



Tribal Cultural Council

PROGRAM GUIDELINES

May 2024

Table of Contents

Purpose.....	3
Background	3
Tribal Cultural Council Operations Overview	4
Council-Initiated Programming	8
Tribal Cultural Council Grant Cycle	9
Application Instructions.....	9
Eligibility	10
Criteria.....	12
Grant Review	13
Reconsideration.....	14
Grant Payment	16
Grant Cycle Timeline	17
Appendix A - Open Meeting Policies	18
Appendix B - Conflict of Interest Policies	19
Appendix C - Public Records Policies.....	19

Purpose

This document provides guidance to tribal cultural councils on the policies and procedures Tribal Cultural Councils (TCCs) must follow when awarding and disbursing revolving account dollars to grant recipients to ensure a thoughtful and fair process for distributing public money.

Mass Cultural Council has created the Tribal Cultural Council program (As further described below) in accordance with its general statutory authority and has issued these guidelines in furtherance of its program administration. These program guidelines are not meant to abridge or supersede tribal government policies and procedures.

Please note that Mass Cultural Council may issue additional guidelines in response to emerging situations. Tribal Cultural Councils will be notified if any guidelines are changed. Guidelines are reviewed and updated annually. Constituent feedback is encouraged and welcomed.

Background

Mass Cultural Council, Local Cultural Councils, and Tribal Cultural Councils

In Massachusetts, public funding for the arts, humanities, and sciences is provided through a central state agency, Mass Cultural Council, and pursuant to specific statute through a network of Local Cultural Councils (LCCs) that serve every city and town in the state. LCCs also receive support for programs from donations, fundraising events, and their local municipality. To promote equity, in 2024 the Mass Cultural Council worked with a task force of Native American and Indigenous leaders and the Massachusetts' Commission on Indian Affairs (MCIA) to create an equivalent regrating program similar to the LCC program for Tribal Governments in recognition of their inherent tribal sovereignty and right to self-determination.

Mass Cultural Council advances the Commonwealth's creative and cultural sector by celebrating traditions and talents, championing its collective needs, and equitably investing public resources.

Mass Cultural Council receives funding from the Massachusetts Legislature and the National Endowment for the Arts and distributes these public funds through two channels:

1. Direct grants to individuals and organizations, available through statewide competitive grant processes; and
2. Distributions to Local and Tribal Cultural Councils, which then regrant funds to individuals and organizations in their own communities.

The Local Cultural Council (LCC) Program was established in 1982 and was overseen by the Massachusetts Arts Lottery Council until 1990. It then merged with the Massachusetts Council on Arts and Humanities to form Mass Cultural Council. The Tribal Cultural Council program is intended to provide tribal governments and organizations with the same type of program as is available to municipal governments.

Information about the TCC Program, the LCC Program, and all other Mass Cultural Council programs can also be found [online](#).

Tribal Cultural Council Operations Overview

Purpose of Tribal Cultural Councils. The purpose of the tribal cultural councils is to support programs that advance the Commonwealth's creative and cultural sector to foster a rich cultural life in communities across the Commonwealth. Local decision-making is an integral element of this system. Tribal Cultural Councils have the right and responsibility to award grants that address cultural needs specific to their communities.

Establishment of a Tribal Cultural Council. Tribal Cultural Councils consist of at least five, but no more than 22 members, appointed by the top appointing official in the community (i.e., the Tribal Council, Chief, Sonksq, Elder Council, etc.) Council members should have an interest in the arts, humanities, or sciences.

Membership on a Tribal Council. The term of membership for a council member is three years; members can serve a maximum of two consecutive terms, or a total of six years, unless the appointing authority removes a member before the expiration of a term. Members must remain off the council for a one-year interval before serving additional terms. A member with an expired term shall continue to serve until the qualification of such member's successor. This rule is a "safe harbor" provision intended to avoid quorum problems for Councils when waiting for new appointments to be made.

Councils should not abuse this rule to allow members to serve endless or greatly extended terms. Membership and leadership transitions must be handled in a responsible and timely manner at the discretion of the Tribal Government and Tribal Cultural Council.

Each council must identify one or two people to serve as the primary point of contact for the Mass Cultural Council (i.e. chair or co-chairs). TCCs are encouraged to create additional roles to support the administration of the council such as a secretary and/or treasurer. TCCs may determine their own member roles, responsibilities, and titles in line with their Tribal Government's structure. To preserve continuity of operations, the terms of individual council members should be staggered (that is, there should never be 100 percent turnover of members in a single year). Tribal Cultural Councils may also elect to designate former officers or members as non-

voting, ex officio council members. Members of a TCC have a shared responsibility to the operation of the Council. If a Council member is non-responsive for a year, council members by vote, may request the member resign and/or that the appointing authority remove them from the council. Only the appointing authority can remove a member before their term expires. (Review [Suggested roles and responsibilities of each member on the Council](#) in the LCC Toolkit.)

Management of Tribal Cultural Council Funds. Each Tribal Cultural Council must keep **all funds** (state funds from Mass Cultural Council, interest earned, and locally raised funds) in the TCC's Tribal Government account. The TCC's funds must be accounted for separate and apart from all other monies administered by the Tribal Government. Councils are entitled to interest on their account and to regular financial reports from the municipality. The funds may be spent as the Tribal Cultural Council directs, which must be consistent with Mass Cultural Council guidelines, and otherwise in accordance with local procedures for the expenditure of Tribal Government funds. Separate checkbooks or non-Tribal Government accounts are not permissible.

A TCC may not accumulate **unspent state funds** at the local level. Unspent funds accrue for various reasons, typically because previously approved projects were not completed. Unspent state funds from prior fiscal years must be accounted for, reported to Mass Cultural Council, and regranted in the next available funding cycle stipulated by the timeline set forth by Mass Cultural Council.

Administrative Expenses. TCCs may spend up to 10% of their state allocation each funding cycle for administrative expenses, such as paid staff, postage, and publicity. While TCCs may use administrative funds to purchase refreshments for public events such as grantee receptions, TCCs cannot use administrative funds to purchase refreshments for regular TCC meetings, such as grant cycle voting meetings.

Using the administrative funds, Tribal Governments can decide to provide stipends to Tribal Cultural Council members and/or provide members reimbursement for expenses. Together the TCC and the municipality should determine specific policies and procedures for compensating or reimbursing members for expenses.

Any administrative funds from the prior grant cycle, which have not been spent, or are not encumbered for specific pending expenses, should be treated as unencumbered money and should be regranted. Any locally raised money or interest earned from state funds may be used for council expenses without being subject to a percentage limit.

Council-Initiated Programs. Councils can use up to 40% of their Mass Cultural Council allocation on programs that have been developed by the council that respond to cultural needs in the community that are not being met (see the [Council Programs section](#) of the LCC Toolkit). Any Council-Initiated Program funds from the prior grant cycle, which have not been spent, or are not encumbered for specific pending expenses, should be treated as unencumbered money and should be regranted.

Fundraising from Sources Other than the State. To the extent that they are allowed by law and legal status, councils are encouraged to leverage funds from sources other than the state, including private contributions, local government allocations, program revenues, event fees, and so on. Councils are also encouraged to communicate with their Tribal Government to ensure proper procedures when receiving funds. Depending on the legal status of the Tribal Cultural Council, donors of such funds may qualify their gift as deductible for federal income, gifts, and estate tax purposes. Tribal cultural

Regardless of the source, all funds must be used to support programs in the arts, humanities, or sciences in Massachusetts and should meet the other requirements set forth in the TCC Program Guidelines. Locally raised funds and interest earned must be kept in the TCC's municipal Tribal Government account with the TCC's state funds. Unlike state funds distributed to the TCC from Mass Cultural Council, prior Mass Cultural Council approval for expenditure of locally raised funds and interest earned is **not** required.

Tribal Cultural Council Duties. Each Tribal Cultural Council has several mandatory duties:

- **Community Engagement.** Community engagement is essential in creating a framework for arts, culture, and community development that is relevant to and inclusive of the broader populations in a particular locale. In line with [Mass Cultural Council's Strategic Plan](#), councils are responsible for ensuring that its grants and programs benefit everyone in the community. To this end, each council must engage with tribal members, residents and other local stakeholders to assess and understand cultural needs within its community through obtaining community input. Community Input can be gathered by hosting events, programs, or meetings to convene the community, and/or through paper or online surveys. You can [read more about community input](#) in the LCC Toolkit.
- **Communicating with the Public.** Tribal Cultural Councils are responsible for promoting local awareness of their programs; informing the public of the availability of funds, the application deadline, and local priorities and guidelines; publicizing Tribal Cultural Council contact information; communicating with grant applicants and recipients; and other duties as Mass Cultural Council establishes. Councils will be supported in this work by the Community Initiative team who will help publicize the statewide local deadline and other program support. Councils are encouraged to begin promoting the grant cycle as early as August.
- **TCC Annual Report.** Each year TCCs are required to complete an Annual Report which consists of 3 parts:
 - 1) Council Priorities & Local Guidelines
 - 2) Financial Report
 - 3) Grant Decisions Report

- 1. Council Priorities & Local Guidelines.** All councils should develop funding priorities and/or guidelines, which are informed by a TCC's community input. Autonomy is encouraged in the establishment of local funding priorities, as long as it is within the parameters of the guidelines established by Mass Cultural Council.
 - **Guidelines** clearly communicate any local application instructions or restrictions.
 - **Priorities** and local review criteria help TCCs to support projects that best meet the needs of their community.

[Examples of local guidelines and priorities can be found in the LCC Toolkit.](#) Annually, by August 31 TCCs must update their council priorities, guidelines, council contact information, and indicate whether they will follow a reimbursement of direct grant payment process (See Grant Payment section). Once updated through the online grants management system, the information is posted onto the [council's public webpage](#).

- 2. Financial Report.** TCCs must meet with their Tribal Government fiscal officer between **September 1 and 30**. The Tribal Government fiscal officer must provide the council with a completed TCC Account Form, which the municipality receives directly from Mass Cultural Council. Any differences in the TCC's accounting and the Tribal Government's accounting should be worked out at this time. Both parties sign the document and the TCC retains the signed original for their use.

The deadline for TCCs to input the information from their TCC Account Form and calculate their amount available for granting is **October 15**. There are two tabs in the Financial Report section, and both should be completed with your municipal fiscal officer.

- 3. Grant Decisions Report.** All TCCs complete and submit their Grant Decision Report, the final component of the Annual Report, to Mass Cultural Council through the online grants management system no later than **January 15**. Councils must consider this deadline with the 15-day reconsideration period in mind. Failure to meet this deadline may result in the loss of that cycle's allocation from Mass Cultural Council.

- **Reviewing and recommending action on local applications.** See the "Tribal Cultural Council Grant Cycle" section of the guidelines for additional information.

Assuring Compliance with Tribal Cultural Council Duties. The fundamental operations of TCCs are reviewed and approved by Mass Cultural Council on an annual basis before funds are released. Mass Cultural Council staff will check the following before releasing funds:

- The Annual Report to Mass Cultural Council was submitted by the reporting deadline **January 15**.

- All funds from the current year were granted.

When Mass Cultural Council finds that a Tribal Cultural Council has not adequately complied with its duties as specified in the TCC Guidelines, Mass Cultural Council may suspend all or part of its funding for that council. Mass Cultural Council may also specify corrective actions that the TCC must take before it can begin to receive funds again. If an TCC fails to take corrective actions specified by Mass Cultural Council, within a time frame specified by Mass Cultural Council, Mass Cultural Council may redistribute any funds allocated to that Tribal Cultural Council.

State Reviews. Mass Cultural Council conducts periodic reviews of LCCs and TCCs. Mass Cultural Council may review the applications and their supporting documentation, payment requests submitted by grantees, and adherence to following the procedures outlined in the TCC Program Guidelines. Mass Cultural Council may employ third-party experts to conduct these periodic reviews.

Council-Initiated Programming

Councils are encouraged to develop their own programs and activities to respond to cultural needs that are not otherwise being addressed in the community or that support the council's local priorities. A council may spend up to 40% of its state allocation each funding cycle to support programs initiated by the TCC itself. The funds can be used to support the program administration, program staffing, and other program-related expenses. Councils are strongly encouraged to use their community engagement process to ask for specific suggestions for projects or to elicit feedback on proposed initiatives.

The dollars approved for council programs come directly from that TCC's annual allocation. Councils that choose to set aside these funds for their Council Programs must complete the Council Program section of the Annual Report, found within the Grant Decisions box, on the online [grants management system](#).

Restrictions. Funds raised locally from council-initiated programs must be deposited into the TCC's Tribal Government account. In addition, it must observe the following restrictions:

- Council-initiated program funds cannot be set aside "just in case." They must be spent prior to the next grant cycle on programs specifically organized by the council. Unspent money must be treated as unencumbered funds and must be granted out the following grant cycle according to Mass Cultural Council's timeline and process.
- Council-initiated program funds cannot be used to fund late or ineligible grant applications. These funds are intended for use in programming and activities led by the council itself.
- Council-initiated program funds must be spent on the specific program, not on

general TCC administrative/operational expenses such as printing panel books, paying staff for grant cycle management, or standard council publicity efforts. (See the “Management of Tribal Cultural Council Funds” section, each council may use up to 10% of their allocation for these types of administrative purposes).

- Each member of the council must carefully follow the conflict-of-interest policies and procedures established by their Tribal Government. In addition to oneself, each TCC member must be careful if family members or business partners, or an organization a member is affiliated with, have a potential financial interest in council programming.

Accessing the funds. All funds for council-initiated programming, no matter the source, must be kept in the council's Tribal Government account and can be accessed by:

- Direct advance payments to third party vendors for goods or services.
- Reimbursement to council members or vendors for expenses related to the project.

Councils undertaking their own programming should work closely with their Tribal Government to establish specific processes for expending and tracking funds.

Council-Initiated Program Final Report. Councils who use state funds to support their prior year council-initiated program must complete a final report by January 15. If the project is not complete the council should send an update. Final reports are emailed to the TCC's [Mass Cultural Council Community Program Officer](#).

Tribal Cultural Council Grant Cycle

Application Instructions

Applicants submit directly to specific Tribal Cultural Councils using the online application. Paper or mailed applications cannot be accepted. Applicants who need assistance filling out an application online should contact their [Program Officer](#).

Mass Cultural Council can offer translation, interpretation, alternative formats, and other services individuals may need to participate fully in Agency programs. [Learn more about requesting an accommodation for accessibility or requesting translation services](#). Mass Cultural Council will provide support to the Tribal Council to meet any such request.

Before applying, applicants should read the TCC's local guidelines and priorities for any additional instructions. Applicants are not required to mail additional hard copies to the council to which they are applying.

Tribal Cultural Councils intending to use a portion of their state funds for Council-Initiated Programs should refer to the “Council-Initiated Programming” section.

TCC Grant Payments. TCCs choose to make all payments to grantees through either direct or reimbursement. Although there are two different ways to make grant payments, all other aspects of the grant cycle remain the same. More information about [Direct and Reimbursement payments](#) can be found in the LCC Toolkit.

- **Reimbursement:** This process reimburses the grantee for funds they have expended. Once the project is complete, the grantee submits a [reimbursement request](#).
- **Direct Grant:** this process authorizes Tribal Governments to make grant money available in full and up front to grant recipients as soon as the grantee submits their [grant agreement](#).

By August 31, councils must indicate which payment type they use by updating their council profile in the online grants management system. To do this, councils will click the corresponding box to indicate direct or reimbursement. For more information about grant payments and details about the payment processes see the “Grant Payment” section.

Tax Implications to Grantees. Grantees should be advised that grant payments can be considered taxable income depending on a variety of factors. Recipients should discuss the impact of any grant payment on their tax filings with the Tribal Cultural Council that awarded the funds and/or a tax professional. Individuals who are the recipient of income-based benefits should first contact the agency or agencies providing such benefits before accepting a grant payment as such one-time payments can disrupt benefits.

Eligibility

Application deadline. All applicants must submit completed applications by the statewide deadline, **October 15. Late applications cannot be accepted.**

Types of grants. A TCC may approve grants for a broad range of projects and programs, such as operating support, ticket subsidies, field trips, artist residencies, public art, fellowships, community events/programs, site specific projects, and other activities, based on local priorities. Each TCC determines its own local eligibility requirements based on the community engagement process.

Grant amounts. Tribal Cultural Council grants vary by council, and are determined by each TCC. Mass Cultural Council strongly encourages granting no less than a minimum of \$250 to each approved application. To get a sense of typical award amounts, applicants should review the funding list on each [council's profile on the Agency's site](#).

Program eligibility. Applicants may apply for grants for programs that take place during an 18-month window of eligibility from July 1, preceding the application deadline in October, through December 31 of the following year.

This means that applicants may apply for projects that have already happened or which happen prior to grant announcements of the current fiscal year cycle, with the knowledge that funding is not guaranteed. TCCs are authorized to establish a smaller window of eligibility; if they do so, they must publish the eligible dates in their council guidelines.

Applicant eligibility. Applicants must reside in, be located in, or have ties to the land that is currently known as “Massachusetts”. If applicants currently reside or are located outside the geographic boundaries of the Commonwealth of Massachusetts, ideally their project or program would take place within Massachusetts. TCCs may accept applications from anyone included in the following list. TCCs are authorized to prioritize eligible applicant types or limit which types of applicants they fund; if they do so, they must publish the eligibility in their council guidelines:

- **Individuals.** Individual applicants, including sole proprietors, must show that a community benefit results from the project for which they are applying. Individual members of TCCs may apply for funding from their own Tribal Cultural Council but must observe all conflict-of-interest procedures and policies in the granting process.
- **Non-profit organizations.** Organizations organized or registered as nonprofits with a Tribal Government or the Secretary of the Commonwealth or organizations with federal tax-exempt status.
- **Unincorporated associations.** A group of individuals coming together with a common purpose (e.g., local community band, theater group) that do not have nonprofit status.
- **Incorporated for-profit organizations.** For-profit organizations organized or registered with the Secretary of the Commonwealth. This includes corporations, partnerships, and Limited Liability Companies (LLC). Applicants must show that a community benefit results from the project for which they are applying.
- **Tribal, federal, state, and municipal government organizations.** This includes any governmental entity such as public schools, libraries, other municipal agencies, and the Tribal Cultural Council itself.
- **Religious organizations.** TCCs cannot fund activities that are “inherently religious” such as religious worship, instruction, and proselytization. Religious organizations or groups with a religious affiliation are eligible to apply for funding for a project or program that:
 - is available to the general public.
 - has purpose of benefiting the public, not the religious organization.

The limitation on the use of funds by religious organizations operates subject to the American Indian Religious Freedom Act.

[For more information see the LCC Program's Frequently Asked Questions \(FAQs\).](#)

Criteria

These four rules must be followed in the review of all funding decisions and are equally important. TCCs have the option of developing local review criteria and may decide how to weigh their importance:

1. Arts, Humanities, and Sciences
2. Public Benefit
3. Non-Discrimination
4. Local Priorities

Arts, Humanities, and Sciences. TCC funds may only be used to support the creative and cultural sector in the broadest sense.

How does Mass Cultural Council define the arts, humanities, and sciences?

- **Arts** refer to the creation of work in the crafts and performing, visual, media, folk, design, literary, and inter-disciplinary arts. They also include the presentation, preservation of, and education about works in these disciplines.
- **Humanities** are types of learning that deal with human values and aspirations, human thought and culture, language, and creativity. Examples include, but are not limited to, history, social studies, philosophy, criticism, and literature.
- **Science** is limited to its cultural, interpretive, and educational expression and refers to types of learning that deal with nature, science, and technology in ways that explain how they relate to people's lives. Some organizations that conduct this type of activity include aquariums, botanical gardens, nature centers, natural history museums, planetariums, and science centers.

Community Benefit. TCC funds must support activities that contribute to the cultural vitality of the community rather than benefiting any private individual or group. However, this does not mean that a large crowd of people needs to participate to satisfy the community benefit requirement. Whenever possible, activities funded by TCCs should be available to the community by exhibit, performance, demonstration, reading, or other means. An important component of community benefit is advancing diversity, equity, inclusion, and access. Programs do not need to be in-person to provide community benefit. Virtual and remote programming are also effective ways to make programming available to the community.

In looking at the requirement of applicants to offer community benefit, TCCs should look towards responses from their community engagement process to better inform their council priorities.

Non-Discrimination. In accordance with state law, TCCs may not discriminate against

applicants and/or programs based on age, ability, ethnicity, race, religion, sexual orientation, gender identity or expression, nationality, geographic origin, or immigration, military, or socio-economic status. Nor may TCCs fund projects that discriminate based on these attributes.

The Americans with Disabilities Act (ADA) requires that persons with disabilities have access to public programs or services on an equal basis with the rest of the public. Federal law mandates that any programs or services that receive federal or state funding must be accessible to persons with disabilities and there must be reasonable accommodation made to provide an accessible environment. All events and programs funded by TCCs must consider access for persons with disabilities, including the facility or event location, as well as the content of the program. To ensure equitable access, an applicant's first step is a candid assessment and identification of barriers (physical, virtual, cultural, communication) followed by a bold and innovative plan for improvement.

If an applicant puts forward a proposal for a project with strong potential for community benefit, but the TCC has concerns about access for persons with disabilities, the council may choose to award a conditional approval (see the "Grant Provisions" section). This would allow the applicant the opportunity to address the concerns and improve access as a condition of receiving the grant.

For further information on ensuring accessible programming, please refer to the [Accessibility Compliance Tools for Grantees](#) and for the [Agency's Access Policy](#).

Local Priorities. TCCs are authorized and encouraged to develop additional criteria based on their annual community input process and may give priority to their criteria to reflect local concerns and community cultural needs. Councils should formulate council priorities that ensure funding is broadly available to the widest range of diverse community needs.

Council priorities must be posted on the TCC's public council profile to be used as criteria for granting decisions.

Based on community input and community need TCCs could consider:

- Encouraging applications for operating support to allow organizations more responsive, flexible support.
- Loosening local requirements for a set date and set venue at the time of application.
- Prioritizing funding for historically under-funded communities including Native American, Indigenous and/or BIPOC (Black, Indigenous, and People of Color) communities, individuals with disabilities, low-income communities, and individual artists.

Grant Review

Deadline Compliance. TCCs cannot accept late applications. Meeting the statewide application deadline is a requirement.

Applicant Interviews. Mass Cultural Council discourages TCCs from holding interviews unless it is necessary to reach a granting decision. If councils find it useful to conduct applicant interviews as part of the grant review process, they must take extra precautions to ensure that the interview process is consistent, fair, and equitable. Interviews must not be required of applicants. Councils cannot disapprove an application for the sole reason that the applicant was unable to attend an interview.

Required Policies

While TCCs are not subject to the following policies as a matter of law, in order to participate in the Tribal Cultural Council Program, Councils are required to establish and follow their own policies to support transparency and accountability in the distribution of public funds. There are no legal penalties, however if a TCC is found not to be in compliance with its own policies, and fails to take the specified corrective action, they risk being removed from the Tribal Cultural Council Program.

- **Open Meeting Policies.** Mass Cultural Council requires that TCC meetings must be open to the public. For additional information, see Appendix A.
- **Conflict-of-Interest Policies.** Mass Cultural Council requires that TCCs follow conflict of interest procedures established by their Tribal Government. In cases where there is a conflict of interest the member should abstain from both the discussion and vote. For additional information on conflict-of-interest law, see Appendix B.
- **Public Records Policies.** Mass Cultural Council requires that all records of the actions of TCCs are considered public information and are subject to inspection upon request from any member of the public. For additional information, see Appendix C.

Reconsideration

An applicant may request reconsideration of a TCC decision on their application if the applicant can demonstrate that the TCC failed to follow published Mass Cultural Council guidelines and/or TCC local guidelines or priorities. Dissatisfaction with the denial of an application or with the amount of an award does not constitute grounds for reconsideration.

Disapproval letters will be sent automatically through the online grants management system once the TCC marks the application as denied in the system. The notice will provide the clear reason for the denial based on state guidelines or local priorities. "Insufficient funds" does not provide applicants with adequate rationale for disapproval.

Reconsideration requests should be made via email. The request must be sent to

Mass Cultural Council at our email address (lcc@mass.gov) within 15 days of the notification date on the disapproval letter (timestamp on email). Business days, weekends, and holidays count toward the 15-day limit. The applicant should also send a copy of the request to the TCC. The request should include:

- The council's disapproval letter to the applicant.
- The applicant's reason for requesting reconsideration stating how the TCC failed to follow published state guidelines or local priorities.

Within 15 days of receiving a reconsideration request, Mass Cultural Council will determine if the applicant has grounds for reconsideration and will notify both the applicant and council of its decision.

If Mass Cultural Council determines that the applicant has grounds for reconsideration, the TCC must convene a quorum of members and review the application, as if for the first time. Following all published state guidelines and local priorities, the TCC must decide whether to approve or deny the grant request and must notify the applicant of the final determination.

A decision on any requests for reconsideration should be made before TCCs finalize funding decisions and complete the Annual Report to Mass Cultural Council. Only after the Annual Report to Mass Cultural Council has been completed can successful applicants be notified of their approval.

Grant Contingencies and Requirements

Conditional Approvals. TCCs may place conditions on approved applications (i.e., the applicant must hold the proposed program during the local festival, or the performing group must provide free tickets to senior citizens). Conditions may also require submission of specific documentation related to receipt of grant funds or with final reports. TCCs must communicate any conditions to the applicant in writing (email or hard copy) and note them in the minutes for that meeting. If the applicant does not agree to the condition, they can choose not to accept the grant.

Grant Extensions and Modifications. Grant recipients have one year from the date of their approval notification to request reimbursement. Grant recipients need the TCC's written permission (email or hard copy) to make changes to their projects. At their discretion, TCCs can approve reasonable extensions and modifications for projects. The modification should not significantly alter the original purpose of the approved application.

Project extensions and modifications must be requested in writing and responded to in the same manner. To review an extension or other modification to an approved grant, a subcommittee of a minimum of two members can review and approve the request. The joint decision should be documented and later reported to the full council at the next meeting. If the subcommittee is unsure whether to approve the request the TCC must convene a quorum of TCC members and vote. The TCC must

inform the applicant of their decision in writing and ensure that the vote is reflected in the meeting minutes.

Credit and Publicity Requirements. All grant recipients are required to acknowledge the financial support of the TCC that approved their grant and Mass Cultural Council in published materials and announcements about their project. More information about the [credit policy for LCC and TCC grant recipients](#) can be found online.

Grant Payment

There are two different processes that Tribal Cultural Councils can choose between to pay grants:

1. **Reimbursement Process.** Payments are made after the project/program has been completed. All grant recipients have one year from the date of their approval notification to request reimbursement.
2. **Direct Grant Process.** Payments are made before the project/program takes place. All grant recipients have one year from the date of their approval notification to request their funds. For direct grants, it is suggested, however, that the grantee submit the paperwork for direct payment within two weeks of receiving their approval notification.

For either process, late requests, made outside the valid reimbursement/direct payment period, risk loss of funds as TCCs are required to regrant unspent funds each year. If the funds have not already been regranted, it is up to each council's discretion whether or not to honor a grantees' late payment request.

Payment Request: TCCs must establish a process by which grantees can request reimbursement or direct payments and provide any information the Tribal Government needs to make the grant payments. TCCs may choose to use LCC Program [Reimbursement Form](#) or [Grant Agreement Form](#), or they may develop their own. The payment process must be detailed in the TCC's Local Guidelines and instructions must be included in the approval notifications sent to grantees. The LCC Toolkit includes a [sample approval letter LCCs can edit for the Reimbursement process](#) and a [sample approval letter TCCs can edit for the direct grant process](#).

Payment may be made either directly to the applicant or to third party vendors who will provide goods, materials, or services to the applicant. In either case, the TCC must retain a copy of the documentation provided by the applicant as part of the council's records.

Payment Approval: If the council is satisfied that the project has been completed as promised, a sub-committee of a minimum of two council members must approve the payment and notify the Tribal Government fiscal officer, who will authorize the release of funds to the grantee. Councils should take no longer than four weeks to forward approved reimbursement requests to the Tribal Government fiscal officer.

Project/Program Completion Concerns: If the council is not satisfied that the project was completed as promised or not completed at all, the council must contact the grantee with their concerns and allow the grantee the opportunity to respond. Two council members and the grantee may work out a solution, which should be finalized in writing (email or hard copy). If a compromise cannot be reached, the council must convene a quorum of members to vote on the reimbursement request. The council may vote for full, partial, or no payment. Results should be reflected in the meeting minutes, and the grantee should be given final notification in writing of the outcome of the vote.

In the case of direct payments when the grantee has already been paid the TCC should request the funds be repaid to the TCC. Grantees that do not repay the grant funds to the Tribal Cultural Council will jeopardize their chances for future funding. Councils have the leeway to state in their grant agreement form, the penalties that will occur if grant funds are not repaid. (For example, the grantee would not be able to apply for funding for a certain amount of time.)

TCCs should request repayment in writing and make a good faith effort to secure the funds. If the grantee is not responsive, the council should institute the penalties as outlined in their grant agreement form.

Final Reports for Direct Grants. A [Final Report](#) for direct grant recipients is due to the council *within two weeks of completing their funded program*. Grantees should send Final Reports to the TCC. Councils may require grantees to submit additional materials with their Final Report, if so, those requirements must be stated in the approval letter.

Grant Cycle Timeline

July

- TCCs start making the following updates in the grants management system:
 - Council profile and contact information.
 - Whether the council will use a direct grant or reimbursement payment process.
 - Local guidelines and priorities.

August

- TCCs continue making the following updates in the grants management system. These are due by **August 31**:
 - Council profile and contact information.
 - Whether the council will use a direct grant or reimbursement payment process.
 - Local guidelines and priorities.
 - Member list.
- TCCs publicize the grant program locally.
- Mass Cultural Council notifies TCCs of their allocation amount.

September

- New grant cycle opens on **September 1**. TCC's local guidelines and priorities become visible on the council's profile on Mass Cultural Council's web site.
- TCCs continue to publicize the grant program locally.
- Councils meet with their Municipal Fiscal Officer to receive their TCC Account form and calculate the amount available for granting for the new fiscal year no later than **September 30**.
- TCCs hold grant workshops.

October

- Online grant applications due to TCCs by **October 16**.
- TCCs complete the Financial Report in the grants management system by **October 16** This includes two tabs:
 - The TCC Account Form
 - Calculate Amount Available for Granting
- TCCs generate their panel books using the online grants management system.
- TCCs schedule and plan for their grant cycle voting meeting.

November - January

- TCCs conduct their grant cycle voting meetings.
- TCCs use the grants management system to send disapproval notifications immediately following their voting meeting.
- Mass Cultural Council receives reconsideration requests and notifies TCCs.
- TCCs observe the 15-day reconsideration period.
- TCCs use the grants management system to approve applications and to complete their Annual Report. Complete their Annual Report due by **January 16**.
- A brief approval notification is sent through the online grants management system, but TCCs must send the detailed approval letter to grantees outside of the system.
- Final reports from the previous fiscal year's Council-Initiated Program are due by **January 16**.
- After the Annual Report is complete, TCCs publicize grant awards.
- TCCs begin processing reimbursement or direct grant requests.

Spring/Summer

- TCCs process reimbursement requests.
- TCCs ensure grant recipients acknowledge Mass Cultural Council and TCC funding.
- TCCs hold grant receptions and invite Mass Cultural Council program staff and elected officials.
- TCCs conduct community engagement.
- TCCs update local guidelines and priorities based on community input.
- TCCs present the programs and individuals they have funded to the municipality.

Appendix A - Open Meeting Policies

As a program requirement, Tribal Cultural Councils must work with their Tribal Government to establish open meeting policies. These policies should apply to both in-person meetings and online meetings.

Tribal Governments may choose to model their open meeting policies on the Commonwealth's Open Meeting Law (M.G.L. c. 30A, 18-25). More information about open meeting law can be found at on the [State's web site](#). Mass Cultural Council does not require review or approval of open meeting policies, but such policies should be provided upon request.

Open meeting policies should address:

- What constitutes a quorum of members. Typically, a quorum is a simple majority of the members of the council. When and how a notice of any meeting of a Tribal Cultural Council will be posted, and how far in advance of the meeting the posting will take place.
- What will be included in postings (i.e. a list of topics the chair reasonably anticipates will be discussed, agenda, location, etc.)
- What will be included in meeting minutes (i.e. date, place, time, and matters discussed and shall include summaries of matters discussed, list of documents used, all decisions made/votes taken, etc.) and when/how will they be made available Acceptable use of email, which is typically only tool for scheduling and preparation, not for deliberation.
- Whether meetings may be recorded on audio or video tape.
- When, how, if a person may address a public meeting of the TCC.

Appendix B - Conflict of Interest Policies

As a program requirement, Tribal Cultural Councils must work with their Tribal Government to establish conflict of policies. Tribal Governments may choose to model their open meeting policies on the Commonwealth's Conflict of Interest Law. Conflict-of-interest law, Massachusetts General Laws Chapter 268A, ensures that public employees' private financial interests and personal relationships do not conflict with their public obligations. TCC members should avoid conduct which creates an appearance of conflict of interest or a reasonable impression that they will act with bias. Mass Cultural Council does not require review or approval of conflict of interest policies, but such policies should be provided upon request.

Appendix C - Public Records Policies

As a program requirement, Tribal Cultural Councils must work with their Tribal Government to establish public record policies. It is best practice to maintain at least three years of records. Records include but aren't limited to minutes of all meetings, disclosure forms, applications and approval and denial letters. All applications are stored in the Mass Cultural Council's online grants management system.

Mass Cultural Council considers records of the actions of Tribal Cultural Councils in the distribution of the funds from the Massachusetts Cultural Council are considered public information. TCCs should be available to respond to requests to view these materials without unreasonable delay.