

# The Siskiyou Arts Council

## Memorandum of Understanding

MISSION STATEMENT HERE

### Participants

This memorandum sets forth the understanding of \_\_\_\_\_, who shall serve as Project Director for Project \_\_\_\_\_ (Name), located at \_\_\_\_\_ (Address of Project) and the Siskiyou Arts Council

### Purpose of Memorandum of Understanding

The purpose of this Memorandum of Understanding is to provide an overview of the basic policies of the Siskiyou Arts Council and to describe the authority and role of The Siskiyou Arts Council Administrative Offices.

### Structure of Relationship

The Siskiyou Arts Council is a nonprofit public benefit corporation under the laws of the State of California and is tax exempt under sections 501(c)(3) of the Internal Revenue Code. The Siskiyou Arts Council accomplishes its mission primarily through its network of projects. After approval of the Siskiyou Arts Council Board of Directors, sponsored projects are direct activities of the Siskiyou Arts Council.

### Roles of Participants

***Siskiyou Arts Council Administrative Offices:*** The Siskiyou Arts Council exercises full legal and managerial control over projects and has the authority to set and change policies at any time. **The Siskiyou Arts Council will manage all monies collected for the project via the SAC's 501(c)(3) non-profit status. The SAC will retain an administrative fee of \_\_\_\_\_% of all monies received (amount to be specified for each sponsored project).** To support the programmatic activities of its projects, Siskiyou Arts Council provides project management, financial, and human resources services. Siskiyou Arts Council is the employer of all staff members of all projects, with full decision-making authority for hiring and termination of project employees. Siskiyou Arts Council has the responsibility for all activities of its projects and, as part of this role, must review and approve all contracts loans, publications, copyrights, and other legal documents. When conflicts arise, projects are expected to keep Siskiyou Arts Council informed of the issues, and Siskiyou Arts Council will get involved if the situation demands. Each project is assigned a Project Coordinator who monitors project activities. The Project Coordinator conveys necessary information and resources and responds to questions raised regarding Siskiyou Arts Council systems

***Siskiyou Arts Council Board of Directors:*** The Siskiyou Arts Council Board of Directors has full governing authority over and full legal and fiduciary responsibility for all projects. The Siskiyou Arts Council Board of Directors delegates the authority to manage Siskiyou Arts Council activities to the President of The Siskiyou Arts Council.

***Sponsored Projects:*** Projects carry out programmatic activities which contribute to Siskiyou Arts Council's mission. A project of The Siskiyou Arts Council is not a discrete entity; rather it is a constituent part of The Siskiyou Arts Council corporate structure. The Siskiyou Arts Council's President delegates responsibility for day-to-day operations to the Project Director. Projects must

comply with all federal and state regulations. Projects are also fully responsible for raising sufficient funds to cover operating expenses as well as for keeping track of revenues and expenditures. It is understood that projects will have a substantial part of your projected budget (which SAC have reviewed and accepted) in hand before making any expenditures or commitments. And that you will only spend or commit moneys on hand to avoid accumulating debt.

***Sponsored Projects Advisory Boards:*** Advisory boards are recommended for all projects and may be required when a project has more than two staff members and/or a budget greater than \$100,000. While these boards have no legal or governing authority, they provide an important mechanism of accountability and support for projects. Advisory boards are responsible for providing assistance in areas not covered by Siskiyou Arts Council services, such as fundraising and organizational development. They also monitor and evaluate the performances of Project Directors. In addition, advisory boards play an important role in facilitating communication between projects and Siskiyou Arts Council; they may provide Siskiyou Arts Council with advice and recommendations regarding personnel, financial, and administrative matters as well as other issues related to their projects.

#### Terms

This Memorandum of Understanding remains in effect for one year from the date of signing by the Project Director. If this Memorandum of Understanding expires without renewal, the policies set by The Siskiyou Arts Council Board of Directors will apply to the project and will remain in effect until the relationship is terminated or a new MOU is approved by the Siskiyou Arts Council.

#### Project Closure

Siskiyou Arts Council may elect to close the project at the date of the annual review. If the project would like to spin-off into an independent entity, the project must notify Siskiyou Arts Council as soon as possible. Siskiyou Arts Council reserves the right to terminate the project at any time if Siskiyou Arts Council determines that project staff has engaged in unauthorized or illegal activities or the project has violated any Siskiyou Arts Council policies. In the event that the project is financially inactive for a period of one year or longer, The Siskiyou Arts Council President with approval from The Siskiyou Arts Council Board of Directors may decommission the Project.

#### Terms of Understanding

Each of the undersigned has read and understands the foregoing and all policies and procedures described in the *Siskiyou Arts Council's Policies and Procedures*.

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for the Siskiyou Arts Council

Date

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, Project Director for

Date

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