required reports have been submitted to and accepted by the KAC.
- I.9.** Bank fees for the maintenance of the CKAF Account shall be paid from the KAC Operating Account.
- I.10.** The bookkeeper will submit invoices for services to the CKAF Program, which will be paid from the KAC Operating Account.
- I.11.** The KAC will arrange to have its annual financial report audited. The auditor for the Grants Account and related papers shall be the same as the auditor for the KAC accounts.
- I.12.** Auditor's fees will be paid from the KAC Operating account.
- I.13.** Any funding unclaimed or returned by grant recipients will be made available to future CKAF granting programs.
- I.14.** Upon approval by City Council of the Plan for Administration of Arts Funding for the Corporation of Kingston (as amended for 2015), the City of Kingston will enter in to Service Level Agreement with the KAC. Once that contract is signed by both parties, the City will provide a cheque for 100% of funds allocated by the City of Kingston for grants through the CKAF. Other payments by the City to the KAC will be paid out according to the terms of the Service Level Agreement.

APPENDIX A

Policy Regarding Non-Profit Eligibility (Operating)

Policy Statement on the Definition of “*Non-profit Arts Organization*” in the CKAF Operating Grant Guidelines

In order to be considered a “*non-profit arts organization*” under the CKAF Operating Grant Guidelines, applicant organizations must meet all the following criteria.

1. The applicant organization mandate or mission must focus on artistic endeavour (either creation or presentation) as the primary objective of the organization.
2. The activities of the applicant organization must be consistent with the artistic focus of the mandate or mission;
3. The applicant organization must be non-profit in orientation.
4. The applicant organization must be either:
 - a. incorporated as a *non-profit arts organization* in and of itself for a period of at least two years; **or**
 - b. a distinct and discrete arts organization, other than an academic unit of an educational institution (see Note 1, below), which has been in operation for at least two years within a parent institution which has been incorporated as a *non-profit organization* for a period of at least two years (see Note 2, below).

Note 1: Normally, academic units of educational institutions will not be eligible.

Note 2: In the case of 4.b. (above), the applicant organization should submit its own discrete audited/reviewed year-end financial statements as specified in the guidelines. If the applicant organization is unable to provide these discrete statements in an audited/reviewed form, but the parent organization has audited/reviewed year-end financial statements that include the financial records of the applicant organization, then these will be accepted, provided that the applicant organization also provides a separate schedule detailing its own discrete records as included in the audited statements. (This schedule must consist of financial statements applicable to the revenues and expenses of the applicant organization; or if a multi-purpose organization is involved, the applicant organization must provide a fully segregated and itemized authorized financial statement accompanied by the financial statement of the multi-purpose organization in which the applicant operations are specifically identified.)

APPENDIX B

Policy Regarding Non-Profit Eligibility (Project)

Policy Statement on the Definition of “*Non-profit Organization*” in the CKAF Project Grant Guidelines

In order to be considered a “*non-profit organization*” under the CKAF Project Grant Guidelines, applicant organizations must meet all the following criteria.

1. The applicant organization must:
 - a. have a component which has an ongoing mandate or mission focussing on artistic endeavour (either creation or presentation) as an objective; **or**
 - b. engage *professional artist(s)* in a *community arts project*.
2. The applicant organization must be non-profit in orientation.
3. The applicant organization must be either:
 - a. incorporated as a *non-profit organization* in and of itself; **or**
 - b. a distinct and discrete arts organization, other than an academic unit of an educational institution (see Note 1, below), within a parent organization which is incorporated as a *non-profit organization* (see Note 2, below).

Note 1: Normally, academic units of educational institutions will not be eligible.

Note 2: In the case of 3b (above), the applicant organization should submit its own discrete audited/reviewed year end financial statements as specified in the guidelines. If the applicant organization is unable to provide these discrete statements in an audited/reviewed form, but the parent organization has audited/reviewed year-end financial statements that include the financial records of the applicant organization, then these will be accepted, provided that the applicant organization also provides a separate schedule detailing its own discrete records as included in the audited statements. (This schedule must consist of financial statements applicable to the revenues and expenses of the applicant organization; or if a multi-purpose organization is involved, the applicant organization must provide a fully segregated and itemized authorized financial statement accompanied by the financial statement of the multi-purpose organization in which the applicant operations are specifically identified.)

APPENDIX C

Glossary of Terms

NOTE:

Terms such as innovation, collaboration, excellence, inclusion, diversity and access can have multiple interpretations. For the purposes of the Plan for Administration of CKAF these terms have not been defined to allow applicants to present their own definitions and the juries to interpret and assess their meaning on a case by case basis as part of the adjudication process.

Artist collective: A group of three or more artists who have come together for the purposes of artistic creation and presentation in a collective artistic endeavour. Collectives are not normally incorporated. Collectives may apply to CKAF through an **eligible sponsor** or apply directly for CKAF funding providing they meet the requirements of the program set out in clause **C.2 Project Grants**. See also **community collective**.

Charitable arts organization: A **charitable organization** whose mandate or mission is focused primarily on artistic creation and presentation.

Charitable organization: To be considered as charitable an organization's purposes must be exclusively and legally charitable and it must be established for the benefit of the public or a sufficient segment of the public. It must also be registered with the Canada Revenue Agency as having charitable status under The Income Tax Act. Organizations so registered are able to issue tax receipts for charitable donations.

Community arts project: Broadly defined, a community arts project involves a collaborative creative process between a professional practicing artist and a community. It is a collective method of art-making, engaging *professional artists* and self-defined communities through collaborative, artistic expression. It is as much about process as it is about the artistic product or outcome. A community arts project provides a unique way for communities to express themselves and enables artists, through financial and other support, to engage in creative activity with communities. This broad definition identifies three elements which separate community arts projects from other methods of art-making:

- the co-creative relationship between artist and community;
- a focus on process as an essential tool for collective, collaborative, mutually-beneficial results;
- the active participation of artists and community members in the creative process.

The source of this definition is Community Arts Ontario. See also **eligible arts project**.

Community collective: A group of three or more individuals who have come together for a specific purpose involving a clearly defined endeavour. Collectives may apply to CKAF through an **eligible sponsor** or apply directly for CKAF funding providing they meet the requirements of the program set out in clause **C.2 Project Grants**. See also **artist collective**.

Co-project: see **joint project**

Deficit: An excess of expenditure over revenue. See also **surplus**.

Eligible arts project: In order to be an **eligible arts project**, a project must fulfill the criteria outlined in section C.2. of this document. Of particular interest is the paid involvement of *professional artists* in the planning, direction, and execution of the project.

Eligible sponsor: Any non-profit or charitable entity located in Kingston, Ontario may act as a *sponsor* to the CKAF Project Grant Program. See also **Sponsor**.

Festival: An organized and regularly recurring period or program of cultural performances, exhibitions, or competitions (often in one place) involving a number of entities (e.g. performing groups, performers, presenters, exhibitors, competitors) focused on a specific cultural or artistic activity.

For-profit partner: A for-profit enterprise collaborating in a project with an eligible non-profit group. See also **surplus** and **deficit**.

Joint Project: A project in which the applicant co-produces a project in an administrative, financial, or artistic manner. Typically, a *joint project* involves each partner taking on a substantial amount of responsibility, though one partner may be the lead partner. A *joint project* may involve both non-profit and for-profit entities, but in order to be eligible to apply to the CKAF, the lead partner or one equal partner must be a non-profit or charitable entity.

Non-profit arts organization: A **non-profit organization** whose mandate or mission is focused primarily on artistic creation and presentation.

Non-profit organization: An organization not conducted or maintained for the purpose of making a profit. Instead, it operates to serve a public good. *Non-profit organizations* are specifically incorporated as such. Any **surplus** generated by a *non-profit organization* is used by the organization for the purposes for which it was established.

Peer assessment: CKAF jury members are arts professionals, practitioners and/or persons who are knowledgeable in the arts with high standing within the arts community. These jurors evaluate funding requests and make decisions to CKAF on who gets grants and in what amounts. *Peer assessment* ensures that the arts

community has a voice in how funds are distributed, and that applications are evaluated by artists and other experts with knowledge and experience of the specific art forms, art practices and communities involved.

Professional artist: Someone who has developed skills through training and/or practice, *and* is recognized as such by artists working in the same artistic tradition, *and* has a history of public presentation or publication, *and* seeks payment for his or her work *and* actively practices his or her art. Short breaks in artistic history are allowed. The source of this definition is the Ontario Arts Council.

Sponsor: A *sponsor* is defined as any non-profit or charitable entity located in Kingston, Ontario, other than the KAC, that may agree to support an artist or community collective that wishes to apply for funding through the CKAF Project Grant Program. As part of the agreement between sponsor and collective the *Sponsor* will receive and disburse project funds on behalf of the applicant/collective. A *Sponsor* may also assist the applicant by securing insurance coverage and agrees to file a final report on a CKAF Project Grant if the collective involved does not provide reports as required. In this scenario the *Sponsor* shares some responsibility for the successful management of the CKAF Project Grant and is expected to provide professional advice and mentorship to the applicant as needed. A *Sponsor* is not intended to gain financially from this agreement but may be reimbursed for out of pocket expenses directly related to the management of the CKAF Project Grant. If otherwise qualified, a *Sponsor* may also apply to receive funding through the CKAF Project Grant Program within the same grant cycle.

Surplus: The amount of money gained from the execution of a project after payment of all eligible expenses. See also **deficit**. In the case of a **joint project**, as a general rule, we would expect that either:

- the non-profit applicant would assume all responsibility for any *surplus* or *deficit* generated by the project; *or*
- the project partners involved would share any *surplus* or *deficit* proportional to their contributions to the project.



January 7, 2015

Colin Wiginton
Cultural Director, Cultural Services
City of Kingston
216 Ontario St.
Kingston, Ontario, K7L 2Z3

RE: City of Kingston Arts Fund (CKAF)
Kingston Arts Council Plan for Administration of Arts Funding for the Corporation
of the City of Kingston in 2015

Dear Colin:

In September, a City of Kingston Arts Fund (CKAF) Review Committee was convened to consider revisions to the KAC Plan for Administration of Arts Funding in preparation for the 2015 grants program. CKAF staff circulated a call out for feedback on the 2014 Administration Plan and received a number of comments and proposals from past applicants and interested parties.

This Committee met on September 15 and 29, and on October 15, 2014.

The Review Committee members were:

Robert Swain, Chair Grants Committee
Colin Wiginton – Cultural Director, Cultural Services
Karen Dolan – KAC Executive Director, member Arts Advisory Committee
Diane Fittell - KAC President
Lynne Kenny (Arts Advisory Committee)
Mike Catlin (2014 Project jury)
Kate Graff Ducharme (2014 Project jury)
Billyann Balay (Operating Grant jury 2014)
Al Rankin (Operating Grant jury 2014)
Ted Worth – CKAF Grants Director
Megan Sirett – CKAF Grants Officer

As a result of the work of the Review Committee, the proposed revisions to the KAC Plan for the Administration of Arts Funding in 2015 are relatively minor. The Review Committee discussions were quite broad reaching however, and touched upon a number of recommendations highlighted last year by the CKAF Review Working Group established through the Arts Advisory Committee.



The Kingston Arts Council Plan for the Administration of Arts Funding in 2015 as initially revised by the KAC Review Committee was previously accepted by the KAC Board of Directors in an e-mail vote last November and was presented to the Arts Advisory Committee in a draft form for discussion and input at their regular meeting on November 20, 2014. Their advice, less one clause, has now been incorporated into the attached document, which represents the Kingston Arts Council's proposed revised KAC Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2015. The one clause discussed and voted on at the AAC, but not included in the attached Plan, would have been set up as clause **G6a vi** in the section **Jurors Conflicts of Interest**.

The clause discussed but not included would have read

(vi) To prevent conflicts of interest and ensure the arm's length character of the peer jury, those employed by or under contract with the City of Kingston are ineligible to serve as voting members of the jury.

The above clause has not been included in the final version of the KAC Plan for a number of reasons. Some of that reasoning would include:

- Over the 8 year history of CKAF we are only aware of one city contract worker who fit this description.
- Currently, for all jurors selected to serve on the Grants Committee, a juror with a conflict of interest is already required to absent themselves from the discussion.
- The Kingston Arts community is a small group, and in populating the juries we would hope to select from as broad a group as possible.
- Current conflict of interest rules used by CKAF extend to family members with a horizon of 2 years. So if we declare a city worker/contractor ineligible for a CKAF jury, this status would continue for two years after their end of their employment/contract and would also make their spouse/partner/child ineligible.

Though the mandate of the Review Committee convened by the KAC is quite specific, I have been asked to convey their interest in seeing the Arts Advisory Committee follow up on a number of the recommendations made and approved in 2013 regarding CKAF. Of particular interest are the recommendations that reference the need to ensure inclusivity, examine best practices, improve reporting and introduce additional funding streams. The Review Committee feels these four recommendations are key at this juncture and would encourage the AAC to develop a plan of action in 2015 that would begin to address these issues in CKAF 2016. (See Report No.124 - ARCP-13-020).

While the Kingston Arts Council and CKAF in co-operation with Cultural Services, is open to the development of new arts programs that target disadvantaged groups in our community, we believe that a wider consultation would be required and that new programs created should not detract from the existing grant programs that have proven so successful over the past eight years.



The next step in our grants process for 2015 is to ask both the City of Kingston's Arts Advisory Committee and the Board of Directors of the Kingston Arts Council to ratify the Plan for Administration of Arts Funding so it can be forwarded to the Arts, Recreation and Community Policy Committee and City Council for final approval vote early in 2015. The Plan for 2015 is attached with this letter and changes made to the 2014 text have been highlighted.

I have asked the Directors of the Kingston Arts Council to accept the attached Plan for Administration of Arts Funding in 2015 at its January meeting. I will make a presentation to the Board, reviewing the changes to the Plan and answering any questions.

I also ask the Arts Advisory Committee to consider the attached Plan for Administration of Arts Funding in 2015 at its January meeting. I would be pleased to make a presentation to the committee, reviewing the changes to the Plan and answering any questions that they may have.

After receiving the approval of the AAC I ask that the Plan for Administration document be then forwarded to the Arts Recreation and Community Policies Committee, in order that it can be considered at their January meeting and then forwarded to Kingston City Council for approval in February 2015.

If these approvals proceed as planned we will maintain a CKAF grants schedule similar to previous years.

Thank you very much for your support. Should you have any questions about this report or the CKAF program, please contact me at the Kingston Arts Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Worth", is written over a horizontal line.

Ted Worth, Grants Director
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