

1900.1010 ELIGIBILITY REQUIREMENTS FOR APPLICANTS REQUESTING GRANTS OR OTHER FORMS OF ASSISTANCE.

Subpart 1. **Eligibility requirements; kinds.** General eligibility requirements must be met by all applicants who request grants or other forms of assistance. Other requirements depend on whether the applicant is an organization or an individual artist. Further eligibility requirements specific to the program are described in parts 1900.1510 to 1900.2210.

Subp. 2. **All applicants.** An application shall not be eligible to be funded when one or more of the following activities, conditions, or use of funds exist or are proposed:

A. artists are required to pay excessive entry or exhibition fees in order to exhibit or perform in the project or program for which funding is sought;

B. funds are requested for payment of debts incurred before the grant activities begin;

C. funds are requested to support activities that are essentially for the religious socialization of the participants or audience;

D. funds are requested to support activities in primary or secondary level parochial schools;

E. funds are requested for activities that attempt to influence any state or federal legislation or appropriation;

F. funds are requested to pay for capital costs, such as improvements, construction, property, equipment costing more than \$5,000, or endowment funds;

G. the application form and all required materials are not received in the arts board office by 4:30 p.m. on the deadline date specified in the program information;

H. the applicant has any overdue reporting requirements as specified in a previous contract with the board;

I. the applicant is not in compliance with any active contract with the board; or

J. the applicant does not make all events open to the general public or whenever feasible, does not establish admission charges for the events.

Subp. 3. **Organizations.** The applicant must conform to the definition of an organization in part 1900.0310, subpart 11. If not, with prior written approval from the board or its designee, a fiscal agent must be identified.

Subp. 4. **Fiscal agent duties.** If a fiscal agent is identified in accordance with subpart 3, the fiscal agent must enter into a written agreement with the applicant that includes a description of both parties' responsibilities, and, if a grant is received, sign the grant contract. The fiscal agent shall be legally responsible for the completion of the grant activity and for the proper management of the grant funds.

Subp. 5. **Individual artist.**

A. The applicant must conform to the definition of an individual artist under part 1900.0310, subpart 10.

B. The applicant must be a United States citizen or have attained permanent resident alien status.

C. The applicant must be at least 18 years old unless the funding source explicitly permits grants or other forms of assistance to persons under 18 years of age or unless otherwise specified under parts 1900.1510 to 1900.2210.

D. The applicant, unless otherwise specified under parts 1900.1510 to 1900.2210 must be a Minnesota resident according to the principles described in the determination of residence under Minnesota Statutes, section 200.031, and demonstrated by evidence including:

- (1) possession of a valid Minnesota driver's license;
- (2) legal documentation of occupancy and home ownership or rental of a dwelling in Minnesota for at least six months prior to the application deadline;
- (3) employment in Minnesota for at least six months immediately prior to the application deadline; or
- (4) payment of Minnesota income taxes.

E. The applicant must not engage in or propose to engage in any of the activities, conditions, or uses of granted funds listed in subitems (1) to (7):

- (1) covering the costs of activities involving any organization which is the applicant's employer;
- (2) paying for tuition, fees, or work toward any degree;
- (3) paying for the translation of literary work;
- (4) developing curriculum plans, teaching materials, or teaching programs which are intended to be used in the applicant's regular course of employment;
- (5) covering the costs of relocating the applicant's legal residence outside the state of Minnesota;
- (6) paying for the establishment of an arts organization; or
- (7) paying for publishing with a vanity press.

Subp. 6. **Additional requirements.** Additional requirements are identified in the specific program parts listed in items A to C.

- A. Pilot or new programs, part 1900.1410.

B. Grant programs:

- (1) part 1900.1510, Institutional Support;
- (2) part 1900.1620, Arts Across Minnesota;
- (3) part 1900.1710, Presenter Support;
- (4) part 1900.1810, Folk Arts: Apprenticeships and Sponsorship;
- (5) part 1900.1910, Artist Assistance: Fellowship, Career Opportunity Grants, and Cultural Collaborations;
- (6) part 1900.2010, Arts in Education: School Support, and Organizational Support.

C. Other forms of assistance:

- (1) part 1900.2110, Juried Listings (Folk Arts Directory and Arts in Education Roster of Artists);
- (2) part 1900.2210, Percent for Art in Public Places.

Statutory Authority: *MS s 129D.04*

History: *21 SR 5; 23 SR 1380; 25 SR 1653*

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