



CITY OF KINGSTON
REPORT TO ARTS, RECREATION AND
COMMUNITY POLICIES COMMITTEE

Report No.: ARCP-12-003

TO: Chair and Members of Arts, Recreation and Community Policies Committee

FROM: Cynthia Beach, Commissioner, Sustainability & Growth Group

RESOURCE STAFF: Brian McCurdy, Cultural Director, Cultural Services Department
Colin Wiginton, Manager, Cultural Services Department

DATE OF MEETING: January 26, 2012

SUBJECT: 2012 City of Kingston Arts Fund

EXECUTIVE SUMMARY:

The Kingston Arts Council has prepared a revised 'Plan for the Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund (CKAF) in 2012'.

This revised administration plan has been developed by a Review Committee convened by the Kingston Arts Council and incorporates input from Kingston Arts Council staff and Board members, former CKAF jurors, City staff and 2011 CKAF applicants as well as the public through various mechanisms.

The revised administration plan has also been approved by the Kingston Arts Council's Board of Directors and has received the support of the Arts Advisory Committee as part of their mandate to monitor the impact and effectiveness of the City of Kingston arts programs and to make recommendations regarding existing programs.

RECOMMENDATION:

THAT the Arts, Recreation and Community Policies Committee accept the revised 'Kingston Arts Council Plan for the Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012' as the basis for a service level agreement with the Kingston Arts Council (KAC) to administer the 2012 City of Kingston Arts Fund on behalf of the City; and

THAT the Arts, Recreation and Community Policies Committee recommend that Council approve the revised 'Plan for the Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012'; and

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THAT the Mayor and Clerk be authorized to enter into a service level agreement acceptable to the Director of Legal Services requiring that the Kingston Arts Council provide for the administration of the City of Kingston Arts Fund for 2012; and

THAT Council appoint two Councillors and a City staff member to participate on each of the review committees in 2012 (the Operating Grants Review Committee for arts organizations and the Project Grants Review Committee for arts projects.)

AUTHORIZING SIGNATURES:

ORIGINAL SIGNED BY COMMISSIONER
_____ Cynthia Beach, P.Eng, MCIP, RPP, Commissioner, Sustainability & Growth Group
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER
_____ Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Lanie Hurdle, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties & Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:

In 2007, Council approved a budget of \$500,000 for the City of Kingston Arts Fund (CKAF). At the request of the City, the Kingston Arts Council (KAC) submitted a business plan to implement the fund. The business plan they submitted was subsequently approved by Council and the KAC established an administration plan and administrative systems with which to facilitate the CKAF each year that includes the following:

- Developing the grant guidelines and application forms;
- Systems for tracking grant applications;
- Organizing information sessions;
- Selecting jurors;
- Facilitating the grant assessment process; and
- Convening an administration plan review committee.

This system has worked extremely well and the KAC has continued to administer the CKAF since that time, distributing approximately \$2.2 million since that time on behalf of the City to a diversity of arts groups and arts organizations across Kingston.

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As part of the agreement with the City, the KAC is required to review the CKAF administration plan each year with an eye toward its continuous improvement. In 2011, the KAC formed a CKAF Review Committee comprised of KAC staff and board members, former CKAF jurors and City staff. At the same time the KAC also sought input from a wider representation of former CKAF jurors and 2011 CKAF applicants as well as the public through various mechanisms, including the KAC website and through their ArtsBuzz communications.

The CKAF Review Committee was convened by the KAC in September 2011 and was asked to review, discuss and revise the administration plan as deemed necessary based on their experience and expertise and based on the input received by the KAC through other sources. This work was completed in November 2011 after a total of four meetings and resulted in a number of modifications being made to the administration plan for 2012, including modifications in the following key areas:

- **Introduction and Overview – The City of Kingston Arts Fund** - has been substantially revised and re-written to better reflect the changes in funding that have occurred in relation to the implementation of the Kingston Culture Plan.
- C.1.g. Grant Size – “normal” Operating Grant maximum is now listed at \$75,000/annum to reflect current practice.
- C.2.c. **Eligibility** – artist or community collective will now be defined as being comprised of three individuals. Unincorporated collectives will also be able to apply directly to the Arts Fund (without a Sponsor) providing they meet certain conditions (Insurance, Bank Account, References, Reports) – see C.2.d.
- C.2.d. – the Sponsor would be responsible for completion of final reports if the collective does not provide them.
- C.2.f. – the language has been clarified to indicate that no individual artist grants are to be awarded in 2012.
- H.1. and H.2. have been re-written to better match the revised text included in the Introduction and Overview.
- I.14. this paragraph has been updated to reflect the fact the Kingston Arts Council will be required to sign a Service Level Agreement related to the funding it receives directly as well as the funding it disperses on behalf of the City.
- Appendix C – **Artist collective, Community collective** and **Sponsor** have been re-written to clarify the role of the different roles and requirements of these groups.

As a next step, the revised version of the Plan for Administration of the Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012 was submitted to the KAC’s Board of Directors for approval. This approval was provided by the KAC’s Board of Directors at their meeting held on November 22, 2011.

In 2011, the Arts Advisory Committee also participated in the review of the administration plan on behalf of the City of Kingston as part of their mandate to monitor the impact and effectiveness of the City of Kingston Arts Programs and to make recommendations regarding existing programs. At their September 2011 meeting, Jocelyn Purdie was appointed on behalf of the Arts Advisory Committee to participate as a member of the CKAF Review Committee convened by the KAC. At subsequent meetings of the Arts Advisory Committee Ms. Purdie

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provided updates about the work being done to revise the administration plan and sought feedback that he took back to the Review Committee.

Following the approval by the KAC's Board of Directors, the administration plan was brought forward to the Arts Advisory Committee for discussion at their meeting held on early December 8, 2011 and the following motion was passed:

City of Kingston Arts Fund [CKAF]

*Moved by Councillor Schell
Seconded by Mr. Gage*

***THAT** the Arts Advisory Committee support the revised Kingston Arts Council Plan for Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012.*

CARRIED

The final, revised version of the Kingston Arts Council Plan for Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012 has been attached to this report as Exhibit B.

EXISTING POLICY/BY LAW:

The agreement between the City of Kingston and the Kingston Arts Council includes a policy that the administration of the City of Kingston Arts Fund be reviewed on an annual basis.

NOTICE PROVISIONS:

N/A

ACCESSIBILITY CONSIDERATIONS:

N/A

FINANCIAL CONSIDERATIONS:

In 2007, Council approved a budget of \$500,000 for the City of Kingston Arts Fund through the Cultural Services department. Each year the Kingston Arts Council receives \$50,000 to administer the fund along with an additional \$20,000 as an Operating Grant, since they are not eligible to apply for any additional funding through CKAF. Approximately \$430,000 in funding remained available each year to be distributed to arts groups and arts organizations within the Kingston community. In 2011, the financial relationship between the City of Kingston and the Kingston Arts Council changed as a result of Council's approval of the Kingston Culture Plan. Funding for CKAF and the KAC was split into two different envelopes within the Cultural Services department's operating budget, which means that \$480,000 is available to be distributed as grants through CKAF and support for the KAC has increased to \$100,000 (\$50,000 to administer the CKAF fund; \$20,000 as an operating grant through CKAF; and

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\$30,000 in additional funding through Cultural Services department's own operating budget). These amounts have all been approved as part of the 2012 operating budget for Cultural Services.

CONTACTS:

Cynthia Beach, Commissioner, Sustainability & Growth	613-546-4291 ext. 1150
Brian McCurdy, Cultural Director	613-546-4291, ext. 1354
Colin Wiginton, Manager, Cultural Services	613-546-4291, ext. 1357

OTHER CITY OF KINGSTON STAFF CONSULTED:

Alan McLeod, Senior Legal Counsel	613-546-4291, ext. 1237
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EXHIBITS ATTACHED:

Exhibit A - Letter from Ted Worth, Grants Director, Kingston Arts Council

Exhibit B - 'Kingston Arts Council Plan for Administration of Arts Funding for the Corporation of the City of Kingston Arts Fund in 2012'

31 December 2011

Brian McCurdy
Cultural Director, Cultural Services
City of Kingston
216 Ontario St.
Kingston Ontario K7L 2Z3

RE: Report on the City of Kingston Arts Fund
December 31, 2011

Dear Brian:

The Kingston Arts Council/City of Kingston Arts Fund has completed the 2011 grants program and this letter reports on some the highlights of our activities on behalf of CKAF.

- **The City of Kingston Arts Fund** – In June 2011 the City issued one cheque in the amount of \$580,000.00 representing the City's 2011 total allocation to CKAF. These funds were used as follows:
 - 2011 Operating Grants to 10 arts organizations were approved in the amount of \$335,000. (Please see attached Grant Stats).
 - 2011 Project Grants were approved for 18 organizations in the amount of \$145,000.
 - Kingston Arts Council received \$50,000 as a fee for service in the administration of CKAF.
 - Kingston Arts Council received \$50,000 as an Operating Grant.
 - There is an amount of \$ 10.99 remaining in the Fund from the 2010 allocation of funds. (Please see attached Grants Report December 31).
- **Interest due** to the City of Kingston increased from \$82.39 in my September 30, 2011 report to \$90.74 as at December 31, 2011.
- **Schedule** – The City of Kingston Arts Fund grants for 2011 were approved by City Council at their regular meeting held June 21 and announced in a Press Release issued on June 22, 2011. This announcement was made one month earlier than last year and is our best schedule since the start of the Arts Fund in 2007. (Please see the attached Timetable.)
- **Workshops** KAC Arts Fund staff presented the following workshops to assist potential CKAF applicants:
 - How to Draft a Budget for Arts Grants – Thursday February 17th.
 - Producing Financial Statements for your Arts Organization – Tuesday March 22nd.

- **Information Sessions** - KAC Arts Fund staff held information sessions to promote the CKAF program as follows:
 - Operating Grants – Thursday March 10th
 - Project Grants – Tuesday March 15th.
- **Grants Payable – Groups currently suspended from funding** - The Arts Fund program withholds funds from groups that have Agreement, Insurance or reporting issues still outstanding:
 - In 2007 a small incorporated organization sponsored a group of their members to present a community youth event in 2008. A satisfactory Final Report is still outstanding at December 31 in spite of our requests to the group. The final 10% (\$950) of the original grant is still held by the Arts Fund and will be re-allocated to the 2012 Arts Fund program.

The Kingston Arts Council has a mandate to review CKAF on an annual basis and is always open to receive advice from artists, individuals and organizations. Each year as part of the review process CKAF asks for input on the application and adjudication procedures that might be improved for the following year.

This fall we sought input from Jurors, City Councillors (who had been part of juries), city staff, 2011 applicants and also announced our review process through the Arts Council's ArtsBuzz communications and on the KAC web-site. Four review meetings were held: September 22, October 6, 27, November 17, 2011 at the Arts Council office.

The Review Committee Members this year were:

- Craig Walker - Chair of the Grants Committee
- Jocelyn Purdie – Chair of the Arts Advisory Committee
- Colin Wiginton - Manager, Cultural Services
- Bill Penner – Project Grants Committee 2010, 2011
- Michèle LaRose – Operating Grants Committee 2010
- Danuszia Mordasiewicz – Kingston Arts Council Board
- Ted Worth - Grants Director
- Sayyida Jaffer - Grants Officer

Key sections or elements that have been changed in the 2012 Plan for Administration:

- A. Introduction and Overview – The City of Kingston Arts Fund - has been substantially revised and re-written to better reflect the language in the KAC/City contract.
- C.1.g. Grant Size – “normal” Operating Grant maximum is now listed at \$75,000/annum to reflect current practice.
- C.2.c. Eligibility – artist or community collective will now defined as 3 individuals. Unincorporated Collectives will be able to apply directly to the Arts Fund (without a Sponsor) providing they meet certain conditions (Insurance, Bank Account, References, Reports) – see C.2.d.
- C.2.d The Sponsor will be responsible for completion of final reports if the collective did not provide them.

- C.2.f. – the language is clarified – No individual artist grants in 2012.
- C.2.j.–iii - the Final Report deadline has been simplified.
- H.1. and H.2. are re-written to better match the text in the Introduction and the KAC/City contract.
- H.8. - additional potential consequence for groups in default of the grant agreement.
- I.14. this paragraph has been updated.
- Appendix C – Artist collective, Community collective and Sponsor have been re-written to clarify the different roles and requirements of these groups.

The Plan for Administration of Arts Funding in 2012 was presented to the Kingston Arts Council board of directors at a regular meeting held November 22, 2011 - the Administration Plan was passed unanimously.

The Plan for Administration of Arts Funding in 2012 was then sent to the Arts Advisory Committee, and received their approval on December 8, 2011. I understand it will now go forward to the Arts Recreation and Community Policies committee in late January 2012 and should be able to proceed to City Council for approval shortly thereafter.

Thank you very much for your support over the past year and the Kingston Arts Council looks forward to continuing this relationship in 2012. Should you have any questions about this report or the CKAF please contact me at the Kingston Arts Council.

Sincerely,



Ted Worth, Grants Director
613-546-2999

Cc: Colin Wiginton, Manager Cultural Services
Elizabeth Cashman, Administrative Assistant
Sayyida Jaffer, KAC Grants Officer

Encl: KAC Plan for Administration of Arts Funding for the Corporation of the City of Kingston in 2012.

Grants Payable December 31-2011
CKAF Grants Report - Applications Funded 2011

**CITY OF KINGSTON ARTS FUND 2011
Statistical Analysis of the proportion of
Applications Funded**

Project Grants	2007	2008	2009 **	2010	2011
Grants Requested	\$ 373,685.72	\$ 387,190.00	\$ 394,718.23	\$ 237,500.00	\$ 361,006.65
Grants Recommended	\$ 130,000.00	\$ 135,300.00	\$ 133,050.00	\$ 130,000.00	\$ 145,000.00
Applicants Requesting Funding	32	32	36	23	30
Applicants Recommended for Funding	17	17	16	18	18
Requests as a % of available funds	287%	286%	297%	183%	249%
% of Applicants to receive funding	53.1%	53.1%	44.4%	78.3%	60.0%
% of Applicants declined	46.9%	46.9%	55.6%	21.7%	40.0%
% of Requested Funding granted	35%	34.9%	33.7%	54.7%	40.2%
Average Grant	\$7,647	\$7,959	\$8,316	\$7,222	\$8,056

Operating Grants	2007	2008	2009	2010	2011
Grants Requested	\$ 535,000.00	\$ 424,500.00	\$ 491,500.00	\$ 398,500.00	\$ 427,860.00
Grants Recommended	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 318,300.00	\$ 335,000.00
Applicants Requesting Funding	14	12	14	11	12
Applicants Recommended for Funding	8	9	9	9	10
Requests as a % of available funds	178%	142%	164%	125%	128%
% of Applicants to receive funding	57.1%	75.0%	64.3%	81.8%	83.3%
% of Applicants declined	42.9%	25.0%	35.7%	18.2%	16.7%
% of Requested Funding granted	56.1%	70.7%	61.0%	79.9%	78.3%
Average Grant	\$37,500	\$33,333	\$33,333	\$35,367	\$33,500

** First year - one grant rule

**Kingston Regional Arts Council
City of Kingston Arts Fund**

Grants Report December 31 - 2011

1/12/2012

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City of Kingston Arts Fund as at 12/31/2011		
	Balance of CKAF - Held at 9/30/2011	Total
	Grants Awarded - not paid out	\$ 64,400.00
	Funds - not yet awarded	10.99
	Interest earned Jan 1 - Sept 30, 2011	82.39
	City of Kingston Arts Fund - Total at September 30, 2011	\$ 64,493.38
		\$ 64,493.38
	Funds received in the period Oct 1 - Dec 31, 2011	
	none	\$ -
	Total Funds Received - Current Period (Oct 1 - Dec 31, 2011)	\$ -
		\$ -
	CKAF - grants paid out in the period Oct 1 - Dec 31, 2011	
10/11/2011	Corridor Culture (The People's Theatre Kingston)	8,500.00
10/12/2011	Tone Deaf Festival (Kingston School of Art/Window Gallery)	14,950.00
10/14/2011	Le Centre culturel Frontenac	18,000.00
11/17/2011	Live Wire Music Series	5,000.00
		\$ -
	CKAF Grants and Fees paid out in the period Oct 1 - Dec 31, 2011	\$ 46,450.00
		\$ 46,450.00
	Interest earned by the City of Kingston Arts Fund - Oct 1 - Dec 31, 2011	
	October 2011 - Interest earned	\$ 6.59
	November 2011	\$ 0.95
	December 2011	\$ 0.81
		\$ -
	Additional Interest payable to the City of Kingston Arts Fund - Dec 31, 2011	\$ 8.35
		\$ 8.35
	City of Kingston Arts Fund - Total at December 31, 2011	\$ 18,051.73

**Kingston Regional Arts Council
City of Kingston Arts Fund**

Grants Report December 31 - 2011
1/12/2012

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Accounts Payable			
	CKAF Grants unclaimed as at December 31, 2011		
2008	Katarokwi Native Friendship Centre - Katarokwi Community Youth Pow Wow 2008	\$ 950.00	**
2011	Kingston Jazz Society	\$ 6,000.00	
2011	Kingston Punk Productions (Ontario Public Interest Research Group)	\$ 5,000.00	
2011	Push It - OPIRG Kingston Hip Hop Festival	\$ 6,000.00	
	Other CKAF funds as at December 31, 2011		
	Funds received from City of Kingston April 2010 - not yet awarded	\$ 10.99	
	Interest Due to City of Kingston Arts Fund	\$ 90.74	
	City of Kingston Arts Fund - Total at December 31, 2011	\$ 18,051.73	\$ 18,051.73
	** Final 10% of 2007 CKAF Grant		



**Kingston Arts Council Plan
for Administration of Arts Funding
for the Corporation of the City of Kingston in 2012
Final Version**

**Approved by the Board of
The Kingston Arts Council**
November 22, 2011

**Approval by
City of Kingston:**

Arts Advisory Committee
December 8, 2011

Arts, Recreation and Community Policies Committee
?

City Council
?

**Kingston Arts Council Plan for Administration of Arts Funding
for the Corporation of the City of Kingston Arts Fund in 2012
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Kingston Arts Council Plan for Administration of Arts Funding in 2012

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

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 2012. Please find enclosed the following:

- The KAC Plan for the Administration of Arts Funding for the Corporation of the City of Kingston in 2012;
- 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).

Since its inception, the total funding available under the CKAF program was \$500,000 each year and Council approved this amount as part of the annual budget deliberation process. Each year the KAC submitted a business plan to administer the program and received a fee of \$50,000 for this work. The KAC also received an operating grant of \$20,000 that was deducted from the funding since it was ineligible to apply to the CKAF program due to a conflict of Interest. For the first four years of this Program, the Operating Grant Program awarded approximately \$300,000 and the Project Grant Program awarded approximately \$130,000 on an annual basis.

The financial relationship between the City of Kingston and the Kingston Arts Council changed in 2011 as a result of Council's approval of the Kingston Culture Plan in September 2010. Funding for CKAF and the KAC was split into two different envelopes within the Cultural Services department's operating budget, which lead to the following changes:

- the funds available for distribution as grants through CKAF increased to \$480,000; and
- support for the KAC increased to \$100,000 that included
 - \$50,000 to administer the CKAF fund,
 - \$20,000 as an operating grant through CKAF and
 - \$30,000 in additional funding through Cultural Services department's own operating budget.

In 2012, it is anticipated that this new financial relationship will be formalized in the form of a Service Level Agreement between the City of Kingston and the KAC.

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.

For the KAC this funding helps to build its capacity and strengthens its ability to administer CKAF in a consistently fair, equitable and professional manner. 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 Administration Plan 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 five years.

The added administrative capacity of the KAC and increased interaction with *non-profit arts organizations, non-profit organizations and collectives* who apply for grants will contribute greatly to the development of Kingston's vibrant arts scene and cultural life, by bringing arts organizations together via potential partnerships and sharing information and resources.

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.

B. The City of Kingston Arts Fund

B1. Objectives

The objectives of CKAF are to nurture the capacity and quality of the arts in Kingston while fostering artistic excellence, stimulating economic development related to the arts, enhancing Kingston's quality of life for its citizens and attractiveness as a community, and aligning Kingston's arts funding with that of comparable cities.

By providing financial assistance to *non-profit arts organizations* and *collectives* within the Kingston arts community, the CKAF will:

- B.1.a.** support excellence across a spectrum of artistic disciplines;
- B.1.b.** encourage public awareness, understanding and appreciation of the arts in the City of Kingston and beyond;
- B.1.c.** increase access to quality local arts programming;
- B.1.d.** encourage community engagement with the arts;
- B.1.e.** encourage diversity;
- B.1.f.** encourage innovation;
- B.1.g.** cultivate a range of artistic endeavours and resources for the enhancement of the arts sector and for the benefit of the City as a whole.
- B.1.h.** bring provincial, national and international recognition to Kingston as a centre for the arts.

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

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

C.1.a. Purpose of Operating Grants

The purpose of Operating Grants is to support the stability, flexibility and leveraging capacity for diverse funding opportunities for arts organizations fulfilling a significant role in the Kingston community. Operating Grants will support core expenses and programming costs.

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 normally Operating Grants will have a \$10,000/annum minimum and a \$75,000/annum maximum. 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.

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. Purposes of Project Grants

The purposes of Project Grants are to support the creation and presentation of arts projects of merit which strengthen the Kingston community; to foster a dynamic artistic life and support the development of artists and their work in Kingston; to encourage new arts initiatives; to provide artistic experiences for audiences; and to enhance the civic identity, quality of life, economic prosperity and reputation of the City.

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* (including a *community arts project*) groups must be located in the City of Kingston and be:

- (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.
- (v) Organizations receiving CKAF Operating Funds may not be part of a *Co-Project/Joint Project*.

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.)

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*.

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.

C.2.j. Reporting Requirements

- (i) For all organizations receiving Project Grant funding from the 2012 CKAF program, an Interim Report will be required by 31st December 2012.
- (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, 2013, 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) excellence of artistic program;
- (ii) compatibility of the organization's objectives with those of CKAF;
- (iii) effectiveness of the organization's strategies in achieving its objectives;
- (iv) fulfillment of a clear contribution to and role within the Kingston community, including the engagement of the community in governance, and as collaborators, supporters, volunteers or audiences;
- (v) effectiveness in administrative and financial procedures, including appropriate compensation and professional practices in the management of artists and staff;
- (vi) initiative and success in generating revenue outside of the CKAF;
- (vii) the ability to measure the success of its activities and programs on an ongoing basis and the commitment to make the results of these measurements available to interested stakeholders.
- (viii) the development and pursuit of innovation in its programming and activities.

D. 2. Project Grant Program

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

- (i) artistic excellence;
- (ii) innovation
- (iii) compatibility of the project's objectives with those of CKAF;
- (iv) fulfillment of the applicant's mandate and artistic strategies;
- (v) benefit to the community;
- (vi) increased public awareness and appreciation of the arts in Kingston;
- (vii) the capacity to realize the proposed project;
- (viii) the ability to make efficient use of existing resources.
- (ix) a commitment to the development of the artist (or artists) and the art form, and,
- (x) a commitment, where appropriate, to engage *professional artists*;

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) be committed to artistic excellence;
- (ii) be committed to fiscal responsibility;
- (iii) be committed to community development;
- (iv) have an understanding, interest and appreciation of the arts and their diversity;
- (v) bring vision, open-mindedness and generosity of spirit to the deliberations;
- (vi) declare conflicts of interest;
- (vii) provide fair and objective opinions.

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.

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 for 2012 shall be at least \$480,000, with the understanding that this amount 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 will be at least \$50,000 based on past precedents. The KAC will also receive an additional \$20,000 as an Operating Grant through CKAF and \$30,000 in additional funding through the Operating Budget of the Cultural Services department for a total amount of \$100,000 in funding that is anticipated to 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 2012 Report on the Adjudication of Applications to the CKAF, KAC will draw up an agreement with each recipient organization of the 2012 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 2012 grant. Evidence of \$2 million liability insurance coverage naming the Kingston Arts Council and the City of Kingston as additional insureds will be required from the organization 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 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, shall be deposited in the 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 2012), the City of Kingston will enter in to a contract for services agreement with KAC. Once that contract is signed by both parties, the City will provide cheque(s) as follows: one for 100% of the KAC basic operating grant; one for 100% of the Fee for Service; one for 100% of grants awarded through the CKAF.

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 a 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

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.