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**REVISED Certification of Assurances and Grant Conditions
2025-2026 General Operating Support**

**Virginia Commission for the Arts’ grantees of General Operating Support for Medium and Large Organizations (GOS) certify the organization:**

* is a Virginia organization whose primary purpose is the arts (units of government, organizations using a fiscal agent, and educational institutions and their private companion foundations are not eligible for GOS grants)
* is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code
* maintains a current and active UEI registration in SAM.gov.
* is incorporated in Virginia for at least one year prior to application
* has its headquarters and home season in Virginia
* presents at least three (3) different programs or services for the public each year
* had a previous year’s unrestricted operating income of at least $150,000
* presents activities in ADA-compliant venue(s) including wheelchair access to restrooms
* is governed by a board of directors that meets regularly
* will remain in operation for the duration of the grant cycle to receive and apply the funds
* is not under current debarment or suspension from federal funding
* has no past due Final Reports to the Commission at the time of application
* will use no part of any Commission grant for any activity intended or designed to influence any public body, public official or candidate for the same, including a member of Congress or the General Assembly to favor or oppose any governmental action or campaign

**Eligible Activities**

Funding for GOS grants may be used to support most aspects of an arts organization’s annual operating expenses (not including capital expenses), such as:

* artist fees
* administrative costs
* contractual services
* accessibility services
* facilities operations (utilities, rent, routine maintenance, etc.)
* marketing or publicity of events/activities
* personnel (salaries, benefits, etc.)
* professional development (workshops, seminars, conferences, excluding credit-earning post-secondary coursework)
* supplies and materials
* technical costs
* travel (domestic only) and other operational expenses necessary to deliver arts programs and services

**Grants are limited to** 10% or less of previous year’s income for General Operating Support for Medium and Large Organizations (GOS). The minimum grant is $3,500. Funding can total no more than 30% of any established organization's income from the previous year.

**Upon signature, each Commission grantee certifies that they shall:**

* read and review the 2025-2026 Guidelines for Funding;
* notify the VCA of any changes in its tax-exempt status with the Internal Revenue Service under Section 501(c)(3). It must also file the IRS Form 990 or 990-N annually.
* maintain and provide complete and accurate records of all activities connected with the grant for a period of four (4) years;
* maintain accounting records that are supported by source documentation;
* maintain effective control over and accountability for all funds, property, and other assets ensuring that assets are used solely for authorized purposes;
* provide the VCA and/or NEA, or its authorized representatives, access to grant-related financial records if required, including for reasons of any audit of current or relevant preceding fiscal years;
* notify the VCA of any substantial changes in its budget, programming, and key personnel. Failure to do so will affect current and future funding;
* expend any and all grant funds only for purposes described in the application form and attachments.
* promptly disclose whenever it has credible evidence of the commission of a violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733).

**Each Commission grantee will comply with these Federal Statutes and Regulations:**

As a recipient of federal funding passed through the Virginia Commission for the Arts (VCA), GOS grantees must comply with all applicable nondiscrimination laws in full accordance with the US Constitution, federal law, and public policy requirements including, but not limited to, those protecting free speech, religious liberty, public welfare, and the environment, and those prohibiting discrimination (§ 200.300). VCA grantees must also ensure that funded projects are implemented in full accordance with all applicable Executive Orders to the extent permitted by law. Executive Orders are posted at whitehouse.gov/presidential-actions and federalregister.gov.

**Nondiscrimination and Accessibility Policies**As a condition of receipt of a VCA GOS award, which includes federal financial assistance, grantees acknowledge and agree to execute the funded project, and require any contractors, successors, transferees, and assignees to comply with applicable provisions of national laws and policies prohibiting discrimination as required by the terms and conditions in the NEA Partnership agreement, including but not limited to:

* **Title VI of the Civil Rights Act of 1964, as amended,** and implemented by the National Endowment for the Arts at 45 USC 1110, provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with limited English proficiency (42 USC 2000d et seq.)
* **Title IX of the Education Amendments of 1972, as amended**, provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance (20 USC 1681 et seq.)
* **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency**, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons in conducting your programs and activities. For assistance and information, go to [www.arts.gov/about/foia/library](file:///%5C%5CWAP07100%5CUsers%5CGRANTS%20OFFICER%5CFORMS%20Logos%20and%20Signatures%5CGOS-OSS%20Forms%5Cwww.arts.gov%5Cabout%5Cfoia%5Clibrary). On March 1, 2025, Executive Order 14224, Designating English as the Official Language of the United States, rescinded EO 13166 but does not require or direct any change in the services provided by the federal agency.
* **Executive Order 14173,** **Ending Illegal Discrimination and Restoring Merit-Based Opportunity**, provides that award recipients should (A) agree that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government’s payment decisions for purposes of section 3729(b)(4) of title 31, United States Code; and (B) certify that it does not operate any programs promoting “diversity, equity, and inclusion” (DEI) that violate any applicable Federal anti-discrimination laws.
* **The Age Discrimination Act of 1975, as amended**, provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (42 USC 6101 et seq.)
* **The Americans with Disabilities Act of 1990 (ADA), as amended**, prohibits discrimination on the basis of disability in employment (Title I); State and local government services (Title II); and places of public accommodation and commercial facilities (Title III) (42 USC 12101-12213).
* **Section 504 of the Rehabilitation Act of 1973, as amended**, provides that no otherwise qualified individual with a disability in the United States shall, solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (29 USC 794). Access should be integrated into all facets and activities of an organization, from day-to-day operations to long range goals and objectives. All organizations are legally required to provide reasonable and necessary accommodations for staff and visitors with disabilities (including the location and content of all funded programs).

**NEW**: GOS grantees must designate a staff member to serve as a **504 Coordinator and begin a Section 504 self-evaluation.** To help your organization evaluate its programs, activities, and facilities to ensure full compliance with Section 504 accessibility requirements, the NEA’s Office of Civil Rights has a *Section 504 Self Evaluation Workbook* available on the www.arts.gov website. The completed Section 504 self-evaluation workbook or similar compliance and supporting documentation must be kept on file for a period of four (4) years. The NEA may request the 504 workbook or your compliance documents in various instances including an Inspector General audit and/or civil rights investigation. A 504 Coordinator must be identified in your Final Report Part I, due June 1, 2026.

***Design for Accessibility: A Cultural Administrator's Handbook***provides guidance on making access an integral part of an organization's staffing, mission, budget, and programs. You may download this handbook and other resources from the NEA website at www.arts.gov. If you have questions, contact the Office of Accessibility at accessibility@arts.gov or (202) 682-5532.

**Prohibition of Obscene Materials**

As a condition of receiving federal funds, the organization certifies that: "No project supported by grant funds will be used to disseminate materials (whether audio, visual, or written) that are obscene. Federal law prohibits the NEA from funding any project that may involve or promote obscenity, as defined in 20 U.S.C. § 954(d)."

**Final Reporting Requirements**

Each GOS grantee will submit a final report to the Commission within thirty (30) days of the end of the grant period and no later than June 1, 2026. The final report forms PART 1 (due June 1, 2026) and PART 2 (due October 1, 2026) can be found on the applicant’s online “dashboard” under *Follow Ups*. PART 2 requires a year-end financial statement of all income and expenses of the grantee organization for the fiscal or calendar year in which the grant funds were received.

**Final Reporting Violations and Consequences**

A late final report is a violation of the VCA’s grants contract and will be taken into consideration when an organization applies for future grants. Funding may be denied, or future grants may be paid on a reimbursement basis based on reporting practices. An extension of the report due date may be requested in exceptional circumstances. Requests for final reporting extensions must be made in writing before the report due date.

Any reports more than five weeks delinquent (not received or incomplete) may be turned over to the Attorney General’s office for collection. If a grantee’s grant contract must be turned over to the Attorney General’s Office for collection, the grantee will not be eligible for current or future grant funds for one fiscal year. Grantees must pay any collection agency costs involved in the VCA’s obtaining a final report or grant refund.

**Funding Acknowledgement**

All print and digital material regarding the particular activity supported must acknowledge that the activity is partially supported by a grant from the Virginia Commission for the Arts and the National Endowment for the Arts.

The purpose of crediting the Virginia Commission for the Arts and the National Endowment for the Arts is to provide citizens with an accurate picture of the broad range of arts activities supported by their tax dollars. Additionally, this acknowledgement serves as an endorsement for the organization and its activity and often leverages additional support.

The logos of the Virginia Commission for the Arts and the National Endowment for the Arts, as well as funding credit, are available for download from the Commission website under “Grants”. This acknowledgment is to be included in programs, print and online newsletters, educational materials, brochures, posters, news releases, web sites, catalogues, videos, and recognized in curtain speeches and other special events as appropriate. However, as neither agency funds expenses related to fundraisers, logos/recognition should not be included in such related materials. The VCA and NEA logos shall be used in compliance with relevant state and federal laws. The VCA and NEA logos shall not be used on any offensive materials.

**Organizational Dissolution During Grant Period**
When the applicant organization has reason to know that the organization will file for bankruptcy, or if the organization has reason to know that it will become insolvent, dissolve, or otherwise cease operations during the grant period for any reason, the organization shall, prior to the occurrence of any of the above events, provide an immediate accounting of all expended grant funds, submit their final report, and return any unused grant funds to the Commission.

**This form must be signed by an individual duly authorized** by the governing body of the organization to act on its behalf and submitted with every grant application made to the Commission (such as the Executive Director, Artistic Director, Board President/Chair/Treasurer). The signature of the individual indicates the organization’s compliance with the grant conditions listed above. A duly authorized individual must also sign the final report form.

**The undersigned certifies that:**

* the information in this application and its attachments is true and correct;
* the filing of this application has been duly authorized by the governing body of the applicant organization;
* the applicant organization agrees to comply with all grant conditions cited above;
* the applicant organization is fully operational and anticipates remaining in business for the duration of the award period;
* the organization is not currently under suspension or debarment by the federal government. If you are uncertain of your status, visit SAM.gov.; and,
* the undersigned has the authority to bind the applicant organization legally and financially

By signing below, the authorizing official acknowledges that there may be penalties levied against the applicant organization for non-compliance with any of the requirements contained herein. These may include a return of grant funds, disbarment from future funding, and any remedies available under the law as applicable.

Applicant Organization Name:

Typed Name of Authorizing Official:       Title:

Original Signature of Authorizing Official: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:

Email of the Authorizing Official:

**NOTE:** **Only documents with original signatures will be accepted.**