

arizona commission on the arts

Local Arts Development

local arts agencies

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Local Arts Development

The Local Arts Development Program works in partnership to conceptualize, research, design and implement programs that have a long-term impact on a local level in underserved, ethnic, rural and emerging communities for organizations and individuals; and to develop programs to impact the work of the local arts agencies around the state.

The Arizona Commission on the Arts is funded by the State of Arizona and the National Endowment for the Arts. These federal and state dollars are catalytic to private funding; they strengthen the partnerships between the public and private sectors in support of the arts.

contact

Mitch Menchaca

Director of Local Arts Development
602.229.8229 • 602.256.0282 fax
mmenchaca@azarts.gov

Jaya Rao

Program Associate
602.229.8232 • 602.256.0282 fax
jrao@azarts.gov

about the program



Local Arts Agencies

A local arts agency is a private community organization or local government agency that supports cultural organizations, provides services to artists or arts organizations, and/or presents arts programming to the public. LAAs endeavor to make the arts part of the daily fabric of community living. Each LAA is unique to the community that it serves, and each changes as fast as its community changes. However, all seek to serve the diverse art forms in their community and make them accessible to every community member.

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Arizona Commission on the Arts

417 West Roosevelt
Phoenix, AZ 85003

602.255.5882
602.256.0282 fax

info@azarts.gov
www.azarts.gov



What is a Local Arts Agency?

INTRODUCTION

What is a local arts agency (LAA)? What does it do? Why are LAAs known by many different names, such as arts councils, arts commissions, arts centers, etc.? What is the distinction between a public and a private LAA? How are LAAs formed? In short, what is a LAA all about?

These and many other questions are often asked of Americans for the Arts (the nation's arts information clearinghouse focusing on arts industry research, arts advocacy and representing local communities by creating opportunities for every American to participate in and appreciate all forms of the arts.) The answers are complex and sometimes seemingly confusing, as no two LAAs seem to be alike. They are, and should be, each uniquely designed to meet the needs of the community they serve. It is important, however, for those involved, or wishing to get involved, to have succinct, understandable and readily available answers to these questions.

The following information is designed to provide significant yet broad answers to the most frequently asked questions concerning the objectives, structures and activities of LAAs, as well as to help explain the LAAs role in community life. This is written with the intent of being a "first-stop" resource tool for arts administrators dealing with the general public, the press, politicians etc. and as a primer for those interested in founding a Local Arts Agency.

WHAT IS AN LAA?

The Americans for the Arts defines a LAA as: "A private community organization or local government agency that supports cultural organizations, provides services to artists or arts organizations, and/or their presents arts programming to their community."

Simply put, a LAA is a nonprofit, or government entity that is created to meet the cultural needs of a community and to foster an environment in which artists and arts organizations can flourish.

A LAA represents all of the arts disciplines and frequently acts as a central clearinghouse for the cultural scene of a community. In sum, a LAA may provide services coordinate, present and run programs, fundraise, administer and distribute grants, educate; stimulate, and nurture the cultural life of the community.

LAAs can serve populations of all sizes, and are located in urban, rural and suburban areas. They can focus on one activity or hundreds of activities, based on the needs and desires of the community. LAAs can represent a single jurisdiction, such as a city, town or county, or multiple jurisdictions, such as a metropolitan or tri-state area. Or, they may represent smaller areas such as a neighborhood within a city or county.

What is a Local Arts Agency?

Other combinations are also possible: several larger cities in the United States have two LAAs. In such instances, the agencies usually have separate focuses but work cooperatively with each other.

LAAs also work with many other entities within a community, such as libraries, schools, businesses, tourism offices and governmental divisions concerned with such functions as city planning, public art and parks and recreation. LAAs often assume the lead role in coordinating community-wide networks and activities and promote a strong sense of civic pride.

Because it represents the community as a whole, a LAA is nonpartisan. Its supporters reflect the diversity of the population it serves – people of all ages, ethnic and racial backgrounds and ‘special interest’ groups, such as people with disabilities and older individuals. There are an estimated 3,000 LAAs in the United States, each of which is helping to enrich the lives of its constituency.

WHAT DOES AN LAA DO? -----

1. Not an easy question to answer, for while there are many common programs and services within the field, no two LAAs carry out precisely the same functions. What a LAA does is based on the needs and desires of the people it serves, available financial resources and the other arts support systems and cultural activities existing in the community.

2. In a broad sense, LAAs serve as a unified voice for the arts community and as a vehicle for educating the general public about the value and significance of the arts. LAAs place special emphasis on the important role the arts play in the economic vitality of communities. That is, a healthy cultural ‘scene’ and a healthy economy frequently go hand-in-hand!

3. LAA activities commonly fall into three areas: programming, services and grantsmanship. Most LAAs combine and carry out activities in all three areas and also do some advocacy work.

4. LAAs can provide tangible services such as printed arts calendars, central ticket offices, insurance and group purchasing/equipment loan plans, cultural libraries, employment referral services, directories and newsletters, administrative management services and training opportunities. They can produce and operate programs such as festivals, exhibitions, ‘art in public places’ projects, touring programs, and educational programming in the schools and elsewhere. Many LAAs also do fundraising (grantsmanship), which can involve administering united arts fundraising campaigns, obtaining grants and offering fellowships to artists. Still other LAAs operate cultural facilities and integrate into their programming or services involvement with community-wide planning, urban design and redevelopment.

5. Listed below is a checklist of possible LAA activities. This list is by no means intended to be comprehensive; rather, it is an organized listing of the more common activities of LAAs. The spectrum of possible activity is only limited by the imagination, ingenuity and dedication of the leadership of the LAA and the community as a whole.

Check List for LAA Activities

INFORMATION SERVICES

arts calendar/scheduling clearinghouse
community cultural resource library
artist/organization directories
newsletter/publications
promotion/publicity for media
advocacy

ORGANIZATION SERVICES

central box office/ticket vouchers
central accounting
block booking of performance/exhibits
central purchasing/equipment loan
group insurance
volunteer recruitment and training
marketing services and research
central administrative management for
artists/organizations
volunteer professional referrals (lawyers,
accountants)
advocacy services

PROGRAMMING

discipline specific classes/lectures
art competitions and exhibitions
festivals (ethnic, film, multi-arts,...)
artists showcases
art/artists in public places
percent for art programs
arts education – residencies, curriculum
development, workshop/classes
neighborhood outreach programs
cooperative events programming
awards programming
urban design/rehabilitation
community planning
cable/local TV programming
new art forms/emerging artist programs
corporate art purchase programs

ARTIST SERVICES

artist employment/referrals
artist registry& artist roster
exhibition/performance referrals
studio/living space referrals
business management assistance

FACILITIES OPERATION

meeting/rehearsal/classroom space
sales/rental facility
performance facility
exhibition facility

TECHNICAL ASSISTANCE

workshops
seminars
management/admin. assistance
grant proposal assistance
consulting

***This is a sample list only**

LAA Names and Structures

WHAT'S IN A NAME?

Why is it that LAAs are referred to by any number of names, such as arts commissions, arts councils, arts centers, arts associations, arts leagues, municipal arts agencies, arts departments, office of cultural affairs, united arts funds, arts extension services, etc? The Americans for the Arts' definition of a LAA encompasses all of these. It requires only that an agency provide financial support, services and/or other programs for a variety of arts organizations and/or artists and the community as a whole.

Beyond the different names, LAAs are also distinguished by their status as public or private bodies. They may be either a public entity within a larger government structure or they may be a private organization, usually 501 (c) (3) federally tax-exempt. Quasi-private or public groups are also possible. Whatever their status, public and private LAAs are all nonprofit groups, structured and governed by the given federal, state and local rules and regulations.

LOCAL ARTS AGENCIES

PUBLIC

Entity within government structure, governed by any number of possible channels.

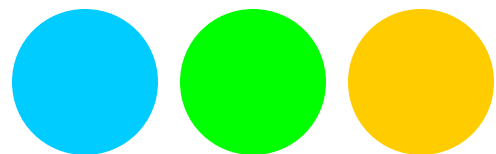
Not for profit.

PRIVATE

Private corporation, governed by a private board of directors/memberships.

Not for profit

Focus, Mission and Activities should be the same for both public and private LAAs as determined by the needs and desires of the community and carried out according to and by the given governing authority/structure/mandates.



Private Local Arts Agencies

A private, nonprofit arts organization, an arts center, arts association or, as is most common, an arts council, is incorporated by a state authority and governed by a board of directors comprising private citizens elected by the corporate membership.

The group must comply with all of the state and federal rules and regulations associated with tax exemption (usually 501 (c) (3) status), have written bylaws and statement of purpose, and hold annual meetings of the membership. It is important to note that every state has a different set of rules and regulations governing corporations which private LAAs must follow.

A united arts fund (UFA) is an example of one kind of private LAA. It has a very specific mission: as a united voice, to generate and distribute funds for arts groups within a community. Its activities may include:

- advocacy, benefit gala events, auctions, direct mail solicitation, standard corporate and foundation fundraising or workplace contributions (i.e: united way)

Another example of a private LAA is an "arts council." The council may have as its mission to provide a variety of services to the artists, arts organizations and the community as a whole. Its activities may include:

- administering the city/county percent-for-arts program
- coordinating and sponsoring exhibitions
- managing rehearsal and performance space
- producing an arts calendar and newsletter
- providing professional management and training opportunities to individual artists and arts groups

Private arts organizations are funded in a variety of ways, usually including a mixture of individual and business donations, membership dues, earned-income activities, and grants from local, state and federal government.

Based on a profile of the Americans for the Arts membership, there are 4,000 LAA in the US, an estimated 75% of these LAAs are private, nonprofit organizations leaving 25% as public agencies (city or county.) The 4,000 LAAs budgets range from \$600 to \$116,700,000 and 1,200 LAAs have have paid staff. Sixty-one percent provide direct funding to artists or arts organizations in their community. Fifty-three percent provide general operating support to arts organizations and sixty-six percent of LAAs implement arts education programs. Nearly all LAAs (91%) collaborate through community partnerships with other arts organizations, other government agencies or community/service organizations.

Public Local Arts Agencies

Public arts agencies are more diverse in their structures. While private arts agencies must be formed according to standard rules, public arts agencies have different standards to follow. As a result, public arts agencies have sprouted within governmental structures in every shape and form.

The two most common type of public LAAs are arts commissions and offices/departments of cultural affairs. In some jurisdictions, however, the closest thing to a LAA may be a recreation department, public library or local college.

ARTS COMMISSION

Arts Commissions are usually created either through an initiative of the executive branch of local government or by an act of legislation such as an ordinance. In either case, the commission's members are drawn from the community at large and usually consist of representatives from business, labor, the arts, minority groups, etc. Commissions act somewhat like the board of directors for private LAAs, but they do not necessarily have the authority to govern themselves. They may serve as an advisory body to the mayor or county commissioner, for example, or they may be established as an independent municipal agency, with separate funding and staff. There are also many other possible variations in the ways commissions are granted authority and funding.

OFFICES/DEPARTMENTS OF CULTURAL AFFAIRS

This type of public arts organization is usually initiated by the executive branch of local government, not by legislation, and acts on behalf of the mayor or county commissioner. The staff usually carries out the arts programs and policies established by the mayor, the mayor's "advisory commission", etc. The organization may be funded as an independent city agency or as a part of the mayor's or commissioner's budget. It is also possible that the organization may initially be funded as a "line item" within a mayor's or commissioner's budget and later evolve into an independent city agency.

No matter how they are integrated into the structure of the local government, public agencies are primarily funded through general city/county treasury funds (i.e. taxes). Specific taxes such as hotel/motel tax or special district tax may be earmarked for arts activities. An independent public arts agency (that is one with its own "line item" in the city or county budget) may work on a cooperative project with other city departments (for example, on a project involving historic preservation, city planning, employment, etc.) In such a case, the arts agency may receive additional funding through the budgets of these other departments. Other sources of revenue for public arts agencies include state and federal funding and support from the private sector.

Joint Ventures

PUBLIC AND PRIVATE LAAS CAN FORM EFFECTIVE PARTNERSHIPS

A private arts council may advise a municipal arts commission, though the responsibilities of the two are kept separate. In communities where both public and private LAAs exist, frequently one focuses on services, the other on programs. Ideally, the two cooperate with and complement each other. A private LAA can also be designated as the official arts council of the city without necessarily being funded by the local government. In this kind of relationship, a private LAA is referred to as having been "officially designated" by the local government to act on its behalf. Frequently, this occurs if the jurisdiction does not have a public arts agency; if specific arts programs or activities prove too cumbersome for the jurisdiction to handle; or if it is felt that the private LAA is better situated politically to administer the needed programs and activities.





Starting a Local Arts Agency

Public and private LAAs alike are generally conceived by a dedicated core of individual arts supporters who recognize a need within the community. For a LAA to get off the ground, this core group must possess an abundance of perseverance, political savvy and good old-fashioned common sense. Management skills, legal expertise and creative programming ideas are also needed but these can be supplied by individuals brought in by the group at a later time.

Many resources exist to help with the initial planning phases of establishing a LAA, as well as for the subsequent, more technical phases that deal with the formal establishment of the group (incorporating, filing for tax-exempt status, etc.)

This document outlines the most common steps and concerns involved with establishing a LAA. In addition, obtaining sample copies of enabling legislation and management documents; existing outlines and reports on the technical steps involved with establishing a private LAA and a compendium of publications and other pertinent resources can prove to be very valuable research.

Note: The information in this document is provided strictly as a reference and should be treated more as a guide rather than as a definitive method. It should not be viewed as a substitute for legal counsel or as the definitive approach to establishing a LAA.

INITIAL PLANNING FOR A LAA

If your community has not undergone an Arizona Commission on the Arts Community Cultural Inventory, consider requesting one. A community can also conduct their community needs assessment - this can be done through written or verbal phone surveys. This should be done in a systematic, organized fashion and include a fair amount of detail. Analyze the social/economic aspects/makeup and general health of community (e.g.audience, participants, funders, political climate, etc.)

Note: If a Community Cultural Inventory has been conducted in a community in the past and the outcome report is now deemed out of date, that community is eligible for a follow up.

Determine community needs and wants by talking with various groups and individuals

Establish a broad base of support (hold meetings, make phone calls, send letters/flyers)

Determine existing cultural activities, resources and attitudes

Determine cultural gaps and needs

Determine financial and realistic feasibility for LAA

Establish an ad hoc committee and chair

Determine whether to start a private LAA or to institute/reinstitute a public LAA

This step may be predetermined well before anything else, depending upon the original initiating

Starting a Local Arts Agency

GENERAL STEPS FOR PRIVATE LOCAL ARTS AGENCIES

Advance Preparation Work

Determine what is required legally and order appropriate federal and State information kits

Familiarize yourself with the materials and engage the services of an attorney

Establish formation committee to develop/draft the following: organizational structure; mission statement; goals, objectives and strategies; two year plan, funding objectives and possible resources and job descriptions for board and staff and personnel policies

Form bylaws committee to draft/write bylaws

Incorporate with state

File for federal tax-exempt status

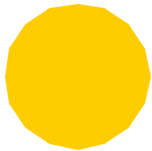
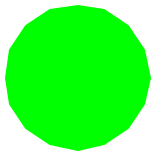
Get federal tax identification number

Check with the Secretary of State office for possible required filing

Request state sales tax exemption

Obtain board and staff liability insurance

In all instances, groups should seek legal assistance throughout these various steps



Starting a Local Arts Agency

GENERAL STEPS FOR PUBLIC LOCAL ARTS AGENCIES

Individuals cannot establish a public LAA. Public LAAs or governmental mechanisms for support of cultural activities must be established by a mayor, county commissioner, city council, etc. Individuals and concerned groups do have cultural votes, however and can, by public demand, approach a local government about starting a public LAA.

Most frequently, a mayor or county commissioner will do one of two things:

Create an office or establish a program in another department or agency by executive decree/authority

Appoint an ad hoc committee to conduct a Community Assessment/Inventory and develop/draft an ordinance which, in time, will hopefully be presented to and passed by a city council. The latter will usually involve a broad-based cross section of citizens and is the strongest action a local government can take in support of the cultural community. This is a service that the Arizona Commission on the Arts is able to provide. It is called a Community Cultural Inventory

Listed below are some ideas and possible points for cultural support groups to consider when initiating public support for the arts:

DO YOUR HOMEWORK

- Find out how a city supports the arts
- Determine the cultural political climate
- Examine all local government departments
- Identify the proper channels for focusing efforts and plans
- Review what and how facilities are used
- Pinpoint monies that are used or could be used
- Look for people who support the arts and who are sympathetic to the significance of community-wide cultural awareness and involvement
- Attend meetings. Listen to what is being said and by whom
- Approach the mayor or governing body of officials
- Find out the communities priorities and interest in the arts and cultural life of the community

GATHER FORCES

- Educate the officials of local government and heighten the 'public's' awareness to the cultural needs, benefits and spectrum of possibilities
- Increase the level of the 'public's' involvement with every aspect of existing or potentially existing activities/programs
- Create a strong and broad-based support system of people
- Honor those that have helped your efforts and have aided the cultural community in the past
- Lobby and work towards the development and passing of a city ordinance or the establishment of an official mechanism/office for public cultural support

Obtaining a Tax Exempt Status

Please note these may or may not be all of the steps required to obtain tax exempt status for your organization. This is only a checklist, the legal process changes all the time. You are strongly encouraged to obtain professional assistance from a lawyer or other organization to help you with this process. This is only an informational document to give you an idea of the steps required.

1. Create the organizational by-laws for your organization.
2. File IRS Form SS-4. This is to obtain your federal Employer Identification Number. You need this number for all the other forms you need to complete.
Helpful hint: Check with the Corporation Commission to determine if the name of your organization has already been used or can become your legal name (\$10 fee to register name.)
3. Obtain IRS Publication 557. This publication discusses the rules and procedures for applying for your Tax Exempt Status (501) (c) (3).
4. File Articles of Incorporation with the Corporation Commission. This process requires a filing fee (\$40 non-expedited, \$80 for expedited), plus publication of your articles in the local paper (\$80) for two consecutive dates. Check with the Corporation Commission to determine requirements. This process can take time, as there are time restrictions imposed by the Corporation Commission.
5. Obtain IRS Application Package 1023 for filing forms 1023 and 872-C. Directions are in this package to complete these forms.
6. Obtain IRS Form 8718. Complete this form and file it with your 1023 application package. This form is for requesting a determination letter. It will also give you the required fee to be paid and where the forms need to be filed. (This cost is around \$500).
7. You will get a response from the IRS. With this response you will either have to respond to their letter and provide more information to make sure they understand what type of organization you are or you will receive an advanced ruling from them which then gives you temporary status as a Tax Exempt organization and allows you to do business as a 501(c)3 organization.

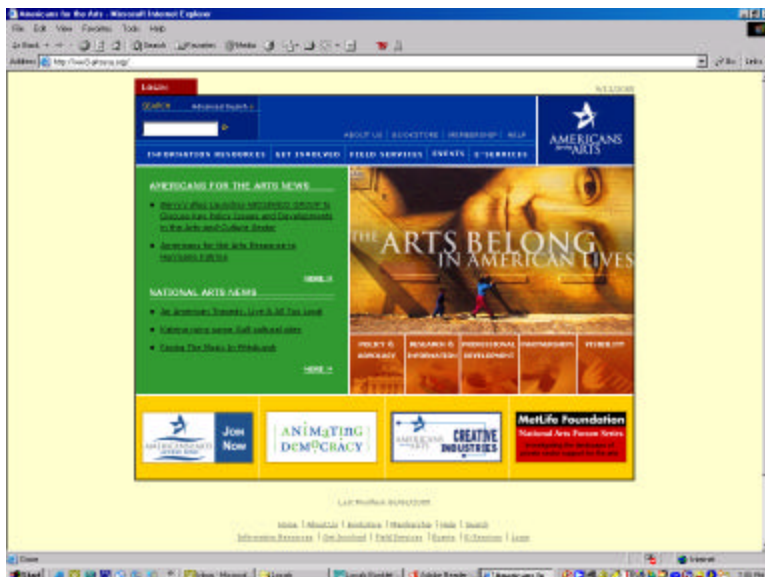
Your organization will have to wait three years and do business under the advanced ruling, prior to obtaining a complete ruling from the IRS.

Resources

ARIZONA COMMISSION ON THE ARTS - www.azarts.gov

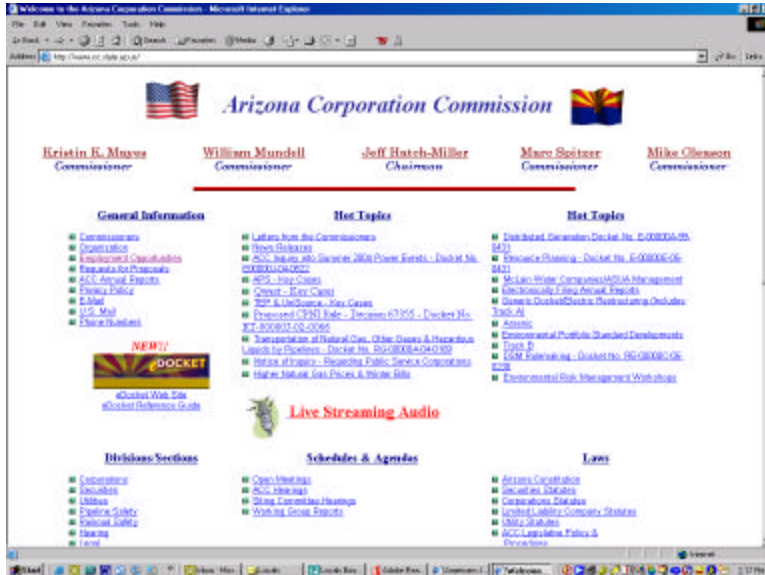


AMERICANS FOR THE ARTS - www.AmericansfortheArts.org

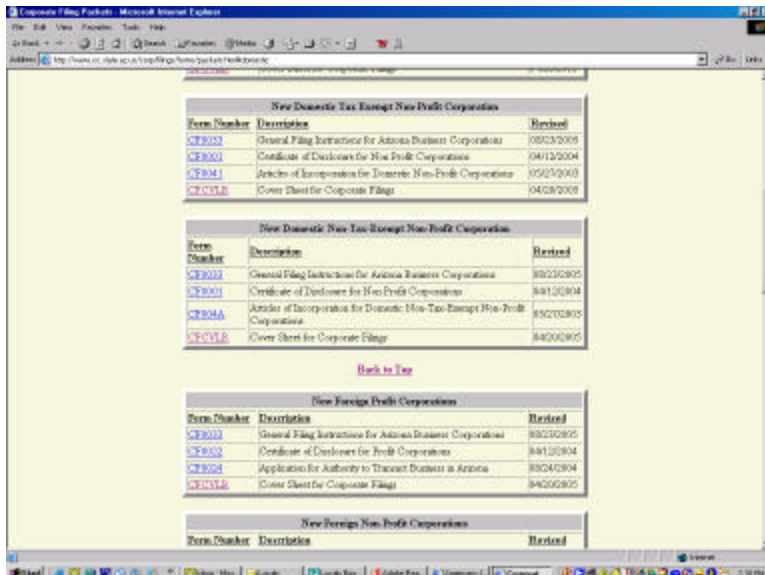


Resources

ARIZONA CORPORATION COMMISSION - www.cc.state.az.us

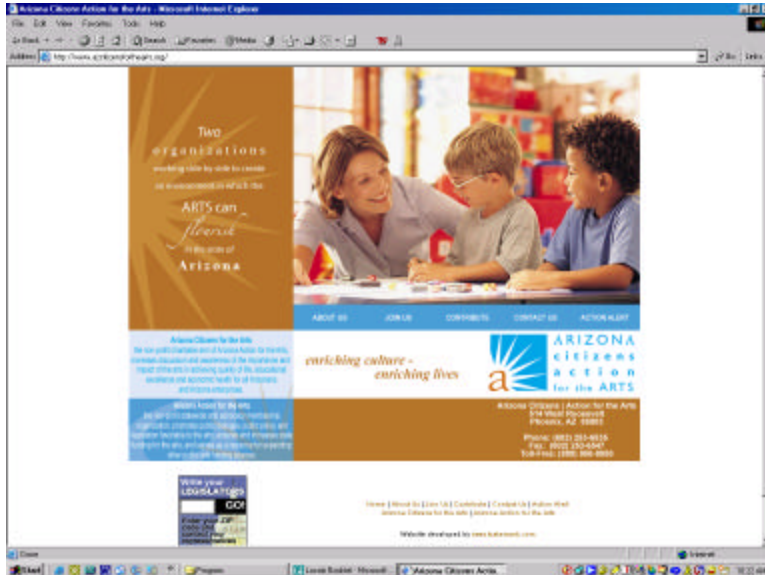


ARIZONA CORPORATION COMMISSION FILING FORMS 501 (C) 3
www.cc.state.az.us/corp/filings/forms/packets.htm



Resources

ARIZONA CITIZENS FOR THE ARTS - www.AZCitizensfortheArts.org

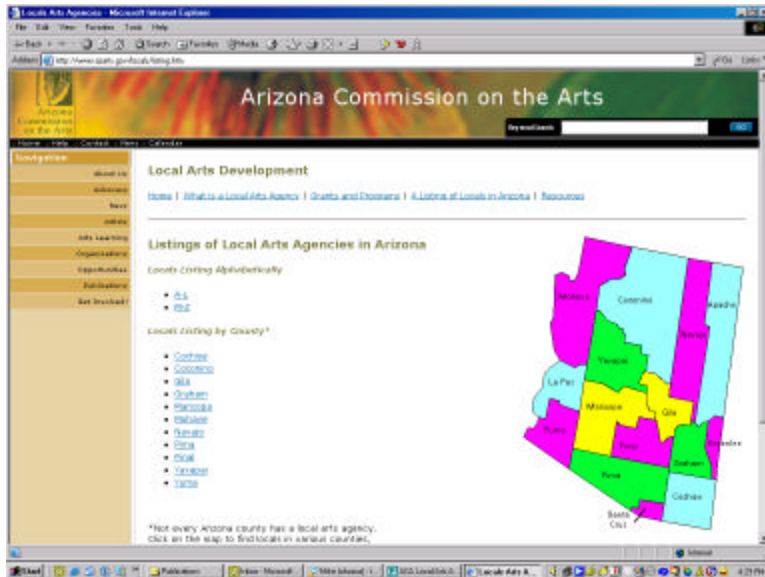


STATE OF ARIZONA - www.az.gov

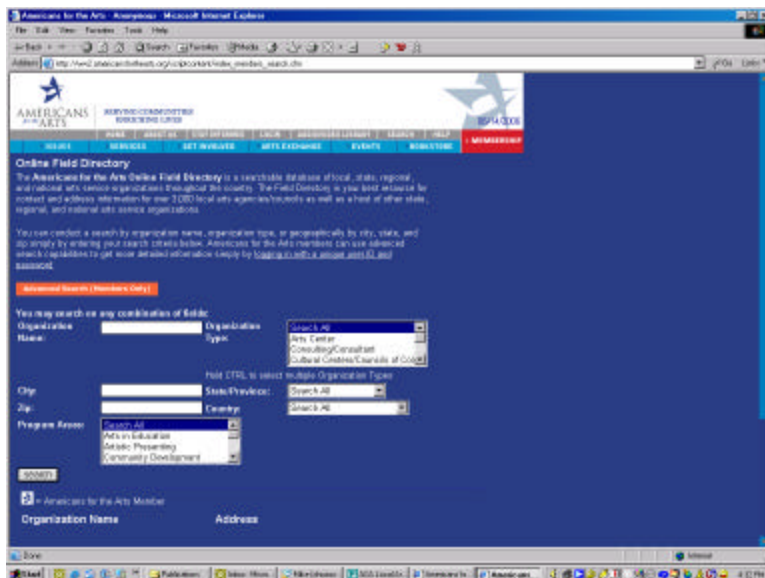


Resources

LISTING OF ARIZONA LOCAL ARTS AGENCIES - www.azarts.gov/locals/listing.htm



LISTING OF LOCAL ARTS AGENCIES AROUND THE US ww2.americansforthearts.org/scriptcontent/index_members_search.cfm



Notes

