



Strengthening arts, culture,  
and creative expression as the  
tools to cultivate a better  
California for all.

Gavin Newsom, **Governor**

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## MINUTES OF PUBLIC MEETING

August 18, 2022

10:00 a.m. to 4:00 p.m.

The members of the California Arts Council convened via web conference to discuss and vote on various items as listed in the minutes below. The full audio and video of the meeting can be accessed [here](#).

### PRESENT:

#### Council Members

Lilia Gonzáles-Chávez, Chair  
Consuelo (Chelo) Montoya, Vice-Chair  
Roxanne Messina Captor  
Gerald Clarke  
Vicki Estrada  
Jodie Evans  
Ellen Gavin  
Phil Mercado

#### Arts Council Staff

Ayanna Kiburi, Deputy Director  
Liz Azevedo, Director of Program Services  
Kimberly Brown, Public Affairs Specialist  
Mark DeSio, Director of Public Affairs  
Katherin Canton, Race and Equity Manager  
Kristin Margolis, Director of Legislative Affairs  
Josy Miller, Arts Program Specialist

### 1. Call to Order

Chair Lilia Gonzáles-Chávez opened the meeting at 10:00 a.m.

### 2. Acknowledgement of Tribal Land

Deputy Director Kiburi stated the following: *“The California Arts Council (CAC) recognizes the original caretakers of these sacred lands within the state of California and throughout the United States. As guests, we pay respect to their stewardship of the air, water, and land, and uplift their legacies as they continue to build and sustain their culture and practices today, and for seven generations. As the Council does its work, it will seek ways to carry out our responsibility as stewards of the land, and our responsibility to ensure that all people are strengthened and supported.”*

### **3. Roll Call and Establishment of a Quorum**

Ms. Margolis conducted a roll call.

Present: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, and Phil Mercado.

A quorum was achieved.

### **4. Chair’s Report**

Chair Gonzáles-Chávez made note of the Evaluation presentation to come. The members will find that, as with evaluations of school days of the past, today’s evaluation will evoke contrasting reactions of elation that the work of the CAC is progressing well, and recognition that there is more work to be done.

Chair Gonzáles-Chávez pointed out that there were voting agenda items to consider today as well. The Allocations Committee has reviewed grant opportunities that were fully adjudicated and are ready to move forward, although others were not ready.

### **5. Acting Executive Director’s Report**

Deputy Director and Acting Executive Director Kiburi provided the report as follows.

Staffing at the agency is in full swing:

- The new Operations Manager is Kapua Kahumoku.
- Another Information Technology Analyst will be starting at the end of the month.
- Two new Manager positions are posted on the website until tomorrow.
- We are finalizing recruitment for the positions of Research Data Specialist and Manager of Program Services. There will be two of these Managers: one who works with regular programming and another who focuses on all legislatively mandated programs.

- We are working on recruiting three limited-term Program Specialists to support the work on legislatively mandated programs.
- We will bring on Office Technicians to support the Deputy Director and the Executive Director.

Marking the success of the California Creative Corps administering organizations, the Council will vote on this unique pilot project. Their guidelines state that the Council will fund a minimum of one and up to three Administering Organizations (AOs) in each region. The Council will be doing much more assessment of the work of these AOs. The contract language indicates that we will be developing with them and explicitly laying out the intentions in managing the California Creative Corps. We firmly want this program to prioritize communities that demonstrate the highest level of need, as indicated in the California Healthy Places Index.

We are delighted to have the opportunity to fund the cultural districts through the 2022 Budget Act. We are presently developing a detailed Work Plan that we have already submitted to Government Ops.

Deputy Director Kiburi reiterated that the Council very much understands and acknowledges the harm resulting from the mistake made with regard to the Arts In Corrections (AIC) Program. It is putting some of the organizations that were originally going to get funded in a tenuous position. The Council is working hard to communicate the work we are doing; a webinar was given last Monday. The California Department of Corrections and Rehabilitation (CDCR) understands that there may be a gap, and they are not going to close down services or opportunities when the programs are able to start again.

The Evaluation presentation today is the culmination of much amazing work between the Evaluation consultants and the CAC. Deputy Director Kiburi thanked everyone for their efforts. She underscored the fact that after we receive the presentation, we are going to further engage with the community.

Ms. Gavin asked if the cultural districts are going to be managed by the CAC. Deputy Director Kiburi affirmed that they are.

Ms. Gavin then asked for a summary of what happened with the AIC. Deputy Director Kiburi explained that an application responding to a Request for Proposal (RFP) in the institution was discovered not to have been fully evaluated. Under state contracting rules, this means that all of the applications were not reviewed in an equitable manner, and the whole process has to be investigated. The way to mitigate this mistake is to make it a fair and equitable process by stopping it and pulling the whole opportunity.

Ms. Gavin asked who the proposal evaluation panel had been. Deputy Director Kiburi answered that it had been staff only per the contracting code. Ms. Gavin asserted that it is very important that the CAC do this work professionally and not cause harm. If there is a way for us to mitigate the harm to people who expected to get this money – and perhaps are continually funded – or to

open up the process quickly, we need to do that. As a member of the Governance Committee, Ms. Gavin is totally committed to helping staff and stakeholders to get these processes clear, simplified, and direct. She also did not want to see memos coming in to Council members five minutes after the meeting has begun.

Ms. Messina Captor asked why no Council member had been present at the panel meetings. Deputy Director Kiburi answered that typically no Council member joins the panel, but that does not mean that they can't. Moving forward, whenever we conclude a panel of adjudication, we are going to implement an auditing process before any contractors are notified of their award. Deputy Director Kiburi was not aware of this ever having happened before at the CAC.

Ms. Azevedo explained that as per the State Contracting Manual, the evaluation panel for an RFP has to be staff from the state agency that is releasing the RFPs on the contract. That does not mean that consultants from the field cannot be advisors that can do an orientation and training session for the proposed evaluation panel so that they are in full understanding and awareness of the background, purpose, activities, and impacts of the programs and services for which they are contracting. As part of the auditing process, we can also have a second and third review to ensure that each eligible proposal is in fact read thoroughly and scored appropriately according to the RFP criteria, and that everything has been calculated, tabulated, averaged, and ranked accordingly. Those are some areas into which the Council can have insight of the prospective intent to award before anything is posted to the public.

Deputy Director Kiburi asserted that staff also ensures that the timeline for adjudicating contracts is reasonable and allows for thoughtful consideration. This error could have been caught had it not been for the short timeline to do the work. Staff is definitely looking at every aspect of the evaluation process. The RFP will now be reviewed by the Programs Committee; they will be involved more with AIC.

Vice-Chair Montoya asked about next steps for ensuring that staff are in line to expedite a solution. Deputy Director Kiburi answered that the next steps are for staff to get the RFP out as soon as possible. It will not be severely edited because staff wants to ensure that those organizations that were awarded the contract, then had it rescinded, do not have to do substantial changes to their applications. Staff has notified the field that there will be no major changes.

## **6. Voting Item: [Minutes from Previous Council Meeting](#)**

**MOTION:** Councilmember Messina Captor moved to approve the July 28, 2022 Meeting Minutes. Councilmember Estrada seconded the motion.

**VOTE:** Ayes: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

The motion passed unanimously.

## 7. Public Comment

Chair Gonzáles-Chávez explained the purpose and prohibitions for making Public Comment at CAC meetings. Ms. Margolis explained the process and provided specific instructions.

### **Live public comment:**

Eli Wirschafter (he/his), Program Director for Uncuffed from KALW Public Media (one of the AIC organizations), stated that they provide a radio and podcasting program in two state prisons. Under the RFP that was going to be awarded, they were intending to expand into the California Institution for Women. They are one of 15 organizations that found out one week ago that their funding would not be coming through as of September 1. Like most of the organizations, they have ongoing programming and staff that was expecting to continue working two weeks from now. Mr. Wirschafter appreciated the CAC's attention to this issue and the way staff is addressing it. He emphasized that the extension of contracts is extremely important to artists, organizations, and the incarcerated people that they serve. A four-month gap in programming would be devastating to people who are already isolated. Mr. Wirschafter was one of the 32 people who signed the petition delivered to CAC yesterday. He thanked the Council for their attention to it and for doing whatever they can to remedy the situation.

Richard Stein, President and CEO of Arts Orange County, commented that for the South Region, only two organizations had been recommended for the California Creative Core program. Both are excellent L.A. County organizations, but neither has any knowledge of the Orange County arts community – which comprises 25% of the region. The Council has the authority and discretion to add a third AO for the region. Mr. Stein described the merits of the Orange County arts community. He recommended approval of Arts Orange County as the third AO for the South Region. He requested the Council to do so today; he had sent the request to CAC's Executive Director and Chair on Monday.

Kym Cochran (her/she) stated that she had served on the CAC Community Development Panel for the California Creative Corps pilot program. Knowing that she had played a small part in developing this ranked high in her personal satisfaction. She thanked the CAC for listening to the panel's suggestions, for implementing some of their ideas, and for providing the structure wherein all six regions are treated equitably. It had been a thoughtful, fair, and inclusive process. Ms. Cochran described the beauty of the Central Coast. She asserted that the high number of residents with considerable wealth skews the level of the region's need, especially when considering that the primary economic drivers are tourism and agriculture – two industries not known for high-paying jobs and potential career growth. Ms. Cochran thanked the CAC for investing in artists, cultural bearers, and communities; support like yours ensures a more equitable Central Coast and a better quality of life for all.

Alma Robinson, Director of California Lawyers for the Arts, appreciated the Council taking a focused look at the current situation affecting our AIC providers. Her organization had just launched a re-entry program with support from the state, the City of San Diego, and private foundations. They are paying their interns – formerly engaged with AIC when they were on the

inside – \$20/hour for a 20 hour/week program. The program has been a model for the nation. It is very important to maintain the continuity of these programs while expanding them. Ms. Robinson urged the CAC to find additional money from unallocated resources that the state is providing to add to the money that has been allocated to CDCR, so that there will be full continuity of existing programs as well as new programs to launch. Ms. Robinson believed that the CAC can find \$4-5 million per year, for the next two years, to add to this program and serve even more people who are incarcerated.

Jack Bowers, musician and member of the William James Association Prison Arts Project Board, commented on flaws that underlie the current program, that have led to the tragic cancellation of the current AIC awards. Flaw 1: a major disconnect between the CAC and the day-to-day reality of AIC programming. Decision-making of the CAC does not reflect the reality that students and teachers face. Flaw 2: In its laudable effort to broaden the base of AIC, CAC has lost sight of some of the basic truths of correctional work. It takes a long time to be effective in anything in the prison environment. A more conservative approach to expansion will benefit our students. Flaw 3: the core purpose of AIC is to serve those in our prisons. Given the great difficulty of gaining momentum in prison work, it is foolish to drop effective programs in the name of program expansion. It is the participants – the prisoners – that allow these programs to succeed. They are best served by well-trained teachers, consistent programs, and participating organizations that have the knowledge and experience to support this work.

Henry Frank, former participant at AIC and current employee at William James Association, commented that the CAC states that it recognizes the harm being done, but what is that harm? The classes provided a place where Mr. Frank could be himself. All that mattered was that you were an artist. Mr. Frank developed social skills to where he could start seeing officers as human beings, and to address problems and find solutions with words. Having this discontinuation interrupts that process.

Jenny Balisle, Executive Founding Director of Arts Contra Costa County, commented on the in-depth and impressive equity challenges in California Arts Ecosystem Report. She felt it important to reevaluate the history of the grant requirement process. Broadening the scope welcomes all communities and acknowledges the current landscape. Access is important and responsive to inequalities. We must focus beyond nonprofit status and outdated requirements to meet the moment right now. Arts Contra Costa County would like to offer support to CAC in updating and advocating policy and state legislation.

Nanette Hunter (she/her/hers), Arts In Corrections Co-Founder of We Heart Art Academy, addressed the RFP concerns with the AIC programming. They requested that CAC staff not be the only reviewers, but also include CDCR as part of their plan. She requested training for the evaluators and an audit of the evaluation process. The service providers, prison staff, and former program participants should inform the continued development of the CAC program and equitable contracting process.

Sarah York Rubin, Executive Director of the Santa Barbara County Office of Arts and Culture, commented that they are very grateful for the Council's investment in the Central Coast of

California. They appreciate the tremendous opportunity to empower their artists and culture bearers, and the communities they represent, for better health, safety, and resilience outcomes. Ms. Rubin described the vast service area and demographics. They are optimistic that investments like this can help to support a more equitable and thriving Central Coast.

Andrew Winn (he/him/his), Executive Director of the Inside Garden Program, asked that the re-released RFP not reduce funding to accommodate the milestones that they have built into their application. A reduction in funding would greatly hinder the particular goals they have set out to achieve. Our society has a history of dismissing people it does not see, such as those incarcerated. When incarcerated, he himself had not had access to programming inside. Mr. Winn stated that they have been spoken to but never brought into conversation as applicants. He encouraged the Council to consider speaking to applicants. He also challenged the use of the word *equitable* within our discussion; what is happening is *equal*, not *equitable*.

Peter Comiskey, Balboa Park Cultural District, representing the California Cultural Districts Coalition, thanked staff for their understanding of the needs of the existing cultural districts, and the interest in releasing funds to support those districts as early as possible. He added that the cultural districts remain dedicated and ready to assist and mentor other cultural assets within our state as they pursue their own journeys.

Sabra Williams, Cofounding Director of Greater Acts, thanked the CAC for addressing the issues raised by the AIC contract mistakes. Small arts organizations can be devastated by events like this, especially organizations led by people with lived experience of incarceration, for whom often the RFP is in itself prohibitive. Regarding cost points: at present there are 30 points in the total contract; this focus on cost per person is a mistake. There is zero evidence of cost per person being representative of impact or effectiveness of programs. The CAC is missing the opportunity to be a leader in visionary arts programming. Including experts in the future RFPs is very important, especially people with lived experience of incarceration.

Robin McNulty, a teaching artist with Project Paint and the William James Association, had taught her last class the previous evening on the current contract. When she told the students about the RFP being rescinded, she promised them that she would fight for this and do anything she could to make their voices amplified. She appreciated the acknowledgment of harm caused. The class has been a lifeline during Covid, before Covid, and in the future. We are counting on the Council to make this right and to find the funding they need; re-releasing the RFP does not seem like enough. Increasing funding to make up the difference should be the next step. This falls in line with AB 292, implemented in January 2022 to make rehabilitative programs more accessible to people inside.

Marie Acosta stated that she accepted whatever responsibility she had for contributing to an environment that uses language in our state to represent equity. Much of this has to do with the current environment in which the debacle with AIC was made. Funding to large budget, non-persons of color organizations has been made, to whatever language that has been used as almost a weapon regarding our values concerning cultural equity. That could be because we never had a shared value about what that meant. Artistic vision must be at the forefront.

### **Written public comment submissions:**

- JB Wells (He/Him/His), Alameda County

Marin County Shakespeare's program at San Quentin made possible for me to teach two quarters of Shakespeare at Santa Clara University. I taught there for the spring quarter of 2012 and the fall quarter of 2013. Moreover, I have visited the campus several times and interacted with students in various ways regarding Shakespearean development. Losing this outstanding program would be a sad and terrible thing, that would rob participants of a huge array of options. I humbly plead that the council does not remove its support. Your time and consideration are appreciated.

- Hadassah Young (She/Her/Hers), MUSICIANS LOCAL, Los Angeles County

Musicians and radio performers should be paid fair wages for their work. The American Music Fairness Act is designed to provide royalty payments to artists, session musicians, and vocalists when their recordings are in DEMO SOUND or performed and broadcast over AM and FM radio.

Fairness Share for Musicians will ensure :

Musicians are provided fair share of royalties in new media and all platforms including terrestrial radio and streaming

Treat competing music platforms the same and create a fair market value for music performance royalties by including terrestrial broadcasts in the existing Section 114(d)(1) of title 17 of United States Code.

Through The American Music Fairness Campaign small, local radio broadcasters through an exemption for stations with less than \$1.5 million in annual revenue and whose parent companies make less than \$10 million in overall annual revenue. For less than \$2 per day (\$500 annually), small and local stations can play unlimited music.

Exempt qualified public, college, and other noncommercial stations (who would only pay \$100 a year), and super small stations.

Support American artists when foreign stations play their music, recognizing publicly artists' rights in performance rights in living enduringly.

CONTRACTS Protect songwriters publishers, ensuring no harmful impact on the public performance rights and royalties payable to songwriters, musical work copyright owners, and publishers music creators and artists.

#We support our Musicians.

- Richard Broadhurst (He/Him/His), William James Association  
Re: 8. Voting Item: Allocations Committee Recommendations for Funding Cycle B Grantees

I have taught creative writing (via the William James Assoc.) off and on (for almost 20 years) in the California prison system. Losing this program (and all arts related programs) would be a monumental mistake. All of these programs have a powerful and positive affect. Through the years I have had a number of folks released and (to my knowledge and to date) not ONE of my former students has reoffended. I hope you'll seriously consider approving the continued funding of these programs. They DO make a difference.

- Anonymous (she/they), Humboldt County

The recent cancellation of Arts in Corrections Grants is dismaying. The shocking impact this has on participants who are a part of these program and who are experiencing incarceration cannot be emphasized enough. Not knowing what transpired is negatively affecting the community: I advocate and ask for transparency and answers surrounding the cancellation of these awards and a timeline for the new RFP's to be published quickly.

- Jane (She/Her/Hers), Sacramento County

The allotments for the Individual Artist Fellowship program are terribly skewed towards Southern California. Region 1 & 2 are getting too much money compared to Region 4! Los Angeles County is getting more money than ALL of Northern California and the Bay Area combined. Do you really think Northern California and Bay Area artists and arts organizations wont notice that? Can this kind of decision making stand up to the light of day and media exposure? You need to seriously reconsider this before you become tangled in a web of deceit and political quagmire. You have been warned.

- Andrew Winn (He/Him/His), Insight Garden Program, Alameda County

Hello, We received the news about the Arts in Corrections grants with shock, confusion, and great duress—in our 20 years of operation, we have never been awarded a grant, only to be then told it was rescinded with no clear timeline for the next steps to redress the issues in the CAC's administration of this process.

While we know that there is no guarantee that every grant we apply for will be awarded, we do expect the RFP process to be transparent, organized, and accountable to the non-profit organizations that work to provide arts-based services in California's state prisons and to people in re-entry. The past two years have been challenging as we worked to respond to the pandemic and the needs of incarcerated people in our ten prisons. We respectfully request that the CAC provide accountability to applicants by providing transparency and 2-way communications with

applicants, especially since we have time and money investments into the process. I attended the webinar and there was no way to ask questions or share our concerns, it was a one-sided conversation.

Thank you in advance for your consideration and for taking seriously the impact of this decision upon our work.

- Hadassah Young (She/Her/Hers), Musicians AFM Arts Council, Los Angeles County  
Re:

For more than a decade, musicians working on made-for-streaming movies and TV shows have been exploited by the multi-billion dollar media conglomerates that make up the Alliance of Motion Picture and Television Producers Association. Recording musicians performing on soundtracks are making (75%) less on content premiering on streaming platforms. These musicians, like singers and actors, create unique performances that are captured in real time — yet, they are not being compensated accordingly for streaming media. This is because the entertainment industry has fundamentally shifted. Content now premieres primarily on streaming platforms rather than in movie theaters and on network television.

This shift has resulted in considerably less residual income for musicians, threatening our livelihoods. In essence, the talent bringing scores to life is being commoditized without a fair share of the considerable profits made by companies such as Disney, Paramount, Universal, and Warner Bros. This practice is neither fair nor sustainable.

Musicians, essential to the streaming economy, demand a fair contract which includes streaming residuals.

- Julie McNiel (She/Her/Hers, They/Them/Theirs), Humboldt County

Greetings CA Arts Council, I hope you are well. I am a teaching artist who's provided art programming at Pelican Bay State Prison since 2014. The arts program has not been renewed for this round. I am now saying farewells to the participants in my painting classes there. Most of this has been a labor of love, by many. Making art in a maximum security prison in one of California's most remote regions has been challenging - and rewarding. If my organization's classes are now cancelled, would you please consider sending more artists to Pelican Bay through another?

Unlike San Quentin, (for example), we don't get the crowds up here, of program providers, volunteers, and the opportunities available when close to vibrant and diverse urban centers. It is very isolated. I have invited numerous artists over the years, particularly those from diverse backgrounds, to come and give it a try - as a guest artist, or to consider applying to be a teaching artist. I haven't had much response, likely due to the challenge of driving there on winding,

foggy roads, and through Last Chance Grade. Also, as participants said to me recently, ‘we’re the ‘worst of the worst, and people don’t want to come in here and work with us...’.

Thank you for all you do, and for time in reading and considering my note.

- Dale Morgan (He/Him/His), Del Norte County

As an independent guitarist/musician I have taught guitar at Pelican Bay State Prison since the early 1990’s. Together with Graham Moody, the first artist facilitator at PBSP, we implemented the music program, which included group guitar instruction as well as full band participation. This setup was successful until about 2003 when the program was cancelled. Happily the AiC arts program was reinvigorated around 2014 and has been going strong at PBSP until the current state. Though modest, the music and visual arts program have positively affected many participants in ways that are subtle and indeed hard to measure. The loss of these programs would represent a severe blow to participants in an institution already rather remote and enduring a shortage of resources. Thank you for your time.

- Sabra Williams (She/Her/Hers), Creative Acts, Los Angeles County

Please reconsider the excessively high number of points related to cost points on the AIC contract from 30 to 5-10 points. The current situation means orgs that score among the highest on every other category can be excluded simply on cost points. There is zero proof that cost per person has anything to do with a programs impact and it means people in prison won’t have access to what they describe as life-changing programs. Other govt contracts don’t penalize in this way. We look to the arts to support creativity and innovation. Thank you.

- Bethany Herron (She/Her/Hers), San Mateo County

In response to the challenges with the Arts in Corrections recent bidding process: I am part of the CA theater community, and the shock waves of this are being felt already. Even for organizations and individual artists who do not participate in these programs, we are very aware of how vital this is to the livelihoods of our state’s artists, and to the wellbeing of our incarcerated community members. I wanted to share my support of the recent proposal that the impacted organizations have offered to the CAC, and my hope for some sort of resolution that would minimize the impact on the people who receive and provide these vital services. At a time when the pandemic is still disproportionately impacting both inmates and theater artists, a months-long interruption in these programs feels disastrous, especially when the funding exists and is just waiting to be used.

- Jenny Balisle (She/Her/Hers), ARTSCCC (Arts Contra Costa County), Contra Costa County  
Re: 10/11. Scansion / WolfBrown Evaluation Presentation

My name is Jenny Balisle and I'm the Executive Founding Director for ARTSCCC (Arts Contra Costa County). For over two decades, I've been an artist, advocate, educator, and administrator. My comments respond to the impressive "Equity Challenges in California's Arts Ecosystem" WolfBrown report.

Report: "...greater flexibility in awarding grants to individuals and different types of people and groups that are already doing good work in those communities, without burdening them with the bureaucracy of fiscal sponsorship or obtaining 501(c)(3) status."

It's important to reevaluate the history of the grant requirement process. Broadening the scope welcomes communities and acknowledges the current landscape. Access is important and responsive to inequalities.

Example: At pandemic beginning, there was a California Secretary of State delay in processing nonprofit applications.

We must focus beyond nonprofit status to meet the moment. Art collectives, grassroots organizations, and cultural leaders are doing the work. They want to focus precious time, energy, and funds to address community needs and respect capacity.

For all grants, the definition of qualifying organizations must be flexible: nonprofits, fiscal sponsorships, collectives, cultural leaders, organization mentorships, and combined partnerships. All equal without hierarchy.

If CAC policy and state legislation needs updates, ARTSCCC offers our support.

- Cecelia Kouma (She/Her/Hers), Playwrights Project, San Diego County

I would like to point out that more than one RFP was improperly evaluated. Playwrights Project received scoring only on Part 1 of its RFP. Please conduct a full audit of the past process to assure that this does not happen again. Thank you for rescinding the current decisions. It is painful for all, but an equitable review in the best interest of the participants in the programs and the work of the CAC and service providers.

- Anonymous (They/Them/Theirs), The Old Globe, San Diego County

We are submitting our concerns regarding the recent Arts in Corrections - Programming funding round.

This Arts in Corrections cycle seemed atypically rushed and understaffed. The RFP time frame was already condensed, having been amended due to mathematical errors and reposted with a week extension for a very laborious application packet. Perhaps as a result, only two public Q&As were scheduled. All application packages across three different funding programs were

scored by two CAC staff employees and an additional reviewer within just three or four days. And while we believe that reviewers scored applications in good faith, we are concerned that the rushed timeline, from the first RFP to the final funding decisions, impacted communication between the CAC and organizations. We appreciate the webinar offered on 8/16/2022 to clarify the situation.

We ask that the CAC invest resources to facilitate fair and transparent grant cycles for arts organizations and the many justice-involved people served by our programs.

- Lesley Currier (She/Her/Hers), Marin Shakespeare Company, Marin County

Thank you for working on restoring AIC funding. Regarding the new RFP, I hope you will consider the following changes:

- 1) Define “Direct Labor Hours” to include only teaching hours in prisons, rather than all labor hours including administrative and travel.
- 2) Require all CRM’s to provide input about existing programming (only some have reported).
- 3) Make a rule that rankings cannot be affected by technical issues, i.e. the scorer’s inability to open electronic files.
- 4) Honor the CAC’s commitment in the memo dated January 20, 2021: “Moving forward, an organization’s cumulative contracts will be 15% or less of the overall AIC/TA programming budget.”
- 5) Because these are specialized programs that take months and years to develop, and because people in prison have come to rely upon existing successful programs, every effort should be made to continue existing successful programs that CRM’s want in their facilities.

In addition, please consider:

- 6) Extra points for programs that serve military Veterans.
- 7) Not making awards with an all-or-nothing approach, rather than giving qualified applicants a portion of requested funding.

- Jack Bowers (He/Him/His), Santa Cruz County

My name is Jack Bowers. I have been involved in Arts in Corrections (AIC) for 42 years. I am a member of the William James Association Board of Directors. I speak to the Council about AIC as an individual.

A few major flaws underlie the program and have led to the tragic cancellation of current AIC awards.

1- There is a disconnect between the decision making at the CAC and the day to day reality of AIC programming. The onus of program delivery falls on the Community Resource Managers.

2- In its effort to broaden AIC, CAC has lost sight of a basic truth of correctional work: It takes a long time to be effective at anything in the prison environment. New organizations must have adequate training.

3- It is foolish to drop effective AIC programs. Our participants are best served by well trained teachers, consistent programs and organizations that have the knowledge and experience to support this work.

The CAC has insufficient staff to manage such a complex program. Given that unfortunate reality, it is imperative that the CAC make AIC the most successful program it can be. A thorough understanding of the dynamics of prison culture must enter into the decision-making process. There is a wealth of wise and experienced people who know AIC intimately and could contribute to its ongoing success. The CAC should integrate that experience into AIC in the same sense that the Council lends its wisdom and knowledge to the work of CAC staff.

- Alma Robinson (She/Her/Hers), California Lawyers for the Arts, San Francisco County

The Arts in Corrections project is a valuable but vulnerable eco-system that has been successful because of the strength and continuity of the arts organizations providing services for the incarcerated population for several years. These programs are just restarting stable in-person programs after COVID. Instead of eliminating functioning programs in order to fund new providers, why not make “the pie” bigger? I’d like to encourage the CAC to use the current crisis and emergency of the gap in funding to work with the CDCR, the administration and the legislature to add additional funds to AIC in order to strengthen and expand the program by continuing funding for current programs and add funding for new programs. AIC should be treated like the educational project that it is. If it were a school, you would not want to change out good teachers and programs and replace them with new ones. You’d consider the needs of the students and figure out how to expand the programs in order to serve more students. We have learned that people who were engaged to the arts while inside have much lower recidivism rates -- as low as 3% -- than the average among formerly incarcerated persons. As I asked at a hearing on Arts in Corrections held by the Joint Committee on the Arts in 2013, “This is good medicine. Why won’t we use more of it?” There could be no better way of applying the Council’s principles of equity and diversity to meet the human needs of our most disadvantaged people.

- Laura Pecenco (She/Her/Hers), Project PAINT

I am the Founding Director of Project PAINT: The Prison Arts INiTiative. We are a small visual arts organization working in 2 state prisons; programming for people impacted by the carceral system has been our entire focus since we began 9 years ago. It is through our partnership with the William James Association that we have been able to receive Arts in Corrections funding to complete this work. We were very grateful to learn that we were included in the Intent to Award notice published on July 15, while also saddened to learn that sister programs and collaborators were not on the list; we hope that more funding can be made available for Arts in Corrections. The rescinding of the funding has led to our participants and staff feeling distraught. It is extremely important to us that we follow through with any promise to our participants, and this very unexpected funding change has made this difficult. We hope to be able to continue our work with our amazing participants soon.

I echo the requests highlighted in our AIC petition, and wanted to add that larger organizations sometimes partner with smaller ones like ours and make our operation possible. Thank you for your time and moving forward as quickly as possible to restore Arts in Corrections programming.

#### **8. Voting Item: [Allocations Committee Recommendations for Funding Cycle B Grantees](#)**

Chair Gonzáles-Chávez stated that this voting item was the Allocations Committee's recommendations for funding Cycle B. She noted that the Fresno Arts Council was an applicant for the Creative Corps, so she deferred the presentation to Ms. Estrada.

- Ms. Estrada stated that the committee had only received 10 applications for Cultural Pathways, and only one was ranked 5; the others were ranked 4. Given the low ranks, the Committee was concerned about the quality of the applications. That is why the Committee was recommending that the Guidelines be reviewed, clarified, and re-released at a later date.
- For Folk and Traditional Arts, the Committee recommended for the Council to vote to award funds to the single applicant, who was ranked 6; they would be allocated 100% of the amount they requested.
- For Statewide and Regional Networks, the Committee recommended awarding funds to applicants who were ranked 6 to get 100% of what they requested. Those ranked 5 get 90%, while those ranked 4 get 75%. Any application that received a rank of less than 3 is not recommended for funding.
- For the California Creative Corps, those applications ranked 6 will get 95% of what they requested. Applications ranked 5 will receive 84.6%. The Committee recommended allocating a total of \$59,399,999 (one dollar less than what they had available).

**MOTION:** Councilmember Gavin moved to go forward with the Committee recommendations. Councilmember Messina Captor seconded the motion.

Deputy Director Kiburi recommended that on the memo itself, a separation should be made between the baseline budget and one-time resources added by the state. This tells the story of how staff goes above and beyond with these extra resources being generated by the state.

Ms. Messina Captor asked if the Committee takes into consideration the overall budget of each organization. Deputy Director Kiburi answered that a Total Operating Revenue (TOR) amount is listed for each organization. The assessment of those organizations is done by the community panel; they adjudicate them based on the review criteria.

Vice-Chair Montoya asked for elaboration on the California Creative Corps, as it represents a unique process. Deputy Director Kiburi explained that a community panel had been engaged to help develop the guidelines for this program. What resulted was a good representation of organizations across the agency; that is why the Council had kept the TOR – to show the different sizes of organizations. This is a pilot, a first step in potentially getting continued funding. The community panel process was informative and helped us build some engagement and trust in the community that is going to be supporting this work. After the vote, staff is going to do even more engagement on finding individuals and organization who want to weigh in on the rollout.

Ms. Estrada added that the organizations were well spread out through the state. This is not bad for this first time. It had been an exhaustive process.

Ms. Gavin commented that Statewide and Regional Networks had a great breadth of organizations and the development of networks looked very good. For Cultural Pathways, we have an AO for a very small amount of money. If we can, Ms. Gavin suggested that we have a direct proposal to the organization. If we had put out a simple RFP to give to Technical Assistance, we might have gotten a good pool of applicants. Deputy Director Kiburi responded that the funds we have for local assistance have to be put out as a grant. Ms. Gavin suggested having small grants to small organizations; Deputy Director Kiburi said it was a possibility. Ms. Gavin preferred not adding layers of administration where funding is not going to artists.

Ms. Gavin stated that for Statewide and Regional Networks, she always wanted the \$60 million to go quickly to artists and arts organizations. The San Francisco Foundation and the United Way have their own funding, infrastructure and staff, and these millions of dollars will support that. Also, with the mandate to recenter and focus on arts and arts organizations, it matters to have them administering these proposals. Ms. Gavin maintained that the strength of the CAC is creating a statewide cultural community that learns, incorporates new members, and utilizes best practices.

Ms. Evans stated concerns of the Program Committee that this needs to be carefully reviewed by staff so that the next time around, we can do a better job of allocating so that we are indeed building an arts culture with these funds. The committee would review how the money was spent, with the 20% to support the artist, and then receive feedback on that including the building of an arts culture which these funds are intended to foster. Deputy Director Kiburi further elaborated that the Committee is assessing how the Council is allocating the percentage for

administrative costs; there is variance across the grant programs with 10% the lowest and 20% the highest. The Council is going to be monitoring differently how these AOs are using their administrative funds to run the program, so that we can learn how we might establish a standard for administrative costs.

Mr. Clarke commented that he was surprised that there had been only one applicant for the Folk and Traditional Arts grant. Deputy Director Kiburi explained that the program is new in terms of the structure. Previously we had an organization representing Folk and Traditional Arts in the state that was funded directly by the National Endowment for the Arts, but they changed their funding structure. The Council needed to find a way to open up Folk and Traditional Arts as a grant program in California, so this is the first time it has rolled out this way.

**MOTION:** Councilmember Evans moved to approve the recommendation to re-release the Cultural Pathways grant at a later date. Chair Gonzáles-Chávez seconded the motion.

**VOTE:** Ayes: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

The motion passed unanimously.

**MOTION:** Vice-Chair Montoya moved to award the one applicant to get 100% of what the Folk and Traditional Arts grant requested. Councilmember Clarke seconded the motion.

**VOTE:** Ayes: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

The motion passed unanimously.

**MOTION:** Councilmember Gavin moved to approve the recommendation for Statewide and Regional Networks: applications ranked 6 to get 100% of the requested amount; applications ranked 5 to get 90% of the requested amount; and applications ranked 4 to get 75%; those ranked 3 or below not to get funding. Councilmember Evans seconded the motion.

**VOTE:** Ayes: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

The motion passed unanimously.

**MOTION:** Councilmember Evans moved to award California Creative Corps funds as depicted in Scenario 1: applications receiving 6 or higher get 95% of the requested amount; applications receiving 5 get 84.6% of the requested amount. Councilmember Messina Captor seconded the motion.

**VOTE:** Ayes: Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

Abstain: Chair Lilia Gonzáles-Chávez.

The motion passed.

**9. Voting Item: Programs Policy Committee Recommendations on Clarification of Fiscal Sponsor Policy**

Ms. Evans reported that she and Mr. Israel were recommending a revision to the Council policy around fiscal sponsors. She read the rewording as supplied in the meeting packet.

Ms. Evans explained that when they changed the policy in 2022, the intent was not to create any barriers for those who needed to apply and needed to do this work. This change further supports that.

**MOTION:** Councilmember Estrada moved to approve. Councilmember Gavin seconded the motion.

Mr. Estrada asked what prompted this action. Ms. Evans responded that it had been brought up at the last Council meeting during Public Comment. They were expanding what they had done in 2020.

Vice-Chair Montoya commented that overall, this was important work and it had been beneficial to do a deeper dive and come up with these strategies. At the end, there is a requirement for the Council to vote on it directly; she was concerned that it is high-level for something that is specific to programs. It will further delay decisions. Her suggestion was to eliminate the Council vote and find a way to do this more expeditiously. Deputy Director Kiburi responded that now that we have defined the special circumstance, she did not think there would be a lot of these. The Council will be providing more support to help people understand who they should choose as a fiscal sponsor – the questions they should be asking. In circumstances where it is out of the grantee’s control, that would be a special circumstance. Deputy Director Kiburi added that for a Council vote, we do not have to convene the Council; there can be a special voting process in between meetings.

Chair Gonzáles-Chávez felt it important that the Council weigh in, even if it is a phone vote or some other acceptable way to continue to engage the Council when these decisions are made.

She thanked the committee for their thoughtful work; it helps to clarify the process so that we do not have this problem in the future.

Deputy Director Kiburi noted that the Council had the option of deferring the final decision to the Executive Committee. Staff will continue to monitor the number of these we get, to see if we need to adjust the way they are resolved.

Vice-Chair Montoya had noticed the specific criteria for the consideration. Would it be helpful to add some broader language? She agreed with Deputy Director Kiburi's suggestion of deferral to the Executive Committee or an appropriate committee in case of a conflict of interest.

Ms. Estrada noted the words "*such as*" in the verbiage. This leaves a window open for further clarifications.

The Council discussed the rewording of the last bullet item: "*The Policy Committee reviews the case and makes a recommendation to the Executive Committee of the Council for their determination.*" Deputy Director Kiburi noted that the Governance Committee would need to insert this change into the handbook.

Ms. Estrada and Ms. Gavin agreed to the above adjustment in wording as part of the Motion.

**VOTE:** Ayes: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

The motion passed unanimously.

Ms. Evans stated that the next Motion concerned the Policy Committee recommending that Steven Liang Productions be reinstated into the Arts grants in the amount of \$47,500. The committee has deemed that their change of fiscal sponsor was necessary and reasonable.

**MOTION:** Chair Gonzáles-Chávez moved to accept Steven Liang Productions' new fiscal sponsor as explained above. Vice Chair Montoya seconded.

**VOTE:** Ayes: Chair Lilia Gonzáles-Chávez, Vice-Chair Chelo Montoya, Roxanne Messina Captor, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

The motion passed unanimously.

## 10. [Scansion/WolfBrown Evaluation Presentation](#)

Chair Gonzáles-Chávez stated that the presentation represents 30 months of work. She thanked the consultants from Scansion for working with the Council and the committee through Covid.

Some of the findings may sting while others will cause us to celebrate. That is the purpose of evaluation. Another aspect that is unique to this process is the Theory of Change. It is an opportunity to engage more people in the process; it can be used as a tool to go out into the community and hear more voices. The Council wanted to hear from as many people as possible so that we could create a road map that helps the agency move through all of its processes and programs. We are representing a public agency, and a tool like this provides the public with a closer look at our work as well as greater input into what we do.

Deputy Director Kiburi provided some evaluation background. In 2019, the CAC issued an RFP for a full grant-making evaluation, with a goal of discerning the ways we can ensure equitable distribution of funds and increase program participation from historically marginalized communities, as well as maximize the impact of our support for the arts across California's diverse communities. We wanted to embrace the opportunity of our newly adopted strategic framework, to develop actionable tools by which the Council can make the best-informed decisions about which potential investments would have the greatest impact in realizing those strategic goals.

Requested project deliverables in the RFP included a field scan report of the California nonprofit arts ecosystem, a business process report, a theory of change to guide grant program portfolio development, and a narrative summary report.

The CAC partnered with Scansion and their partner, WolfBrown, in early 2020. When the pandemic struck, the evaluation team agreed to a pivotal addition to the scope of work to respond to Covid 19, and prepared a snapshot of the California arts funding landscape. The report was presented to the Council in September 2020.

Deputy Director Kiburi emphasized that there is a strong commitment to moving this information forward and into the community before anything is finalized in terms of how we are going to address the outcomes.

## **PRESENTATION**

Anh Thang Dao-Shah of Creative Research Partners began the presentation. The project has been 30 years in the making – a collaborative venture between the team, CAC staff, and many members of the CAC.

Ms. Dao-Shah spoke about the different components of the evaluation project.

She listed the current and past CAC members and staff who had served on the task force. The team had updated the Council and the public on preliminary learnings at four public meetings during the project.

### **Field Scan of the Arts Funding in California**

John Carnwath of WolfBrown began with a definition of *equity*, which is the primary lens through which we are viewing California's arts ecosystem: *It is the just and fair inclusion in an arts ecosystem in which all can prosper and reach their full potential.* Racial identities intersect with many other identities which are systematically disadvantaged, including gender or disability language and sexuality.

Mr. Carnwath listed the organization sources from which they drew data for the research. The National Assembly of State Arts Agencies (NASAA) had done the data aggregation, cleaning, coding, and so forth.

The team also drew on qualitative data. Certain types of organizations, artistic practices, and groups of people are less likely to show up in the aggregations of data. To gain a fuller picture of the ecosystem, the team wanted to hear from those who may not show up in the datasets. They selected three sites – Fresno, South L.A., and Imperial County – to provide windows into how the arts function in different community settings. They worked with local artists who connected them with cohorts of peers and leaders in the local arts communities, who are specifically not situated squarely in the nonprofit arts infrastructure.

In looking at racial equity, they came up with a way to identify Black and Indigenous People of Color (BIPOC)-centered organizations. They searched for over 300 terms describing ethnicities, racial groups, nationalities, culturally specific art forms, and cultural identities in the names and missions statements of organizations. They flagged those that seemed to focus on serving or representing BIPOC communities. They then cross-validated those organizations with existing lists such as membership lists of organizations that support BIPOC arts organizations. Finally, they checked the accuracy of the coding in a sample of organizations. They found an accuracy rate of between 87% and 92%.

An important caveat to this system is that there are many organizations that serve BIPOC communities that do not explicitly state their mission as such.

The result of the coding revealed 18% of the 13,774 arts nonprofits in California as BIPOC-centered organizations. A second lens the team used for looking at equity was rural versus urban areas, which showed 9% of the organizations to be rural.

**Key Finding #1: The network of arts nonprofits is unevenly distributed across California.**

Arts nonprofits tend to be in census tracts with above-average education levels, higher median income levels, and below-average representation of BIPOC communities. The BIPOC-centered organizations also tend to have these education and income levels, but they have a representation of BIPOC communities in their census tracts that is more on par with the statewide average.

There are concentrations of the arts nonprofits, with the Bay Area having three times as many arts nonprofits per capita as the Inland Empire and the Central Valley/Eastern Central region.

BIPOC communities in rural areas have far less access to BIPOC-centered arts nonprofits, than those in urban areas.

The takeaway is that if these 13,000 organizations are the network through which you are serving Californians, you are reproducing the biases and gaps that are already present.

**Key Finding #2: The nonprofit arts are only one portion of the non-commercial arts and culture ecology.** The team had found this both in the statistical data and in the community consultations. “Other Arts Grant Recipients” include universities, school districts, after-school programs, churches, parks departments, social service organizations, tribal governments, historical societies, etc. They have all received arts grants to support specific arts-based programs. Not captured in the data results are individual artists, artist collectives, small businesses, small cafes, community enterprises, etc.

The takeaway is that looking only at arts nonprofits causes us to miss a lot of the people and places who enrich the lives of Californians with arts and cultural meaning.

**Key Finding #3: Access to the arts can vary substantially at the hyper-local level.** You can have people who are not that far away from each other with different perspectives on the accessibility of the arts, geographically speaking. Mr. Carnwath described South L.A. as an example. This highlights the difficulty of understanding the full story of local arts ecosystems when you look at just the statistical data.

**Key Finding #4: Resources for the arts are distributed inequitably.** A bar chart showed the distribution of private foundation support for the arts per capita by region. In the Bay Area, foundations provide \$50.60, while in the Central Valley/Eastern Central region they provide \$1.13. The Bay Area, Los Angeles County, and Orange County account for 84% of the foundation support for the arts in the state. Rural organizations get 3.1% of all foundation grant dollars, although they comprise 9% of the organizations. Only 11% goes to BIPOC organizations. Donations from individuals are even less equitably distributed in terms of the proportion that goes to the arts in rural areas and BIPOC organizations. In the same way there are also huge discrepancies in the availability of city and county-level funding for the arts.

**Key Finding #5: CAC’s grants are more equitably distributed than other sources of contributed income.** That is part of the good news. Looking at two years of data leading up to the pandemic, the CAC is working towards a portfolio of grant programs that offset the inequities that BIPOC and rural nonprofits face in accessing other types of support. Bar graphs illustrated the data. However, in the period the team was looking at, the CAC’s budget was \$25 million in its largest year of grant making, while private foundations were distributing \$670 million. Private donations might actually be pumping twice as much as private foundations into the arts ecosystem.

This means that CAC cannot expect to rectify the larger inequities in the ecosystem with its limited resources through direct grant-making. CAC has to either right-size its expectations for what it can achieve in terms of influencing the overall distribution of resources in the ecosystem, or consider some way to indirectly influence the larger flows of resources in the ecosystem.

**Key Finding #6: Most arts nonprofits in California are very small volunteer-led organizations that aren't supported by grants.** 67% of arts nonprofits on which the evaluation found data, have annual budgets of less than \$50,000. Of those organizations, 92% have no record of receiving any grants from either public or private sources in the time span of the research. At that level, the organizations must be primarily volunteer-led and community-supported. There is not a lot of detail available on them.

NASAA looked at 60 of these organizations and found that about 70% were active in their communities, doing work on these extremely small budgets.

In total, 85% of arts nonprofits in California have budgets under \$250,000.

The takeaway is that organizations with professional grant writers or paid Executive Directors are a fairly narrow slice of the nonprofit arts ecosystem.

**Key Finding #7: The vast majority of resources available to California's arts nonprofits are concentrated in a small number of very large organizations.** Mr. Carnwath showed a chart of the distribution of annual budgets for arts organizations with budgets above \$5 million. Even though this represents the top 2% of organizations in the dataset, there is a concentration at the very upper end of the 2%. Those 100 foundations represent less than 1% of the state's nonprofits, yet they receive 70% of the total resources going to arts in the state. They receive 50% of all grants from private foundations. They receive 74% of the donations from private individuals.

Of the top 108 largest organizations where all the wealth is concentrated, there are only 4 BIPOC-centered organizations and 6 rural organizations.

**Key Finding #8: Communities require different levels of investment to build relationships and trust.** This finding came through clearly during the outreach when the team was seeking to engage communities in consultations. There are different levels of formal and informal infrastructure supporting the arts in different communities, and varying levels of familiarity and trust in grant-making processes and the institutions that make grants. To engage communities equitably, we have to accept those differences and approach them with the commitment and resources necessary.

It is really about building relationships and trust. The question is whether CAC wants to invest in those communities and make the commitment.

## Questions and Comments

Ms. Messina Captor asked if this study was on organizations run by minorities, or did you also look at organizations that had substantial outreach to minorities in their communities? Mr. Carnwath answered no to both questions. They did not have systematic data on the leadership of the 16,000 organizations in the dataset. Looking at organizations that might not be centered on

BIPOC communities or led by BIPOC but nonetheless have a real commitment, would be a very qualitative judgment. It would be difficult to assess as well.

Mr. Carnwath confirmed for Ms. Gavin that with the way arts organizations are located, those areas tend to have higher education levels, higher income levels, and below average populations of color. In areas of majority populations of color, arts organizations are below average in number. Looking specifically at BIPOC-centered organizations, you still see the connection with higher incomes and education, but the immediate neighborhoods are still more reflective of the state in terms of the BIPOC population.

Mr. Clarke asked if tribal communities or governments are considered nonprofit arts organizations, or were they included with the rural organizations? Mr. Carnwath replied that they are included in the category called “Other Arts Grant Recipients” – universities, school and afterschool programs, and so on. These organizations do not focus specifically on the arts but may have arts programming that is supported by grants.

### **Grantmaking Business Process**

Salvador Acevedo of Scansion spoke about the grantmaking business process evaluation. This track of the evaluation project focuses on the internal systems at CAC that allow or challenge equity outcomes.

For their methodology, the team conducted two rounds of interviews with 16 CAC staff and Council members. Most were interviewed in both phases. In the Fresno, Imperial Valley, and South L.A. regions, the team interviewed more than 60 non-applicants or unsuccessful applications for CAC grants.

The team also included input from at least 36 participants in focus groups conducted as part of their preliminary assessment. The team also conducted a comparative analysis of other state arts agencies in the country.

Mr. Acevedo presented conclusions and recommendations, given below.

### **CAC is severely under-resourced.**

- The focus on efficiency puts a strain on effectiveness. The organizational structure of CAC is not working to achieve its goals. The volume of grants and funding fluctuations creates much stress for the organizational infrastructure. We see under-resourcing in staff and technology.
- This efficiency challenges put a strain on equity. Staff is forced to focus on efficiencies that diminish their ability to serve the field. Smaller, less experienced organizations and groups are more impacted by this.

- Equity is stymied by favoritism, accessibility barriers, and embedded bias. The application process favors larger organizations.
- There is a misalignment with the reality of smaller enterprises and individual artists, preventing them from getting into the grant application process. The outcome is that the application process is based on quantity versus quality.

The team created a Grantmaking Business Process Workflow Map that showed the steps of the grantmaking process on the horizontal axis and the different constituencies and stakeholders on the vertical axis. Areas of inefficiency were highlighted in red while areas of potential equity challenges were highlighted in brown.

### **A systemic approach to grantmaking.**

- Examples of efforts toward improvement include the creation of the Racial Equity Manager position and aspirations in the strategic framework. Mr. Acevedo emphasized that everyone interviewed was deeply committed to the success of the agency, but there are structural challenges.
- There is alignment in identifying the agency’s challenges, but less alignment regarding the causes of the challenges and the solutions.
- Everyone agrees that an increased regranting strategy would alleviate some of the challenges, but there is also concern about the capacity of intermediaries to achieve equity goals.

### **Recommendations:**

- The CAC needs to reorganize. Its structure is that of a government agency, but the business reality, with its funding fluctuations, creates a huge challenge for this structure. CAC could consider a structure that bends to the natural and political fluctuations of its business.
- The grantmaking application process should include redesigned grant applications for small enterprises, and artists and reduction of the competitive nature of the grantmaking process. Community capital could be considered to increase equity outcomes.
- Design and implement an expanding regranting strategy based on clearly defined equity outcomes.
- Develop a culture of research and evaluation.

### **Questions and Comments**

Ms. Gavin commented that CAC can do so much more to reach organizations that are not incorporated, small and informal volunteer organizations, and BIPOC organizations of every level. Guidelines should reflect the needs, requirements, and abilities of each of those groups.

New organizations may have difficulties making their way into a structure that is already

established. At the same time, established organizations that represent BIPOC communities, women’s communities, or LGBTQ communities, require care, consideration, and specificity from CAC as well. We can improve on every level.

Chair Gonzáles-Chávez concurred with Ms. Gavin. Organizations that are emerging may be BIPOC-led; just as they are getting a leg up, we push them down because they now have a little more money in their budget. That is not helpful in creating a more inclusive and diverse population of arts organizations. We know that small arts organizations struggle to compete effectively because they often do not have the resources or knowledge for submitting applications, or the experience that the CAC requires. Equity dictates that we adjust our process to allow for that – but not at the exclusion of everyone else.

Vice-Chair Montoya considered the issue of how to get to the organizations that are serving, but do not qualify as arts organizations. An example is the Watts Labor Community Action Committee – they are clearly an arts resource to the community. Mr. Acevedo responded that the evaluation team proposed the idea of considering community capital as a way to bring those groups into the picture. A regranting strategy or systemic strategy could consider that specific point.

## **11. Scansion/WolfBrown Evaluation Presentation (cont.)**

### **Portfolio Review and Agency-Level Theory of Change**

Alan Brown of WolfBrown walked the Council through a “portfolio review” of the CAC’s grant programs. It is a culmination of 30 months of thought partnership between the evaluation team and the CAC Evaluation Task Force.

The challenge that ran throughout the process was how to evaluate the nation’s largest arts agency in terms of their grant-making. The Field Scan research provided a lens through which to examine CAC’s portfolio of grant programs. The Grantmaking Business Process Evaluation is another lens through which to think about the portfolio. The last piece is the “Agency-Level Theory of Change” as a lens through which to reconsider the Council’s portfolio of grant programs.

The team was starting without a baseline of evaluation data, so that necessitated a year and a half of going through the rigorous thought process of creating an agency-level theory of change, through which to consider the portfolio of programs. The Council needed a logic for making decisions about incremental additions to its portfolio.

A Theory of Change is just an articulation of assumptions about outcomes. The team started by asking the task force what difference the CAC wanted to make in the lives of Californians; then the team asked how they wanted to accomplish that. What are the subsidiary outcomes and what are your investments? That allowed the CAC to look at the existing portfolio, gaps, where it is heavily invested and not invested, and ultimately how to balance the portfolio.

Mr. Brown listed the drivers of a more just and racially equitable arts sector. This discussion informed the whole Theory of Change, which he illustrated in a diagram.

- Vision: A California where all people flourish with universal access to and participation in the arts.
- The ultimate goal: To ensure that all Californians are able to discover and cultivate their arts, cultural and creative interests, and practices.
- Below the accountability ceiling was listed the long-term outcome: more equitable and accessible systems of support for artists and organizations. Seven main outcomes contribute to the long-term outcome:
  1. Policies that make California’s arts sector more inclusive and accessible.
  2. Through cross-sectoral partnerships, the arts are responding to social, health, educational, and environmental challenges facing California residents.
  3. A more diverse pool of capable leaders (including artists, volunteers, and paid staff) are supported in building a more equitable sector. This is referred to broadly as “capacity building.”
  4. A strong, equitable, and sustainable infrastructure of regional, county, and municipal arts agencies, support organizations, and networks that support the full spectrum of cultural practices across California.
  5. Artists and culture-bearers choose to live and work in communities across the state.
  6. Children, youth, families, and elders across California have equitable access to culturally and linguistically responsive, lifelong arts learning and arts exposure.
  7. Improved systems of financial support that redress historical inequities and access to capital among historically marginalized artists and organizations.

Mr. Brown stated that the document is fully drafted but needs vetting. When the Council is comfortable releasing it, you will have all sorts of detail underneath these seven main outcomes about what specifically needs to be done to accomplish them and what specific investments are needed.

Mr. Brown gave a preview of what some of the investments in the outcomes look like. Chair Gonzáles-Chávez noted the importance of looking at them holistically; it is a network of outcomes that will work together.

- For #1: Chair González-Chávez explained that relationships have been built with the Department of Education, the CDCR, and others. We are looking specifically for policies that are inclusive and that allow us to engage our service community in a way that allows them to participate effectively with these other networks. Our state leaders are sensitive to the importance of local control, so we will be addressing that as well.

Mr. Brown stated that there is much potential for CAC to play a partnership role with other stakeholders around policy. He listed potential investments for this outcome.

- For #2: Deputy Director Kiburi explained that the CAC has consistently considered ways to highlight the power of the arts and the benefit of arts on improving strategies to address current issues and challenges affecting the lives of Californians. Examples are race equity, climate change, disability, accessibility, food equity, mental health, civic engagement, poverty, and economic mobility. Deputy Director Kiburi stressed that the work is collaborative. Recently, the CAC has been infused with the California Creative Corps three-year funding (\$60 million), Cultural Districts three-year funding (\$30 million), and Public Art in Parks (\$25 million). With this type of work to place arts in a leverage position, we have to be accountable.

Mr. Brown agreed that doing cross-sectoral work, where the arts are used to contribute towards positive social change of some kind, requires a high level of planning and accountability. CAC can affiliate with centers of expertise in these areas. Mr. Brown listed potential investments for this outcome.

- For #3: Chair González-Chávez explained that it is clearly important for CAC to build a diverse pool of leaders. When arts organizations, particularly those that are BIPOC-serving or BIPOC-led, apply for funding, they often do not have the skills necessary to compete. We need to build their capacity so that they can both compete for funding and serve their communities better.

Mr. Brown added that professional development in our sector is a mess because the sector is so decentralized. Especially with the “great resignation” and the tectonic shifts because of the pandemic, capacity-building is more urgent than ever. He listed potential investments for this outcome.

- For #4: Ms. Estrada explained that a strong network of partners across the entire state is going to be necessary for us to realize our Theory of Change goals. Without these partnerships, nothing is going to happen. We do have a long history of supporting local arts agencies and service organizations – existing programs – and we must continue that. We have begun working with a broader set of localized intermediaries or “hub” organizations to help us administer specific grant programs. This system of strong hub organizations has very positive outcomes for artists and organizations; it can help us reach more deeply into communities. Our goal is to deepen partnerships with those organizations who would like to do that.

Mr. Brown pointed out that every local or regional agency has its own priorities or understanding of its community, and CAC should not superimpose its grant programs. There is a dialogue to work through with them. CAC is uniquely situated, as the state-designated public funder, to support and nurture this layer of intermediary organizations. Mr. Brown listed potential investments for this outcome.

- For #5: Josy Miller, CAC Arts Program Specialist, stated that the task force realized early on that the Theory of Change deeply centralized artists being able to live, work, and thrive in communities across the state. Ms. Miller listed current and past investments that directly and indirectly support artists, such as the Relief Fund for Artists and Cultural Practitioners and the Individual Artist Fellowships. Yet the need is immense. The task force looked at collaborating with municipalities, other stakeholders, and community collaborators in helping to create and sustain conditions that will allow artists and culture bearers to thrive.

Mr. Brown listed potential investments for this outcome. They included supporting conditions in which artists choose to make their homes, marketplaces where artists find support for their work, touring of productions that can reach deeply across the state, affordable housing for artists, and partners and community organizations that work with artists.

- For #6: Ms. Estrada stated that all Californians deserve to have a rich and satisfying creative life. The Theory of Change holds us accountable for lifelong learning and arts exposure. Reestablishing the CAC's arts education programs for the next two to three years would be made possible by a new investment of \$40 million in the Creative Youth Development program. This outcome also encompasses CAC's work with specific populations such as veterans and youth impacted by the justice system. It is very important for the CAC to support advocacy work for universal curriculum-based and classroom-based arts education across all school systems. We must focus on supporting teaching artists to work throughout the state.

Mr. Brown suggested considering whether CAC needs all the existing grant programs – could it consolidate them? One of the most important ideas in the Theory of Change is the pivotal role that teaching artists can play in making a difference, and the CAC could support them more fully, expansively, and equitably in the short term while it continues to work on the larger advocacy piece.

- For #7: Ms. Miller pointed out that research clearly identifies the scope and ongoing reality of inequities. The CAC is looking to find new and emergent vehicles for accumulating and distributing capital to organizations that lack access to it. A key strategy is to work collaboratively with other funders.

Mr. Brown stated that we must talk about long-term capital if we truly want to address structural biases. He listed potential investments for this outcome.

With the portfolio review complete, Mr. Brown stated that the evaluation team had provided the Council with a framework for reconsidering its portfolio. He intended for the Theory of Change and the portfolio review to provide a way of continuously thinking about the portfolio. Ultimately this brings the Council and staff together around the set of seven shared objectives, evaluating accountability and progress every year.

Mr. Brown stated that this whole process had taught us that the CAC's resources are not just financial; convening, commissioning research, communications work, supporting field learning are all leadership resources. It is a paradigm shift for the CAC to move away from viewing itself as just a pusher of grants, to a leader in the sector.

### **Questions and Comments**

Ms. Estrada commented on the incredible job the team had done; it was a pleasure and a joy working with them.

Vice-Chair Montoya asked about any stories or anecdotes the team had encountered. Mr. Acevedo shared that while visiting Fresno, the team was taken to the town of Selma and was shown the ethnic-centered murals that have been created there. Mr. Acevedo's former high school teacher had taken the project on, locating artists and finding local funding. The community had found the resources, points of view, and vision to create the murals. This project was an example of community capital that goes totally under the radar of official data sources. The community had come together to attend to its own needs and had created something beautiful.

Mr. Brown pointed out that the agency-level Theory of Change is what the CAC needs to move forward. He had come to this realization about a year ago. It provides the logic for why we are doing what we're doing – an unexpected light.

Mr. Mercado commented that as a new member of the Council, he had much appreciated the broad overview. It had provided multiple guideposts to the Strategic Framework and Aspirations Subcommittee.

Ms. Gavin appreciated the tremendous amount of work in terms of statistical backup, deep thinking, surveys of the field, and tools provided to the Council. She really believed that the Council needs to recenter to artists and arts organizations and their needs. There is nothing more powerful than listening to them – they will give us the direction we need. We need to look to the past to see what we have done that worked. Multicultural advancement was all about BIPOC organizations getting to another level. Capital investment was available for organizations to buy their own buildings. As this presentation went on, it got deeper and more profound. The idea that artists can get together and learn from other artists in the discipline is what will send us forward with the community. Art is not a social service project. The notion that comes from the foundation world that we have to somehow fix a social problem is not valid. Creation of art is a magical, intangible thing. The best thing we can do is to bring artists and arts organizations

together and listen to what they need. Ms. Gavin was interested in creating a statewide cultural community.

Chair Gonzáles-Chávez stated that this is not the end but the beginning. From here we keep moving forward, going out to the community, talking to artists and arts organizations. We have to actively listen to the people in the field so that we can respond appropriately. Chair Gonzáles-Chávez expressed her most sincere thanks to the Scansion team for all they did, the time they took to listen and process, and to produce a report with numbers, data, and anecdotal information that allows the Council to move forward. The Council now has something concrete that we can reference and work with. Chair Gonzáles-Chávez also thanked the staff and all the Council members that were involved.

Deputy Director Kiburi had found the entire process to be incredibly illuminating, and applauded the flexibility that the team had shown in the process. They were skilled at the reiteration that was needed to help CAC members and staff understand and translate the language. Deputy Director Kiburi had appreciated being a part of this effort.

Chair Gonzáles-Chávez addressed a task on a different subject. Earlier during the action related to the Creative Corps funding, the Motion misstated the intent. A new action needs to be taken that specifically addresses the intent: to accept the recommendations of the Allocations Committee to implement Scenario 1, which included some 6 and 5 rankings, but not all 5 rankings.

Deputy Director Kiburi further clarified that the recommendation was to fund the top-ranked organization in each region.

Chair Gonzáles-Chávez noted that the top-ranked organization could mean rankings of 5. It is Scenario 1 that is being adopted.

**MOTION:** Councilmember Evans moved to adopt Scenario 1 as stated in the report. Councilmember Mercado seconded.

**VOTE:** Ayes: Vice-Chair Chelo Montoya, Gerald Clarke, Vicki Estrada, Jodie Evans, Ellen Gavin, Phil Mercado.

Noes: None.

Abstentions: Chair Lilia Gonzáles-Chávez.

The motion passed.

### **(13.) Future Agenda Items**

Ms. Estrada stated that as part of the Governance Committee, she would like to bring back a proposed modification to the format of the Council meeting.

Ms. Gavin requested a look at subcommittee structure as well – how we can open it up to the public.

Ms. Margolis pointed out that if it is part of the Bylaws (e.g., the committee structure), you will have to vote on it. Ms. Estrada said that she would review the Bylaws. Chair Gonzáles-Chávez stated that the item would be introduced at one Council meeting and would come back for a vote at the next meeting.

Ms. Estrada asked if the Council is still looking at remote meetings only. Chair Gonzáles-Chávez answered that they have projected a possible in-person meeting in December. Mr. DeSio stated that staff can make that happen with a location having sufficient capacity.

Ms. Estrada asked if the in-person meeting would include a hybrid setup for those who cannot make it. Chair Gonzáles-Chávez replied that the Executive Committee would work with staff to make that happen.

Mr. Mercado asked about the October meeting date. Chair Gonzáles-Chávez answered that it would be held on Thursday, October 27.

Mr. Clarke commented that he was still reacting to the suggestion before lunch of the major structural reorganization within the Council and what that might look like. Chair Gonzáles-Chávez responded that as the Executive Director returns, there will be consideration given to the information gathered from the report, as well as an understanding of how the organization functions currently. There is always room for improvement and opportunity for positive change.

Deputy Director Kiburi added that we will now be thinking about ways to engage the community for feedback. In terms of structural changes, one of the key points is how the Council lets out funding. Are we funding discrete program grants, or are we doing more AO grants? It may be a mixed model. Another area of restructuring is the way the staff interacts with the Council body. That can be much more integrated such that decisions are made after being fully vetted across both staff and the Council body.

Mr. Clarke was also intrigued by community capital; he would like to see that in spite of the difficulty in measuring it.

Deputy Director Kiburi stated that as part of the implementation of all of these outcomes, we need to think about how decisions are made – how the Council collaborates with staff and what direction the funding needs to go (one-year grant programs versus two-year grant programs).

## **(12.) Public Comment**

Ms. Margolis explained the public comment process and provided specific instructions.

Hannah Rubalcava, Grants Manager of the Santa Barbara County Office of Arts & Culture, thanked the Council and the panel that selected and approved her office to serve as the AO for

the California Creative Corps. That agency had also been selected to serve as the AO for the Central Coast region. The region had historically been left out of statewide opportunities. Opportunities structured similarly to the California Creative Corps have an increased likelihood of reaching all communities throughout California.

Laurie Brooks (she/her), Director of the Williams James Association, stated that with the RFP being rescinded, they were having to halt programming at 14 prisons and lay off over 50 artists, many of whom are BIPOC artists in rural areas. It has been heart-wrenching to let these treasured artists know about this latest development. She hoped that interim funding could be provided. Increased funding for this program should be pursued, and hoped that the AIC Program Manager position could be filled expeditiously.

Susie Tanner, Founder/Director of TheatreWorkers Project, was an artist in 1983 who had been able, through an individual Artists in Communities grant, to create her organization which has been funded over the years. She worked with unemployed steelworkers in southeast Los Angeles through that grant. Ms. Tanner thanked Ms. Miller for her dedication in supporting artists and artist organizations for many years. At the moment it is impossible to reach the staff who are overseeing her grants; the Office Hours function has been disabled, and she asked that CAC reinstate it. Ms. Tanner's organization has three grants and are waiting to start their work. They have contracts but no money yet. If you ask an artist what they need, they will always say that it is funding in a timely manner. Ms. Tanner emphasized that they need direct lines of communication with the people who are funding their programs.

Alma Robinson, Executive Director of California Lawyers for the Arts, thanked the Council for their generous support through the years. The organization is a statewide collaborator of the Arts Council and provides technical assistance through workshops, legal support, alternative dispute resolution, and general advocacy and support for the arts throughout the state. Ms. Robinson thanked the Council for the full funding of their \$50,000 request this year. Support for support organizations that build the infrastructure, network, and collaboration within the arts community are so important.

Karen Atree Piemme, Director of the Red Ladder Theatre Company, appreciated the Council's attention to the urgent matter of the rescinding of the RFP. For the participants on the inside, the organization is a lifeline. For the artists, especially performing artists, the pandemic has resulted in all activity coming to a screeching halt and their lives and livelihoods have been upended. It adds insult to injury for these devoted artists who serve those on the inside to feel the blow of the grant being rescinded. Ms. Piemme stressed the urgency of moving forward to provide these vital programs.

Maeve, an interdisciplinary conceptual artist based on Tongva land, had loved the meeting and the data. We can definitely do better than the 18% that was mentioned today, and we can include the entire arts and culture ecosystem in that, specifically more BIPOC organizations. Maeve will be submitting a written public comment addressing some of the data points.

Amy Kitchener, Executive Director of the Alliance for California Traditional Arts, thanked the Council, staff, and reviewers for the approval of two grants. As AO for Statewide Folk and Traditional Art Services, they will be honored to be CAC's partner. The evaluation and the WolfBrown team were extremely impressive in the result of their work.

Marie Acosta expressed concern about the enthusiasm for regranting and subcontracting, when in the fall the field firmly said that it is the wrong approach to funding the arts. There seems to be an assumption that local funding is more effective and that local funders are more sensitive to organizations of color. This is not true. The idea of subcontracting out is not an advantage to organizations of color. Ms. Acosta urged the Council not to decentralize funding and to look at artists and arts producing organizations for direction.

#### **14. In Memoriam**

Vice-Chair Montoya spoke of the passing of Andronico Perez, an accomplished mariachi trumpet player in California and Sacramento who played for the Governor and many Legislatures.

Ms. Gavin acknowledged Elana Dykewomon, a proud Jewish lesbian feminist writer who wrote *Riverfinger Women* and *They Will Know Me By My Teeth* 45-50 years ago.

Deputy Director Kiburi offered two items for the next agenda, based on public comment that had come in: the idea of finding other funds to fill the two-month gap for AIC services, and next steps for CPTA.

#### **15. Adjournment**

Chair Gonzáles-Chávez adjourned the meeting at 3:42 p.m.