How state & local arts agencies can be a Force for Change

2021 Report

Some longstanding requirements should be rethought. Scorecards and stronger compensation criteria are among the critical additions.
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PHOTO CREDITS:  
On cover - The cast of *Mamma Mia!* by East West Players in 2019. Photo by Steven Lam.  
On page 2 - The cast of *Spring Awakening* by Deaf West Theatre on Broadway in 2015. Photo by Joan Marcus.  
On page 8 - Equity members James A. Williams (left) and Ron Himes (right) in the Black Rep’s production of *Two Trains Running*. Photo by Phil Hamer.  
On page 12 - Jean Cocteau’s *Orphee* by Deaf West Theatre in 2020 with Krissy Lemon (front left) and Equity members Lorinda Hawkins Smith (back left) and Jacquelyn Landgraf (back right). Photo by Brandon Simmoneau.
SUMMARY

As the live arts industry begins to restart after a hiatus of more than 17 months, the lack of racial and ethnic diversity among the leadership, performers and audiences of professional performing arts companies cannot be forgotten as one of the sector’s most pressing long-term challenges. This study looks at common practices and standards at local arts agencies prior to the pandemic and reforms to arts funding practices that accelerate change and create a more inclusive live arts sector.

While the nation has become more diverse, major performing arts institutions, including orchestras, theatres, dance companies and operas have struggled to reflect the communities where they operate. The unions that represent creative professionals have identified this lack of diversity as a persistent barrier to progress. In 2020, Actors’ Equity Association (Equity) released a report revealing that only 23 percent of union acting and stage management jobs are held by people of color, despite the fact that people of color comprise nearly 40 percent of the US population.1 Similarly, a report from the Stage Directors and Choreographers Society (SDC) detailed how white members, on average, make significantly more than the union’s members of color, despite working on fewer projects per year. 2

In fiscal year 2019, federal, state and local funding for the arts totaled $1.39 billion, including $155 million in appropriations for the National Endowment for the Arts, $370.5 million in appropriations for state arts agencies and $860 million in funding for local arts agencies and other direct arts spending by local governments.

While public funding only accounts for approximately 10 percent of all revenues for nonprofit arts organizations, public arts funding can set standards to encourage change in the industry.

This study surveys the practices at key local arts agencies prior to the pandemic (more on the methodology below) and looks at what prescriptive guidelines were already on the books, what new requirements would boost inclusion and what funding requirements have the potential to stifle diversity, equity and inclusion in the performing arts.

Based on the data collected, this report offers concrete recommendations for change, both in the category of common requirements that should be avoided or changed, and criteria that should be added that will create a more inclusive live arts performance industry.

The recommendations in this study complement work done by arts unions, which released a formal federal policy agenda for advancing diversity, equity and inclusion (DEI) in the arts, entertainment and media industries. Similar to this report, that agenda recommends that the National Endowment for the Arts increase federal arts funding, establish formal DEI objectives for grant recipients and add a chief diversity officer to the federal agencies who is charged with driving inclusion in the grantmaking process. The full agenda can be viewed online.


There are approximately 4,500 state and local arts agencies in the United States. This survey looks at pre-pandemic practices and covers the 20 largest state arts agencies and the 20 largest local arts agencies, as well as select state and local agencies that cover regions of particular significance to performing arts professionals (e.g., New Mexico and Georgia). In all, grant applications, guidelines and evaluation rubrics for 45 state and local agencies were reviewed to gain a sense of what diversity and equity requirements and guidelines, if any, the agencies have for grantees. For agencies with multiple grant programs, the survey focused on the grant program(s) designed to provide operational support to large, well-established arts organizations.

The survey focused on answering the following questions:

1. Does the application require any degree of diversity or representation among the leadership, staff or artists of the applying organization?

2. Does the funding agency’s rubric take diversity and representation into account when scoring grant applications?

3. Does the funding agency ask arts organizations to track demographic data as part of the application or reporting process?

4. Does the funding agency have a separate grant program designed to direct funding to underserved organizations, including those led by people of color?

5. Does the grant application or rubric include any criteria about the fair compensation of artists?

6. Does the arts organization include grant requirements or other criteria that could stifle efforts to increase diversity and representation?

How do arts agencies influence diversity, equity and inclusion at major arts organizations?

State and local arts agencies clearly have a lot of work in front of them to become catalysts for change in the arts sector. As the graph below illustrates, while some agencies have begun adopting innovative approaches to arts funding and requiring grant applicants to make real commitments to diversity, equity and inclusion, most of the surveyed agencies only include questions and criteria that can be satisfied with a superficial answer from the applicant organization, have little impact on grant-making decisions and do not require a commitment to future work to increase representation in arts organizations. Furthermore, the vast majority of arts funding organizations include grant criteria that could be working against their stated goals of increasing diversity, equity and inclusion in the arts.

STATE & LOCAL ARTS FUNDING AGENCIES’ APPROACH TO DIVERSITY, EQUITY & INCLUSION

- Require commitments to diversity and inclusion: 11.4%
- Rubric incorporates some measure for DEI criteria: 81.8%
- Demographic data requested: 27.3%
- Separate grant program for underserved organizations: 44.4%
- Grant requires fair artist compensation: 9.1%
- Some requirements could stifle diversity: 68.2%
BEST PRACTICES FOR AGENCIES TO DRIVE DEI IN ARTS ORGANIZATIONS

Arts funding agencies can take a number of steps to level-up their efforts to increase diversity, equity and inclusion in the arts. The first is to remove the most common grantmaking practices that hinder diversity, and the second is to put into place policies that will increase access and diversity within the field.

CRITERIA FUNDING AGENCIES SHOULD RECONSIDER OR AVOID

While many state and local arts agencies are actively seeking to leverage their grant funding to promote diversity, equity and inclusion in the non-profit arts sector, the overwhelming majority of state and local arts funding agencies still have at least one grant requirement that stifles diversity and limits access to essential public funding for arts organizations that seek to reflect the racial and economic diversity of the communities in which they operate among their leadership, staff, artists and audience. These criteria perpetuate economic and racial inequities that are already present within our society, and striking these requirements will open access and allow arts funding agencies to actively foster racial equity.

The United States is plagued by a racial wealth gap that compounds on top of increasing wealth consolidation and income inequality. As the wealthiest 0.1 percent saw their wealth increase by 133 percent from 1983 to 2016, the wealth of the median American family dropped 3 percent and the wealth of the median African-American family dropped by more than 50 percent. Race offers a stark example, but these disparities are true of every dimension of diversity. The grant application requirements that most hinder DEI are those that directly associate funding worthiness with access to private funding, which easily stands as a proxy for catering to whiteness.

Consider New Approaches and Flexibility For Board Contribution Requirements

Many grant applications for public funding require that all seated board members make financial contributions to their organizations as a condition of receiving public funding. Under this condition, arts organizations are unable to set their own standards for board contributions and may feel pressure to consider the ability of prospective board members to make financial contributions above their ability to assemble organizational leadership from a diverse and representative pool of artists and community members. Even without this requirement, many arts organizations would undoubtedly elect to keep their board contribution requirement as it serves as a crucial fundraising tool. However, a blanket requirement as a prerequisite for public funding prevents some arts organizations from building more representational board structures.

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Reduce Requirements for Matching Funds and Minimum Budgets

Several grant applications reviewed in this survey cap the amount an arts organization can receive in public funding at one-third or half of the amount the organization has been able to raise for itself. Others limit grant funding to organizations with budgets that have historically exceeded a certain level. While it is understandable that funding agencies have limited budgets and cannot be the sole funder of an arts organization, these standards use access to private funding sources as a hurdle that must be overcome before being considered for public funding. As a result, arts organizations that could be considered for funding under holistic review are not able to access public funding solely on the basis of the access to private capital, which is strongly correlated to privileged identities.

Eliminate Bans on Fiscal Agents

Some of the surveyed grant applications state that the use of a fiscal agent or fiscal sponsor renders an arts organization ineligible for funding, and that grantee organizations must have their own 501(c)3 designation from the IRS. For a small or newly-formed arts organization, employing a fiscal agent may be the most prudent choice because it can reduce the cost of managing financial responsibilities, ensure that financial resources are managed by a skilled steward and free the organization’s staff to focus on their core artistic mission. Excluding organizations using fiscal agents from funding has a high likelihood of excluding young and growing organizations that are not established enough to bring their financial operations in house.

Arts funding agencies should consider replacing the complete bar on fiscal agents with limitations on their use to give young organizations the space to grow in their primary function while providing a pathway toward organizational growth and capacity building. Agencies could also consider only allowing fiscal agents for organizations that have been in existence for less than a certain number of years or that have received public arts funding for under a certain number of grant cycles. This flexibility would remove the financial barrier to access while simultaneously setting the expectation that arts organizations must gain financial capacity and sophistication over time to continue to receive public funding.
CRITERIA FUNDING AGENCIES SHOULD EMBRACE

The most common shortcoming among the funding applications reviewed for this study were varying degrees of vagueness with regard to what is expected from agencies in terms of DEI. Generally, inclusion is discussed in amorphous guidelines, rather than with the exacting clarity required in other aspects of the application. Organizations treat imperatives with value by setting quantifiable and time-bound goals, building concrete strategies to achieve said goals, tracking their progress over time, and rewarding employees who contribute to successful outcomes. Implementing the criteria recommended below will establish clear standards and norms to help both funding agencies and arts organizations treat improved inclusion outcomes as concrete, attainable objectives that have substantive consequences for the well-being of the organizations and the communities they are intended to serve.

Strengthen Compensation Criteria and Standards

For arts funding agencies that want to boost diversity, equity and inclusion within grantee organizations, it is critical that agencies require applicants to demonstrate that they compensate artists and support staff equitably. While “representation matters” is a constant refrain reminding organizations to create diversity, fair compensation is a key component when considering whether an organization fosters equity in society by way of its relationship with employees. Unfortunately, the arts industry has a reputation for exploitative employment relationships with the artists themselves, which are exacerbated when those artists are of marginalized identities. Actors’ Equity has consistently found in its diversity studies, for example, that white male actors earn more because they are more likely to receive overscale payments.7

Agencies can make the highest impact by implementing compensation standards. A foundational step would be setting minimum compensation standards based on the local living wage or industry union standards. Funding agencies can take an additional step by requiring organizations that have earned funding in the past to include compensation records in their grant reports. Records should be organized both by job category and protected characteristics (e.g., race, gender, age or disability status), and organizations should be required to justify any large discrepancies that correlate with their employees’ protected characteristics.

Ask Substantive Questions

Arts funding agencies should embrace grant application questions that help determine what concrete actions, if any, applicants have taken to foster diversity, equity and inclusion. A key element of driving DEI in any organization or industry is to ask the right questions and measure progress over time. For this reason, factoring substantive answers and evidence of growth regarding an organization’s DEI policies, strategies and outcomes into funding applications is perhaps the single most proactive step an agency can take to drive inclusion in arts organizations. Many of the grant applications reviewed for this survey

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state that applicants “must work” to be diverse and inclusive. But this requirement is difficult to judge without also requiring proof of these efforts.

Minimally, arts funding agencies should require that applicants document their DEI policies and any recent changes to them. Agencies should also consider asking applicant organizations questions that focus on diversity within their leadership, with particular attention to which demographics are absent from positions of power and influence. Funding agencies that wish to pursue the strongest possible DEI policies could also require applicants to identify all barriers to access for people of marginalized identities and to convey detailed strategies and time-bound, measurable goals for removing or overcoming those barriers. Finally, agencies should consider requiring grantee organizations that are applying for continued funding to share their data about whether and how their DEI outcomes have improved over time.

The grant application for the New Jersey State Council on the Arts is a good example for arts agencies of how to structure high quality questions regarding DEI strategies and outcomes.8

Use Scorecards to Evaluate Grant Requests

Scorecards are important tools for interrupting the implicit biases of decision makers.9 The best scorecards identify essential elements, quantify degrees of success, enumerate the minimum numbers necessary to go forward (by both individual elements and overall score) and offer clear examples for what the best, average and worst responses will include. The scorecard should be published with application materials to create total transparency about the agency’s process. Returning completed scorecards to arts organizations (regardless of whether they procure funding) also drives transparency and helps organizations to know where they need development.

New York State Council for the Arts offers a great model for art agencies in terms of scorecard creation, evaluation criteria and transparency regarding evaluation.10

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Earmark Grants to Develop Diverse Administrators

Truly inclusive arts organizations do not only include diverse artists or audiences, but diverse leaders as well. Administrator roles at major arts organizations are disproportionately held by white people, and this persistent diversity gap poses a serious roadblock for long-term equity. By focusing primarily on an organization’s public programs and events, agencies have missed the opportunity to influence the greatest driver of inclusion: diverse leadership. In addition to including criteria about diverse leadership, arts funding agencies can and should initiate their own programs for recruiting and developing administrators of diverse backgrounds. A good example of such a program is the California Arts Council’s new administrators of color fellowship.

Tiered Funding

If diversity, equity and inclusion is truly a priority for funding agencies, then grant funds should be awarded commensurate to an organization’s effort and success in reaching DEI goals. This goal can be achieved by creating funding tiers that connect maximum awards to the four distinct phases of DEI strategy: statement, policy, plan and outcomes. Each successive phase necessitates more investment than the last, so these stratifications directly tie the total amount of accessible funding to the degree and quality of the organization’s investment in diversity initiatives.

The Los Angeles County Department of Arts and Culture offers an example of this practice, but does not go so far as to require proof at the highest funding tier that the plan has produced effective outcomes.

Provide Clear Models for Implementing Changes

Ultimately, in leadership - and particularly in DEI - what you do speaks volumes more than what you say. If a funding agency has truly created a culture of equity and inclusion, every facet of the agency will reflect that culture. If organizations can see that inclusion is not merely an aspect of a grant application, but a priority throughout the agency’s operations, they will understand that their continued growth in the area is key to a successful relationship with the grant funder. Some agencies in this study not only demonstrate that they have internalized justice as a core value by way of their output, they also provide grant applicants a framework by which to understand their own work. Providing example frameworks and tools for evaluating organizational culture is essential if arts funding agencies are going to successfully require grant applicants to discuss their internal culture in specific terms and communicate their strategy for reaching their goals and incorporating DEI into the entirety of the organization.

The City of Seattle Office of Arts and Culture offers a good example of how a culture of diversity reveals itself in output as well as tools to help arts organizations foster a deep meaningful and measurable including analysis.

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12 https://arts.ca.gov/programs/
13 https://www.lacountyarts.org/funding/organizational-grant-program/ogp-grantseekers/ogp-grantseekers-apply
CASE STUDIES

The following three case studies of one state and two local arts funding agencies demonstrate some of the innovations that agencies are making in incorporating DEI criteria into their grant-making. While these case studies highlight how these agencies have already incorporated some of the best practices discussed in this report, there is still progress to be made and funding practices to adjust to further incorporate DEI goals into their grant programs.

THE CITY OF SEATTLE OFFICE OF ARTS AND CULTURE

One of the agencies making innovations in diversity, equity and inclusion is the City of Seattle Office of Arts and Culture. The office’s “Civic Partner” program awards three-year grants to arts organizations across Seattle, including smaller, grassroots arts organizations, mid-sized organizations serving specific cultural groups and major arts organizations. In the recently-completed awards cycle for grants covering 2020-2022, over 200 arts organizations were awarded a total of $1.977 million. The grant rubric awards the highest funding priority to organizations that incorporate inclusivity and anti-racism into their work and the application requires organizations to answer questions related to their work to increase accessibility and community involvement as well as complete a racial equity self-assessment and provide demographic data about the organizations’ staff, board, artists and audience.15

While the agency does not have an unlimited budget for grants, the Civic Partner program is able to fund a higher percentage of an organization’s budget for smaller organizations, and arts organizations that can be defined as “people of color centered” can also receive a higher percentage of their annual budget from the program, ensuring that a sizeable share of grant funding goes to smaller arts organizations that do not have access to a pool of wealthy donors. The City of Seattle Office of Arts and Culture also runs a secondary grant program to support recurring artistic and cultural events or festivals organized by neighborhood or community-based organizations, with a specific focus on underserved communities.

The New York State Council on the Arts (NYSCA) distributed $43.8 million in fiscal year 2020 to 2,500 organizations across the state.16 As the largest state arts funding agency in the nation, NYSCA can help set standards that have the potential to be replicated elsewhere. In its pre-pandemic application for direct grants, the agency applies many of the best practices outlined later in this report, including a transparent and readily accessible scoring rubric, and substantive narrative questions that require applicant organizations to specifically address their approach to diversity and inclusion in multiple arenas. Unfortunately, clear guidance instructing arts organizations to provide fair compensation to artists, disclose artist compensation ranges and utilize union contracts for artists’ work was removed during the pandemic. While the NYSCA does not go as far as Seattle in centering racial justice goals in the grant guidelines, it provides an example for how arts funding agencies can start adopting best practices that increase transparency and accessibility for applicant organizations.

Another agency that is breaking new ground in incorporating diversity, equity and inclusion requirements into their grant program is the Los Angeles County Arts Commission, which distributed $4.11 million to 214 arts organizations in the 2020-2021 funding cycle. In 2018, the Los Angeles County Arts Commission started requiring all applicants to include documents that outline their organization’s commitment to cultural equity and inclusion with their application. The required documents increase with the size of the applicant's budget, culminating in a requirement for organizations with budgets over $1 million to submit a board-approved cultural equity policy and a board-approved plan for how the organization will work to implement their plan and evaluate their progress on an annual basis.

These requirements are part of a larger cultural equity and inclusion initiative, which aims to ensure that all residents of Los Angeles county have “equitable access to arts and culture, and to improve inclusion in the wider arts ecology for all residents in every community.” In addition to grantee requirements, this initiative has also included an expansion in the number of paid internships funded through the commission’s arts internship program specifically for community college students. The commission’s initial report on cultural equity and inclusion included the first-ever demographic survey of Los Angeles County’s nonprofit arts organizations, which showed how underrepresented communities of color are in the arts workforce. This is especially true of Latinx communities. However, an additional survey has not yet been completed to show how these initiatives are impacting diversity and representation in Los Angeles County’s arts community.

19 “The Cultural Equity and Inclusion Initiative.” Los Angeles County Arts Commission.
CONCLUSIONS & QUESTIONS FOR FUTURE STUDY

While this survey has focused on arts agencies’ application questions and requirements, we did not gather statistical data on the impacts of different grant program guidelines. Where possible, future research could focus on identifying where arts employers accurately represent the diversity of surrounding communities, and if there is a quantifiable link between that diversity and the requirements of state and local arts agencies.

Finally, there is also a financial case to be made for increased diversity and equity in the performing arts. Studies of film productions, for example, have shown that movies that include diverse casts and tell stories that are inclusive of a wide range of experiences are more likely to drive positive box-office earnings. While a recent comparable study of the performing arts does not exist, this data cannot be ignored.

As arts organizations look forward to the end of the COVID-19 pandemic, arts funding agencies are going to continue to play a large role in supporting the recovery of live performing arts. Considering their role in the economic recovery, it is imperative that funding agencies continue to incorporate robust diversity, equity and inclusion practices into their work and use their funding programs and grant applications to push for a more equitable arts sector.

## APPENDIX OF SURVEYED ARTS AGENCIES & KEY CRITERIA

<table>
<thead>
<tr>
<th>State Agency</th>
<th>Annual Revenue [FY19 or FY18]</th>
<th>Does the application have a diversity requirement?</th>
<th>Does the rubric take into account diversity and representation?</th>
<th>Does the grant ask the organization to track representation?</th>
<th>Does the agency have a separate grant program?</th>
<th>Is there any criteria about fair compensation?</th>
<th>Are there grant criteria that could stifle efforts to increase diversity and representation?</th>
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22 Annual revenue numbers were gathered from a variety of sources, including the National Assembly of State Arts Agencies 2020 State Arts Agencies Revenues Report, Americans for the Arts 2018 USUAF Report, Americans for the Arts Local Arts Agency Dashboard, and the IRS form 990 filing for the Arts Council of New Orleans.

* Compensation guidance is no longer posted on the website, as of time of publication, November 3, 2021. The former guidance was posted at [https://web.archive.org/web/20191226180441/https://arts.ny.gov/how-applications-are-evaluated](https://web.archive.org/web/20191226180441/https://arts.ny.gov/how-applications-are-evaluated).

** California did not have a pre-pandemic state grant program in these areas.
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<th>State Agency</th>
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<td>Texas</td>
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<td>New Mexico</td>
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<td>Georgia</td>
<td>$1,958,160</td>
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<td><a href="https://gaarts.org/what-we-do/grants/partner-grant/">https://gaarts.org/what-we-do/grants/partner-grant/</a></td>
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<td>Colorado</td>
<td>$3,527,126</td>
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<td><a href="https://coloradocreativeindustries.org/opportunities/colorado-creates-grant/">https://coloradocreativeindustries.org/opportunities/colorado-creates-grant/</a></td>
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<td>Wisconsin</td>
<td>$1,561,900</td>
<td>No</td>
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<td><a href="https://artsboard.wisconsin.gov/Documents/CPP/CPPguidelinesFull.pdf">https://artsboard.wisconsin.gov/Documents/CPP/CPPguidelinesFull.pdf</a></td>
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<td>Nevada</td>
<td>$2,594,018</td>
<td>No</td>
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<td><a href="https://www.nvartscouncil.org/grants/grant-offerings/">https://www.nvartscouncil.org/grants/grant-offerings/</a></td>
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</table>
## LOCAL AGENCIES

<table>
<thead>
<tr>
<th>State Agency</th>
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<th>Link to grant documentation</th>
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<tbody>
<tr>
<td>Denver Arts &amp; Venues</td>
<td>$44,195,000</td>
<td>No</td>
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<tr>
<td>City of Albuquerque Cultural Services Department</td>
<td>$49,000,000</td>
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<td>Miami-Dade County Department of Cultural Affairs</td>
<td>$38,949,000</td>
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<td>DC Commission on the Arts and Humanities</td>
<td>$29,854,038</td>
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<td>San Francisco Arts Commission</td>
<td>$23,513,676</td>
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<td><a href="https://www.sfartscommission.org/content/organization-project-grants#overlay-contextContent/organization-project-grants">https://www.sfartscommission.org/content/organization-project-grants#overlay-contextContent/organization-project-grants</a></td>
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<td>City of Dallas Office of Cultural Affairs</td>
<td>$22,252,561</td>
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<td><a href="https://dallasculture.org/cultural-programs/cultural-organizations-program/">https://dallasculture.org/cultural-programs/cultural-organizations-program/</a></td>
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<td>City of Seattle Office of Arts &amp; Culture</td>
<td>$13,431,000</td>
<td>Yes</td>
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<td>Arts &amp; Science Council of Charlotte/Mecklenburg, Inc.</td>
<td>$16,038,880</td>
<td>No</td>
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<td>City of San Jose Office of Cultural Affairs</td>
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<td>City of San Diego Commission for Arts and Culture</td>
<td>$14,609,867</td>
<td>No</td>
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<td><a href="https://www.sandiego.gov/sites/default/files/fiscal_year_2020_osp_applicant_guidelines.pdf">https://www.sandiego.gov/sites/default/files/fiscal_year_2020_osp_applicant_guidelines.pdf</a></td>
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<td>City of Austin Cultural Arts Division</td>
<td>$12,886,211</td>
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<td>Los Angeles County Arts Commission</td>
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<td>Regional Arts and Culture Council (Portland, OR)</td>
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<td>Louisville Fund for the Arts</td>
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<td>Regional Arts Commission of St. Louis</td>
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<td>New York City Department of Cultural Affairs</td>
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<td><a href="https://www1.nyc.gov/site/dcla/cultural-funding/applying.page">https://www1.nyc.gov/site/dcla/cultural-funding/applying.page</a></td>
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</table>
EASTERN REGION
NEW YORK CITY - NATIONAL HEADQUARTERS
165 West 46th Street
New York, NY 10036
Phone: 212-869-8530
Fax: 212-719-9815
Rehearsal/performance-related emergencies: 866-270-4232
NYC Audition Hotline: 877-232-1913, ext. 831

ORLANDO
10319 Orangewood Blvd
Orlando, Florida 32821
Phone: 407-345-8600
Fax: 407-345-1522
Orlando Audition Hotline: 877-232-1913, ext. 821

CENTRAL REGION
CHICAGO
557 West Randolph Street
Chicago, IL 60661
Phone: 312-641-0393
Fax: 312-641-6365
Rehearsal/performance-related emergencies: 312-307-2781
Chicago Audition Hotline: 877-232-1913, ext. 815

WESTERN REGION
LOS ANGELES
5636 Tujunga Ave
North Hollywood, CA 91601
Phone: 323-978-8080
Fax: 323-978-8081
Rehearsal/performance-related emergencies: 818-414-8525
LA Audition Hotline: 877-232-1913, ext. 826