

APPENDIX A

Legal Requirements and OAC Rules

As an applicant for OAC funding, you are required to read this section, which will help you understand the specific requirements you must meet and the rules you must follow in order to enter the OAC funding process. However, because all OAC programs are competitive, meeting these requirements does not guarantee that your activity/application will be funded. Applications are scored and ranked according to how well they meet the criteria listed in the *Guidelines* under each program area. For more information, please refer to the *Guidelines* section about the program for which you are requesting funds.

OAC GUIDELINES

The OAC is governed by Chapter 3379 of the Ohio Revised Code and the Ohio Administrative Code. Information regarding these codes is available at: <http://codes.ohio.gov/>.

The information contained in the OAC *Guidelines* 2012-2013 is meant to explain agency programs, services and policies. The information is not a set of rules that is intended to be, or can be, legally binding upon the OAC, nor does it create any rights for persons or organizations dealing with the OAC. The *Guidelines* contain written assistance for applicants that will be applied so far as it is practical to do so.

The OAC may expand, abolish or suspend any part of these *Guidelines* to advance the business of the council. The OAC board makes all determinations as to what information should be in the *Guidelines* and how the information is to be administered and used. The OAC 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 the OAC's business and purpose.

NONDISCRIMINATION

The OAC 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, sexual orientation, sex, gender identity, military status 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 OAC 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, gender, color, national origin, disability, sexual orientation, gender identity, military status, 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.

DISCLOSURE

Information solicited through the OAC grant application form is crucial for policy development and planning for the state of Ohio and for 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 (NEA) and National Endowment for the Humanities (NEH) to determine trends and to establish statistical data. Section Five of the National Foundation on the Arts and the Humanities Act of 1965, as amended, authorizes the endowments which comply with the Privacy Act of 1974 to request information for use in application processing, trend analysis and statistical research. OAC records are public, with a few exceptions noted in law.
- The OAC, as a grantee of the NEA, must comply with Title VI of the Civil Rights Act of 1964 by requesting information and advice about specific constituencies. For the OAC, these constituencies include but are not limited to: Black/African Americans, Appalachians, Asians, Latinos/Hispanics, Native American Indians/Alaskan Natives, Native Hawaiian/Pacific Islanders, persons with disabilities and seniors aged 62 or older.

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 submitted documentation (electronically and in print) of such artistic products for educational, promotional, official or noncommercial purposes.