

APPENDIX A

Legal Requirements and OAC Rules

Preface

All applicants must read this section. It discusses what is required of applicants by law and by the rules of the Ohio Arts Council and will help you understand how to apply for funding. You must meet these requirements to enter the OAC funding process. However, because all OAC programs are competitive, meeting these requirements does not ensure your activity will be funded. Applications are scored and ranked according to how well they meet the criteria listed in these guidelines under each program area. Refer to information about the program from which you are requesting funds.

The Ohio Arts Council is governed by the R.C. Chapter 3379 and O.A.C Chapter 3379. The information contained in Guidelines 2007-2008 is for the use of the Ohio Arts Council in administering its business and for persons who wish to understand the Council's services and programs. The information in Guidelines is not a set of rules that is intended to be, or can be, legally binding upon the Ohio Arts Council, nor does it create any rights for persons or organizations dealing with the Ohio Arts Council.

Guidelines 2007-2008 contains general statements that the Council intends to follow so far as it is practical to do so. The Ohio Arts Council makes all determinations as to what information should be in Guidelines and how the information is to be administered and used. The Ohio Arts Council may expand, abolish or suspend any part of these guidelines to advance the business of the Council.

The Ohio Arts Council Board, by the actions of its members, is the only body empowered to award or deny grants. The board retains the right to adjust, amend or cancel grant awards to ensure the proper administration of its business and purpose.

Nondiscrimination

The Ohio Arts Council complies with all local, state and federal laws and regulations concerning civil and human rights. OAC programs, grants and employment practices are free of discrimination based on race, gender, color, religion, national origin, disability or age.

Applicants receiving funding from the OAC must comply with rules including, but not limited to, the following:

- All federally funded programs, services and benefits that are administered, authorized and participated in by the Ohio Arts Council, its subgrantees, delegate agencies, contractors, providers or other participants shall be operated in accordance with the nondiscriminatory requirements pursuant to Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990 and, where applicable, the Omnibus Budget Reconciliation Act of 1981.
- No individual shall, on the grounds of race, color, national origin, disability, age, sex or religion, be excluded from participation in, be denied benefits of or be otherwise subjected to discrimination under any program, service or benefit advocated, authorized or provided by the State of Ohio. In addition, the Ohio Arts Council has adopted a policy of nondiscrimination based on sexual orientation for its programs, grants and employment practices.

Disclosure

Information solicited through the application form is crucial for policy development and planning for the State of Ohio and the federal government. Please supply the requested information. Here are two important requirements and ways the information is used:

Collected information is shared with the National Endowments for the Arts and the Humanities to determine trends and establish statistical data. Section Five of the National Foundation for the Arts and Humanities Act of 1965, as amended, authorized the endowments, which comply with the Privacy Act of 1974, to request information for use in application processing and in trend analysis and statistical research. The Ohio Arts Council responds to NEA requests for information.

The Ohio Arts Council, as a grantee of the National Endowment for the Arts, ensures compliance with Title VI of the Civil Rights Act of 1964 by requesting information and advice about specific constituencies. For the Ohio Arts Council, those constituencies include Black/African Americans, Appalachians, Asians, Latinos/Hispanics, Native American Indians, persons with disabilities and seniors aged 62 or older. Members of various ethnicities and cultures including, but not limited to, Black/African Americans, Appalachians, Asians, Hispanics/ Latinos, American Indian/Alaskan Natives and Native Hawaiian/Pacific Islanders.

Ownership of Intellectual Property

The OAC does not own, collect royalties on or hold copyrights to artistic products resulting from its grants nor will it take any action on behalf of the grantee to protect the grantee's intellectual property rights. The OAC does, however, have legal authority to reproduce and use documentation of such products for educational, promotional, official or noncommercial purposes, both electronically and in print.