

2008-2010 Guidelines for United Arts Council's Artists in the Schools and Community Arts Reach Programs

Acceptance into the United Arts Council's Artists in the Schools (AIS) and Community Arts Reach (CAR) Programs is a competitive process. Applications are reviewed by a volunteer panel made up of educators, parents, community members, artists and United Arts staff. Panelists consider the criteria listed below and the application's completeness, in addition to the program's uniqueness and its artistic and educational value. Artists may apply to present any or all of the following programs, depending upon whether they are applying to AIS or CAR: performances, residencies, workshops, exhibitions and mini-camps/classes. Please read the following criteria and guidelines *carefully*.

I. Criteria for Selection:

The applicant must:

- Have either a BA or BFA in theatre, dance, music, or visual arts **OR** the equivalent in training or experience. Writers must have a college degree and evidence of professional writing experience.
- Be a professional artist practicing in his or her discipline.
- Be knowledgeable and flexible about schedules, environments and demands. Program sites range from auditoriums to media centers, gyms, cafeterias, etc.
- Possess patience and a sense of humor.
- **NEW: Acceptance for inclusion in the Directory is provisional until a background check has been completed – forms and additional details will be sent after preliminary acceptance from the panel. Note: If the applicant is a group, each individual group member must go through a background check.**

Additional for AIS:

- Have experience working with students in a workshop, residency and/or school/community setting.
- Be aware of the school systems' standard course of study.
 - Abbreviated/summarized versions of the Wake County curriculum standards for grades K-8 can be found at:
http://www.wcpss.net/curriculum-instruction/docs_downloads/connections/index.html
 - North Carolina's statewide standards can be found at
<http://www.dpi.state.nc.us/curriculum/ncscos>
- The program offered by the applicant must:
 - Be appropriate for specific age levels involved.
 - Have ALL travel, food, lodging and supply expenses established at set rates so they can easily be calculated into the total cost of the program and be included in the fee structure published by United Arts. (AIS - Wake County Schools and United Arts cannot pay a separate fee beyond the amount(s) listed on your directory page.) Set specific fees for travel in Wake and Johnston County. These fees must be clearly stated on the Directory Page. These fees may be listed separately from your performance fees on your page.
 - **Please note:** Programs focusing on areas such as acrobatics, aerobic dance, clowning, cosmetology, juggling, karaoke, magic and martial arts are not eligible to participate in UA Programs.
- Place primary emphasis on teaching the audience about an arts discipline.
- Have educational value and curriculum connections. Programs that integrate effectively with areas of study and use the art component to uniquely address curriculum areas are particularly appealing.
- Involve students and teachers.

- Include a study guide that will be **provided to the school prior to the program**. Artists and writers conducting residencies must also include a one-hour-minimum planning session with teachers before **each** residency.
- Include only adults as members of the performing group.
- Take place during regular school hours at the school (unless otherwise arranged with United Arts in advance).

Additional for CAR:

- Provide promotional materials to the communities prior to the program.

II. AIS Guidelines for Performances, Workshops, and Residencies

FEE STRUCTURE

Fee structure is set by the artist, depending on travel expenses, food, lodging and supplies. All expenses and fees must be accounted for in the fee structure portion of the page that is published in the **Artists Resource Directory**. Please set specific fees for travel in Wake and Johnston County. Fees must be clearly stated on the Directory Page.

Additional notes: 1) Fees set in the Directory must be honored. 2) Workshop fees must be distinguishable from performance fees. (e.g. One performance = \$700; \$150/workshop; Workshop with performance: \$100/workshop; etc.) 3) We encourage artists wishing to present residencies to include the cost of a planning meeting with the school faculty in the cost of the residency. 4) **Travel fees must be a fixed rate, NOT on a reimbursement basis!** 5) Residency fees should take into account the number of classes being worked with and length of residency (e.g. a residency for four classes/day for three days would have a different cost than a residency for five classes/day for three days; a residency for four classes/day for five days would also be different).

PERFORMANCE GUIDELINES

For the AIS Program, performances must be educational as well as entertaining. A lecture/demonstration format is recommended. If the program is not suited for a lecture/demonstration format, then introductory, concluding and/or transitional remarks should be educational in nature. Student participation is encouraged; e.g., rhythmic responses, question/answer, sing along, etc.

ARTIST RESIDENCY GUIDELINES

For the AIS Program, an artist residency typically consists of a minimum of **12** hours (four 42-60 minute classes per day for **three** days). The artist meets with the same classes at least three times—one time per day (e.g. three contact hours per class/student). If the school schedule does not accommodate this, the United Arts Council must pre-approve any variation. If the school wants the artist to work with more or fewer classes, fees should be negotiated directly between the PTA/school and the artist, but **the artist must meet with the same students a minimum of three times**. Students must be actively involved in “hands-on” work, and the residency should culminate with a student product (i.e. dance, dramatization, etc.). Goals/activities must be defined in writing and discussed with teachers during a one-hour-minimum planning session before the residency. We encourage you to include the cost of this planning time in the cost of your residency. Residency sites range from classrooms to media centers and may involve one to two classes at a time.

Artists who want to present residencies must provide a study guide to the school **prior** to the program. Materials such as sample lesson plans and/or an outline of how the residency addresses North Carolina curriculum areas help teachers prepare for your visit and help you focus your presentation.

WRITER RESIDENCY GUIDELINES

Due to United Arts grant structure, any artist wishing to present writing residencies must be accepted and designated by United Arts as a “Writer-in-Residence.” Not all writers choose to present Writer in Residency programs. If you are a writer planning only to present performances or workshops, use the guidelines above. For the AIS Program, the length of a writer residency must consist of a minimum of 5 contact hours per class (e.g. four classes in a week would be a minimum of 20 hours; five classes would be 25 hours, etc.). **The writer meets with the same classes five times**—one time per day (e.g. five contact hours per class/student). **Schedule variations can be accommodated if the school schedule does not accommodate this structure, as long as United Arts has pre-approved**

any variation. Goals/activities must be defined in writing and discussed with teachers during a one-hour-minimum planning session before the residency. We encourage you to include the cost of this planning time in the cost of your residency.

ARTIST WORKSHOP GUIDELINES

For the AIS Program, an artist workshop is defined as a session with one 45-60 minute class for one to five different classes per day. The workshop or workshops may be done in conjunction with a performance, i.e., a “companion” workshop or workshops; workshops can also stand alone. Workshops must actively involve students in “hands-on” work. Sites for workshops range from classrooms to media centers and may involve one to two classes at a time. *Due to United Arts grant structure, the price of your workshops must be separated from the cost of the performance.*

IF ACCEPTED INTO THE AIS PROGRAM

Artists accepted in the Artists in the Schools Program act as independent contractors and will not hold United Arts Council, the School, or the Wake County Public School System responsible for any Federal or State withholding taxes, insurance or any other benefits except as described in the **SPECIAL NOTE**, below. The applicant agrees to indemnify and hold United Arts Council and its employees harmless against all claims, losses, expenses, and injuries to persons or property resulting in any way from any act, omission, or negligence on the part of the organization in the performance of or failure to perform the activity under contract.

CULTURAL ARTS FESTIVAL

Artists accepted in the Artists in the Schools Program are invited to participate in the annual United Arts Cultural Arts Festival and may be contracted by schools for performances, residencies and workshops during the upcoming school year. Additional information about the Festival will be mailed to eligible artists later in the year.

Payments for services are rendered by United Arts *if and only if* the school has applied for and received matching grant funds through the AIS Program. Schools may choose to contract directly with any artist outside United Arts’ AIS Program, in which case the artist will receive payment for services rendered directly from the school. Additional information about this process will be sent to artists accepted to the Directory.

SPECIAL NOTE TO OUT-OF-STATE ARTISTS

The State of North Carolina requires that a 4% withholding tax be deducted from the total payments to individuals and organizations who do not reside in North Carolina, provided that the total amount earned during a calendar year is \$1,500 or more. This withholding tax must be withheld even if the artist is part of a non-profit group.

“If, in the course of your trade or business, you pay compensation of more than \$1,500 during the calendar year to a nonresident contractor for personal services performed in North Carolina, you must withhold North Carolina income tax at the rate of 4 percent from the compensation.

The tax must be withheld from any nonresident individual and from any nonresident entity (C or S corporation, partnership, or limited liability company) receiving personal services income in connection with a performance, an entertainment or athletic event, a speech or the creation of a film, radio, or television program. **Tax is not required to be withheld from a corporation or limited liability company that has obtained a certificate of authority from the Secretary of State** or from a partnership that has a permanent place of business in North Carolina.

No tax is required to be withheld from an entity that is exempt from North Carolina corporate income tax under G.S. 105-130.11. This includes any organization that is exempt from federal income tax under the Internal Revenue Code. The entity must provide documentation of its tax exemption to the payer, such as a copy of the organization’s federal determination letter of tax exemption or a copy of a letter of tax exemption from the Department of Revenue.”

~from “Withholding from Nonresidents for Personal Services Performed in North Carolina;” <http://www.dorncc.com/downloads/nc30.pdf>

If you have any questions about this law and its application to you or your organization, please discuss this issue with your accountant and/or attorney. If, after discussion, you feel that you are exempt from this requirement, please notify us in writing by March 30. You will also need to provide United Arts with the

appropriate documents to confirm your exemption (i.e., A Certificate of Authority from the Secretary of State of North Carolina; letter of federal tax exemption.)

To apply for a Certificate of Authority, you can write to the NC Secretary of State, Corporations Division, PO Box 29622, Raleigh, NC 27626-0622 or you can fax a form request to 919-733-1837. You may also visit the NC Secretary of State's website, www.secretary.state.nc.us, to learn about the process of applying for your Certificate of Authority through the Corporations Division. If you are an out-of-state artist, you can possibly receive a refund on the tax withheld if you file a North Carolina tax return at the end of a calendar year.

We appreciate your interest in the Artists-in-the-Schools Program. If you have any questions, please call Stephen Britt, Program Coordinator, at (919) 839-1498 ext. 210, or e-mail him at sbritt@unitedarts.org. You may also contact Ginny Zehr, Vice President for Education and Community Programs, at (919) 839-1498 ext. 209, or e-mail her at gzehr@unitedarts.org.

III. CAR Guidelines for Performances, Workshops, Residencies, Exhibitions, and Mini-Camps/Classes

FEE STRUCTURE

Fee structure is set by the artist, depending on travel expenses, food, lodging and supplies. All expenses and fees must be included in the fee structure portion of the page that is published in the **Artists Resource Directory**. ~~Please set a standard fee for travel within Wake County. Fees must be clearly stated on the Directory Page.~~

Additional notes: 1) Fees set in the Directory must be honored. 2) Workshop fees must be distinguishable from performance fees. (e.g. One performance = \$700; \$150/workshop; Workshop with performance: \$100/workshop; etc.)

PERFORMANCE GUIDELINES

For the CAR Program, performances should be accomplished in one 60- to 90-minute time period and are usually scheduled on weekends and evenings. Performance sites include, but are not limited to, auditoriums, community centers, gyms, churches and storefronts that are ADA compliant.

ARTIST RESIDENCY GUIDELINES

For the CAR Program, an artist residency is defined as multiple visits working with the same group of participants, usually for a minimum of two contact hours per day for three to five days. The residency must actively engage participants. Residency times are best suited to weekends and after 3:30 p.m. on weekdays. Sites used include, but are not limited to, community centers, gyms, churches and storefronts that are ADA compliant.

ARTIST WORKSHOP GUIDELINES

For the CAR Program, an artist workshop is defined as a single 1- to 3-hour session with the same group of participants. Workshops must actively engage participants. Sites used include, but are not limited to, community centers, gyms, churches and storefronts that are ADA compliant.

EXHIBITION GUIDELINES

Sites for exhibitions include but are not limited to auditoriums, community centers, gyms, churches and storefronts that are ADA compliant. An exhibition may be organized around other activities such as workshops and classes.

Basic definitions for exhibition security are:

Limited Security - The minimum security requirement is typically applied to exhibits that do not contain one-of-a-kind works of art requiring only that the exhibition space be secured when not open to the general public.

Moderate Security - Moderate security, when required, stipulates that the exhibition space be regularly monitored and secured when not open to the general public.

High Security - High security is typically required for exhibits containing highly valuable and/or fragile objects. In addition to the requirements for moderate security, light, humidity, and temperature are also controlled and monitored during high-security exhibitions. Specific security measures must be put in writing and mutually agreed upon by the artist and exhibitor. Fees may vary according to the exhibition.

MINI-CAMP/CLASSES GUIDELINES

Teachers/artists conducting mini-camps or classes must be professional, practicing performing or visual artists or arts teachers. Teaching assistants must be certified and/or seeking degrees in appropriate fields. Mini-camp/class leaders must be at least 18 years old. Typically, a minimum ratio of two (2) teachers per 25 children is required. A written partnership agreement is required outlining responsibilities between the artist and/or arts organization and the contracting agency. The agreement may vary with each activity and must include, but not be limited to, the following: time of service, promotion/advertising, registration, payment schedule and timeline. Sites for mini-camps and classes can include auditoriums, community centers, gyms, churches and storefronts that are ADA compliant. All activities must actively engage participants.

IF ACCEPTED INTO THE COMMUNITY ARTS REACH PROGRAM

The Community Arts Reach program is a partnership between United Arts Council and the 11 municipalities located outside of Raleigh in Wake County. Each municipality's Parks, Recreation and Cultural Resources department contracts with artists to provide arts programs in their towns, with funding provided by the town and United Arts Council. It is recommended that artists contact each town (contact list available from United Arts Council) to publicize their programs. CAR artists may participate in the Cultural Arts Festival, but may not showcase. Other Community agencies may utilize the Artists Resource Directory to find artists for their programs, but funding is not available through United Arts Council.

Applicants accepted into the Community Arts Reach program will act as individuals contracting independently and will not hold United Arts or the communities responsible for any Federal or State withholding taxes, insurance or any other benefits except as described in the **SPECIAL NOTE**. The applicant agrees to indemnify and hold United Arts and its employees harmless against all claims, losses, expenses and injuries to persons or property resulting in any way from any act, omission, or negligence on the part of the organization in the performance of or failure to perform the activity under contract.

Applicants are contracted by community representatives for performances, residencies, exhibitions and workshops with payment for services rendered by United Arts to the town or artist. A community, artist or arts organization may contract independently of the Community Arts Reach Program.

United Arts is firmly committed to a policy of non-discrimination: no person shall be excluded from participation in nor denied the benefits of any program, activity or service on the basis of race, color, religion, national origin, sex, age, sexual orientation, disability or ancestry.

SPECIAL NOTE TO OUT-OF-STATE ARTISTS

The State of North Carolina requires that a 4% withholding tax be deducted from the total payments to individuals and organizations who do not reside in North Carolina, provided that the total amount earned during a calendar year is \$1,500 or more:

"If, in the course of your trade or business, you pay compensation of more than \$1,500 during the calendar year to a nonresident contractor for personal services performed in North Carolina, you must withhold North Carolina income tax at the rate of 4 percent from the compensation.

The tax must be withheld from any nonresident individual and from any nonresident entity (C or S corporation, partnership, or limited liability company) receiving personal services income in connection with a performance, an entertainment or athletic event, a speech or the creation of a film, radio, or television program. **Tax is not required to be withheld from a corporation or limited liability company that has obtained a certificate of authority from the Secretary of State** or from a partnership that has a permanent place of business in North Carolina.

No tax is required to be withheld from an entity that is exempt from North Carolina corporate income tax under G.S. 105-130.11. This includes any organization that is exempt from federal income tax under the Internal Revenue Code. The entity must provide documentation of its tax exemption to the payer, such as a copy of the organization's federal determination letter of tax exemption or a copy of a letter of tax exemption from the Department of Revenue."

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We appreciate your interest in the Community Arts Reach Program. If you have any questions about the CAR Program, please call Ginny Zehr, Community Arts and Grants Manager, at (919) 839-1498 ext. 209, or e-mail her at gzehr@unitedarts.org.