

1900.0310 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of this chapter, the following terms are defined as indicated unless otherwise specified.

Subp. 2. **Advisory panel or panel.** "Advisory panel" or "panel" means a group of citizens appointed by the board to review and make recommendations on grants and other forms of assistance offered by the board, or to make recommendations on public arts policy matters.

Subp. 3. **Applicant.** "Applicant" means any individual who submits an application for a grant, or any group, organization, department or agency of the state, or political subdivision on whose behalf an application for a grant is submitted.

Subp. 4. **Application.** "Application" means the official form or forms supplied by the board, and any required attachments and work samples as described in the program information for each program.

Subp. 4a. **Artist service organization.** "Artist service organization" means an arts organization or affiliate that plays a significant supporting role in service to professional artists by providing technical, management, marketing, or operational services. The following are not "artist service organizations" for the purposes of Arts Board grant programs:

- A. service or trade organizations whose mission is focused on supporting arts organizations;
- B. management and consulting services for nonprofit organizations; or
- C. service organizations whose mission is focused on building community or audiences for a specific art form, geographic community, or community of interest.

Subp. 4b. **Arts affiliate.** "Arts affiliate" means a distinct program or division within a public or nonprofit Minnesota nonarts organization that satisfies all of the following:

- A. has an arts-focused mission;
- B. demonstrates charitable support from multiple sources other than the host organization;
- C. provides programming or services that are intended for the public rather than the host organization or its constituents; and
- D. arts programming or services represents at least 90 percent of its annual operating expenses.

Subp. 4c. **Arts organization.** "Arts organization" means a nonprofit organization that has an arts-focused mission and for which arts programming or services represents at least

60 percent of the organization's annual operating expenses. For the purposes of this chapter, arts organization does not include:

- A. public or private primary or secondary schools;
- B. colleges or universities;
- C. radio or television stations;
- D. libraries;
- E. zoos;
- F. children's museums;
- G. historical societies or museums;
- H. other nonart museums;
- I. civic organizations;
- J. human service organizations; or
- K. other community service agencies.

Subp. 5. **Board.** "Board" means the governing body of the State Board of the Arts.

Subp. 6. **Certified audit.** "Certified audit" means an audit completed by an independent auditor who meets the independence standards specified in the General Accounting Office's "Standards for Audits of Government Organizations, Programs, Activities, and Functions." The reporting requirements for audit reports shall be in accordance with the American Institute of Certified Public Accountants' (AICPA) audit guide incorporated by reference as the Statement of Financial Accounting Standards (S.F.A.S. notes #116 and #117). This publication is available from the State Law Library. The publication is not subject to frequent change.

Subp. 6a. **Community arts schools and conservatories.** "Community arts schools and conservatories" means an arts organization or arts affiliate with open enrollment that provides arts instruction to individuals of varying ages or abilities.

Subp. 7. **Equipment.** "Equipment" means an article of nonexpendable, tangible property, or a combination of articles, having a useful life of more than one year.

Subp. 7a. **Event.** "Event" means:

- A. a performance, exhibition, or screening intended for an audience; or
- B. a workshop or class the primary purpose of which is teaching an arts skill or developing an appreciation for the arts.

Subp. 8. **Fiscal agent.** For the purposes of parts 1900.0110 to 1900.2210, "fiscal agent" means any Minnesota nonprofit organization that is responsible to the board on behalf of an organization, individual, or group not meeting the nonprofit tax-exempt requirements.

Subp. 9. **Grant.** "Grant" means the award of funds by the board to an applicant to be used for the purposes described in the application. The grant is not effective until a grant agreement has been fully executed.

Subp. 10. **Individual artist or artist.** "Individual artist" or "artist" means a single professional artist working alone or, for a limited time, with other artists.

Subp. 11. **Nonprofit organization.** "Nonprofit organization" means either:

A. institutions that are exempt from taxation under section 501(c)(3) of the Internal Revenue Code; or

B. public institutions including schools, local or tribal governmental entities, and departments and agencies of the state.

Subp. 12. **Other forms of assistance.** "Other forms of assistance" means services and activities, other than grant programs, which foster the development of the arts in Minnesota. These may include workshops, conferences, directories, or programs jointly sponsored or administered with other entities including federal, state, or nonprofit organizations.

Subp. 13. **Person of color.** "Person of color" means an individual who identifies with or is recognized as belonging to one (or a combination) of the following racial groups: Black/African American; Asian; Native Hawaiian/Pacific Islander; Hispanic/Latino; or Native American/Alaskan Native.

Subp. 14. **Presenting activities.** "Presenting activities" means tasks associated with the engaging of artists, touring companies, or exhibitions that are external to the institution. The tasks must demonstrate curatorial vision and programming that is connected to the institution's mission and community, and consist of significant activities beyond providing a venue for the outside art or artists.

Subp. 15. **Producing activities.** "Producing activities" means tasks associated with the conception or creation of an artistic work and the assembly of the artistic elements for its production, performance, or exhibition.

Subp. 15a. **Professional artist.** "Professional artist" means a person who considers the creation of art to be a primary endeavor.

Subp. 16. **Program information.** "Program information" means any document issued describing programs and services of the board which includes instructions, application forms, deadlines, and other aids for the applicant seeking assistance.

Subp. 17. **Regional arts council.** "Regional arts council" means one of the grassroots, autonomous organizations designated by the board to assess regional needs, plan and administer programs, and make final decisions on the utilization of its share of the legislative arts allocation granted to the regional arts councils by the legislature.

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