



**Commission Board Meeting
October 1, 2020
9 AM**

Commissioners in Attendance: Matt Conrad, Abigail Gomez, Asa Jackson, Dena Jennings, Terry Buntrock, Robert Goudie, Mike Markley, Sushmita Mazumdar, Jan Monroe, Laurie Naismith, Barbara Parker, Amanda Pillion and David Trinkle

Staff in Attendance: Janet Starke, Cathy Welborn, Casey Polczynski, Tiffany Ferreira

Special Guests: Cynthia Norwood, Senior Assistant Attorney General; Ayanna Kiburi, Deputy Director, California Arts Council; Nashormeh Lindo, Chair, California Arts Council; Beverly Hess, President, Virginians for the Arts; Amy Nisenson, Amy Nisenson Consulting

Chair Abigail Gómez called the meeting to order at 9:02 AM.

David Trinkle made a motion to approve the June 16 -17, 2020, meeting minutes. Dena Jennings seconded. Roll call. All approved. Motion carries.

Robert Goudie made a motion to approve the minutes from the special August 12, 2020, meeting minutes regarding the acceptance of 990s in lieu of audits, for GOS organizations (Final Reports) with income exceeding \$600K. David Trinkle seconded. Roll call. All approved. Motion carries.

Immediate Past Chair Matt Conrad gave a report from the Nominating Committee. The nominees for the 2021-2022 board officers are:

Chair: Abigail Gomez
Vice Chair: Asa Jackson
Secretary: Dena Jennings

Matt asked if there were any other nominations from the floor. Laurie Naismith made a motion to approve the new slate of officers. David Trinkle seconded. Roll Call. All approved. Motion carries for the new slate of board officers.

Executive Director's Report

Janet Starke shared that the staff had worked with Del. Mugler (Chair of the Arts Caucus) to host a State of the Arts web meeting on August 11. A geographically-representative slate of arts organization leaders were invited to share organizational impacts and 'pivots' relative to the pandemic and Black Lives Matter movements. Legislators appreciated the data and stories of community engagement

CARES Act Grants, Artist Relief Grants: \$380K in grants have been dispersed to date. We are working on a third round of funding of approximately \$102K in the next several weeks. Matt Conrad reminded that the board voted to retain \$20K discretionary funds for special circumstances—has that been done? Janet stated that we did not have any special circumstances; everyone met the criteria for funding, but for a couple organizations who did not meet requirements of having been an FY20 GOS, Project or AIE grantee, or who had not fulfilled FY20 reporting requirements. In response to a question posed, Janet stated that federal funds cannot be used for individual artists. Approximately \$107K remains from the original CARES Act award, and the agency will retain a small portion (approximately \$7.5K) for additional administrative costs directly related to the pandemic. The remainder will be dispersed.

Laurie Naismith asked that Commissioners to be invited as observers at all outside public meetings. Cindy Norwood stated that if more than two Commissioners are in attendance and Commission meeting business is discussed, then it needs to go onto the Commonwealth calendar. Laurie Naismith also asked if meeting minutes were taken for the State of the Arts session with legislators. Tiffany Ferreira stated the recording of that meeting had been downloaded and can be sent to the Commissioners. Laurie then asked about the awards made to individual artists through the Artist Relief Grant. How many applications were received and how many from each region? Janet referenced the report in the Board book, and verified there were 150 applications. Two to three were declined because the artists were not residing in Virginia or indicated they were still in college. 50 artists were selected through the (computerized) random selection process. There were fewer applicants from Areas 4B and 1, not entirely uncharacteristic from similar opportunities for individual artists. Laurie Naismith asked how diversity was determined. Janet stated the caution for how this information is gathered. Laurie asked how many applicants were from Area 6. Dena Jennings asked how areas less represented can be reached. Janet stated that information was sent to the e-blast listserv of approximately 5,500, noting the listserv cannot be sorted by region; and was also shared on social media. Local arts agencies sent it out via E-blasts in their regions. It can also be supported by word of mouth via Commissioners. The Commission is increasingly working to leverage the channels of LAAs and word of mouth by Commissioners. Casey Polczynski stated that many applications were sent back to draft, and were not completed by the deadline. Laurie Naismith stated that most localities have websites, suggesting we can send to those managing municipal websites. Dena Jennings stated that she appreciates what has been done, but asked if there are new ways to reach out. This is something that was identified in Strategic Planning. Barbara Parker stated that Area 2 has historically been underrepresented, and that some of the larger GOS applicants can also disseminate through their channels. Sushmita Mazumdar stated that her area local arts agency also had few artists; there is a barrier to artists applying, due to emotional and mental distress at this time. How good are we at connecting with individual artists? Janet agreed the Commission does not have as strong a connection with individual artists due to the historical emphasis on organizations—something the agency has worked to better balance. Jan Monroe stated that connecting with individuals is important. Laurie stated outreach can be strengthened through municipalities and local arts agencies. Commissioners can also pass information along to contacts. Janet stated the need to adjust the Commission's regional map due to congressional redistricting changes, after the new census data is collected. Laurie stated that Weldon Cooper is a good resource for demographic data.

Budget Update

Janet Starke discussed budget changes that have evolved since the June Commission meeting, including the CARES Act Fund and pass-through funding for Creative Forces' Community Connections Projects, latter of which ended June 30. The FY20 carryover was \$113K, a large portion due to COVID cancellations of touring grants. The Commission is seeking permission from the Governor to use these funds. The agency is working to get Foundation funds, due the agency in 2020, appropriated. (See Budget notes for further clarification.) Janet gave an overview of the ROI on Mid Atlantic Arts Foundation dues of \$36K through grants to Virginia that included a 70% increase in grants to organizations and artists in Virginia. Matt Conrad said that many organizations have reduced dues during this time—can MAAF consider this? Janet stated that the agency has discussed this with MAAF and have made a plan to pay quarterly dues with the understanding it can be revised at any time if the VCA budget is further reduced. They are trying to be flexible while attempting to continue grant awards to constituents.

Priority Items Ahead

Staff is getting ready for the FY22 grant cycle, preparing for a virtual ArtWorks Conference, and creating a new website.

FOIA/COIA Overview and Review

Special Counsel Cynthia Norwood stated that Commissioners must not email anything about the arts to more than ONE Commissioner. If you want it to go out to other Commissioners, you need to email it to staff so they can forward, otherwise you will be creating a public meeting that would have to be added to the Commonwealth Calendar. Every committee should have at least three members and meetings should also be listed on the state calendar.

Conflict of Interest Act: If you are comped tickets and it has something to do with your job to understand that organization, this is appropriate. If you ever have questions, please email Janet and she can contact Counsel if needed. Mike Markley noted that the VCA by-laws list a 21-day public notice of meetings. Ms. Norwood stated that Virginia only requires three days. She offered to look at our bylaws to see if there are any changes that need to be made. Dena Jennings asked about "Reply All". Ms. Norwood stated DO NOT hit Reply All or it becomes a violation because it was not listed as a public meeting. Laurie Naismith says that she frequently forwards art stories from her region. Janet stated that Laurie should send these to Ivy Haga who can forward them to Commissioners. Janet played a video regarding FOIA that will be forwarded to Commissioners.

Strategic Plan 2021-2024

Strategic Planning Consultant Amy Nisenson and Janet Starke gave an overview of the Final Draft of the 2021-2024 Strategic Plan. She stated that many of the sessions with artists and arts organizations since COVID have informed the document. Janet noted that Peer Review feedback from the National Endowment for the Arts pertaining to our FY20 Partnership Agreement Application stated they appreciated our efforts to reach out to constituents in planning, and also the work/planning pertaining to the Cultural Equity Statement. Ms. Norwood stated that we need to be careful to make sure we are not discriminating based on race, sex, etc. in terms of any state grantmaking. Matt Conrad asked if there were any HBCUs with arts administration programs. He stated that we should seek out HBCUs for interns in the arts to strengthen this pipeline. Mike

Markley stated that the action items do not have timelines. Janet stated this is the public facing document and a complimentary internal guide will have a work plan with assignments, target dates, metrics and measurements, and will be forthcoming. Laurie Naismith asked if we are reaching out to various other state agencies to promote the arts and give us opportunities to give presentations at their meetings. Janet stated yes, this will be listed in the internal plans under action items in Goal 3. Asa Jackson asked a question about Congressional district representation. Janet stated that no more than two commissioners are from any congressional district. David Trinkle asked about intentional grantmaking in light of IDEA policies, and whether the Commissioners will be involved in this discussion under Action items. Janet stated yes, that once the IDEA policy is created, the Commissioners will be involved in determining rubrics, etc. Dena Jennings stated the document is ambitious and strong, suggesting the agency connect with Arts Administrators of Color Network. What percentage of grant \$\$ should go toward IDEA goals? Amy Nisenson suggested metrics can evolve—this is the start. Janet stated that the federal descriptive report to the Arts Endowment is driven by specific criteria and data that will reflect these descriptors. Part of the process is to determine the Arts Endowment data. Janet stated this is a Final Draft that will be made available for 30 days of public comment. Terry Buntrock asked if there is chance that Virginia will get more funding from the Arts Endowment if our IDEA policies are strengthened. Janet responded that funding is not based on this criterion, but rather a formula based on population. Their investment in us is driven largely by a strong strategic plan. Robert Goudie asked if the Commissioners can send questions before it goes out to the public. Janet said yes, and that it can continue to be refined before the final draft in December. A final draft will be voted on at the December Commission meeting.

2021-2022 Guidelines for Funding Revisions

Janet gave an overview of the proposed revisions to the Guidelines for Funding for FY2021-2022, to next, be disseminated for public comment for 30 days. Feedback is directed to the Executive Director who will present the comments, and final draft at the December Commission meeting for vote. Given the ongoing pandemic, the Guidelines are driven by flexibility and the need to evolve as the year progresses and grant funds are not spent.

Larger changes:

1. IRS 990's in lieu of audits for organizations with budgets exceeding \$600K
2. GOS Recommendation: all GOS applicants would go through Short Form this year. Eligible applicants would be only those that received funding in the current year (FY21). The reason for these temporary changes is knowing that many orgs have had to reduce staff, operations are limited, and groups are hard-pressed to complete the application while trying to seek additional funding and continue to lead operations. VCA staff would be also be better positioned to meet the more immediate/ongoing needs of the field. New applicants could still apply for Project, Artist in Education, and other grant programs as appropriate. We know that organizations' greatest need is unrestricted operating support. Because contributed and earned income have gone down across the board, VCA's operating support grant is even more important than ever. If there is any way we could increase the budget with possible carryover funds from this year, this would be helpful.

Commission discussion followed. Chair Gomez stated no problem with short forms, as it will save time for applicants and staff, but questioned how equitable this would be across the field

and how it could affect grants for People of Color (POC). Could we increase the budget with carryover funds for Project, Technical Assistance and AIE grants, especially for POC groups? Barbara Parker agreed with Gomez, suggesting a look at Priority 1s and 2s when the organization is paneled again related to their progress over the years. Janet suggested an orientation for panelists and Commissioners. Laurie Naismith also agreed with Gomez. Insights from panelists are important to our work, providing us with a great network to get information into the communities they represent. Janet appreciated the comment, stating the panel process is one of the strongest ways the Commission operates. However, panelists are equally consumed right now trying run their own organizations (and otherwise manage work) in the midst of the crisis. No one is going to significantly improve this year. They are simply trying to survive. Deficits will be seen. Internally, we will change the Guidelines for GOS eligible income, averaging the last two years of eligible income. Robert Goudie stated that there are unprecedented times and applauded staff for thinking outside the box and understanding organization's stress levels. Small institutions that have no way to run virtual programming for larger scale activities are going to suffer. We need to be empathetic to our institutions that are trying so hard to keep us connected with our humanity. Let's keep them focused on keeping their content and staff and minimizing time taken to fill out the long form grant. David Trinkle agreed with Robert Goudie. It is hard to make ends meet and this will make it easier for arts organizations. He also agreed with adding funds to the other grant programs. Application questions about new programming/business models and budget impacts will be added. Although they are doing virtual programming, revenue is not following.

Technical Assistance Grants: Additional eligible activities have been added to allow applicants may purchase minor (non-capitalized) equipment to support virtual programming. A goal for this program is to increase the grant award, up to \$4,000 for larger capacity-building efforts such as strategic or new business model planning. We would develop two tiers for the program to help build capacity. Jan Monroe stated she agrees with a focus on board development investment particularly for those that are so limited in income possibilities. It gives them a different focus, which also promotes growth

Project Grants: Adding back in Services to the Field. Increasing the eligible budget for new and emerging from \$125K to \$150K.

Presenting Touring Assistance: Allowing artists to present virtual programs without 30-mile radius (for the foreseeable future).

Commission Discussion Continued. Asa Jackson shared he sat in on a national panel and that one of the most important criteria for them was diversity and equity, and Virginia struggled. Somehow the culture of arts organizations, specifically our grantees. We need to show what cultural equity means and language about the work they do. We need to revise our Guidelines to include more information addressing IDEA. We need to help them better serve their diverse communities. Asa Jackson said that as an artist and Commissioner, it should be our job to help underserved artists and organizations of color be competitive.

Cultural Equity - Learning and Leading with Special Guests Ayanna Kiburi, Deputy Director, California Arts Council (CAC), Nashormeh Lindo, Chair California Arts Council. Together,

presenters shared the Strategic Framework of the CAC, and their Racial Equity Statement and grantmaking.

The group sharing recent work, including requiring organizations to develop race/equity statements. By law, similar to VA, SAA's cannot use tax payer dollars to target certain groups. CAC is determining through census data where there are low income areas not being served, i.e food deserts, no cars, etc., and utilizing grantmaking to reach those people. They develop guidelines with other agencies in those areas and make grants that pass through those non profits. The CAC uses re-granting to encourage those peoples.

Matt Conrad stated within the bounds of law, he is interested in the Administrators of Color idea, a fellowship program that was proposed in the original FY21 budget proposal but whose funding was lost in the unalotment. Others agreed. Matt Conrad suggested that in lieu of direct funding to support, we could strongly encourage Majors to do this work (again within the bounds of law and good judgment). Chair Gómez said if/ when we receive more funding, we should make this initiative a priority. Abigail Gómez said this would address one historically marginalized population, but not the others under the BIPOC umbrella. Sushmita Mazumdar said partnerships with organizations that work with other communities of color can also be invited to apply.

AIEx Funding: Laurie Naismith said first-come, first-served granting can limit underserved applicants unaware of the grant opportunities. Could we work with Department of Education to get a list of Title 1 schools so that we could work with them? Could we put aside a certain amount of funds for underserved schools? Sushmita Mazumdar supported the idea. Janet Starke said we have a strong working relationship with the Fine Arts Coordinator at DOE, who will share. Dena Jennings asked to clarify how people find out if they are eligible to apply and said it is confusing. Can we add a sentence to show that organizations can apply for artists not on the Roster. Abi Gomez stated that she is comfortable with first-come, first-served language right now. We could have a reserve for Title 1 Schools. Abigail Gomez proposes using \$20K now and holding the rest for more discussion in December.

Motion to continue with the AIEx grant program using \$20K and holding aside \$14,000 for further determination at the December Commission Meeting. If, in the interim, requests exceed \$20K, a Waitlist much like the Touring Program could be utilized. Barbara Parker made a motion to approve as amended. Jan Monroe seconded. Roll Call. All approved. Motion passed. David Trinkle, Mike Markley and Matt Conrad were absent for this vote.

Performing Arts Tour Directory for FY2022*

Terry Buntrock gave an overview of the Touring Panel (held in September). Everyone was extremely knowledgeable. The panel recommended eight new artists. The panel commented the group might be too large to get bookings during COVID 19, but did not penalize them for this.

Terry Buntrock made a motion to approve the FY22 Tour Directory Roster. Barbara Parker seconded. Roll call. All approved. Motion passed. Commissioners Dave Trinkle, Matt Conrad and Mike Markley were absent for this vote.

Barbara Parker made a motion to eliminate the 30-mile radius for live performances for the current FY21 touring season, and to extend the deadline for presenters applying for touring assistance grants from December 1, 2020 to February 1, 2021. Jan Monroe seconded. Roll call. Trinkle, Conrad, Jennings, Markley, Jackson were absent from this vote. Motion passed with quorum.

Additional Reports

Virginians for the Arts: Beverly Hess stated there has not been much movement on the state budget right now. She asked Commissioners to join Virginians for the Arts and also Americans for the Arts and to specifically review Federal legislation regarding the Skinny Act/Heroes. She discussed funding for Save Our Stages, a second round of PPE, and possible additional funding for state agencies. There is little hope the Heroes Act will pass the Senate even if it does pass the House. Planning is ongoing for Arts Advocacy Day in January.

2021 ArtWorks for Virginia Conference: Janet gave a brief overview and will send out information as it comes in.

AIE: Mid Atlantic Teaching Artist Roundtable & Poetry Out Loud: Casey Polczynski gave an overview and updates on these two programs.

Old Business, New Business: Janet Starke announced that Deputy Director Lucas Hall and his family welcomed a new baby girl.

Review Schedule of Meetings: The next meeting of the Commission Board will be December 9-10, 2020; method of meeting and/or location TBD. Robert Goudie suggested that if an in-person is determined, we still offer a virtual option for those who wish to do so.

Open for Public Comment: Beverly Hess thanked the staff and Commissioners. She asked us to show people in masks on our homepage doing art. She also stated it is difficult to find POC to serve on boards and asks the Commission to do everything it can to promote inclusion in any way. Janet Starke stated that this would be a great way to strengthen relationships with local arts agencies.

The meeting adjourned at 1:50pm.

* Denotes an agenda item requiring a vote by the Board