

CHAPTER 15. OKLAHOMA HERITAGE PRESERVATION GRANT PROGRAM

[Authority:53 O.S., §§ 411 through 417]

[Source:Codified 8-12-19]

SUBCHAPTER 1. GENERAL PROVISIONS

320:15-1-1. Purpose

The Oklahoma Historical Society, a state agency and private membership organization, may set aside funds each year to assist organizations that collect, preserve, and share collections associated with Oklahoma history. The objectives of the program include:

- (1) Encourage improvement in the care of collections, a higher quality of exhibits, and the expansion of Oklahoma history programs at the local level, where a sense of community and the spirit of volunteerism are assets that can be tapped for historical purposes.
- (2) Foster a learning process that brings together trained, experienced museum and archival professionals with avocational volunteers and part-time employees who want to improve care of collections, learn techniques of preservation, and expand educational programs.

[Source: Amended at 41 Ok Reg, Number 22, effective 8-11-24; Amended at 39 Ok Reg 1639, eff 9-11-22; Added at 36 Ok Reg 1124, eff 8-12-19]

320:15-1-2. Applicability

The rules in this chapter shall be applicable to the Oklahoma Historical Society's Oklahoma Heritage Preservation Grant Program as authorized by 53 O.S. Sections 411-417.

[Source: Added at 36 Ok Reg 1124, eff 8-12-19]

320:15-1-3. Definitions

The following words and terms, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Administrative Rules Liaison" means or refers to the OHS staff member that has been designated by the OHS Executive Director to serve as the liaison to the Office of Administrative Rules (OAR) in the Oklahoma Secretary of State's Office. They shall act as liaison between the OHS and the OAR in all matters concerning documents submitted by the OHS. All documents submitted by the OHS shall be coordinated through the liaison and require the verification and signature of the liaison.

"Authorizing official" means or refers to the individual authorized on behalf of the institution to approve the submission of proposals and accept any resulting project grants or contracts.

"Capital Improvement" means or refers to a durable upgrade, adaptation, or enhancement of a property that increases its value, often involving a structural change. Provided, however, it does not include any improvements to items in collections or collections care, nor any modification or improvements made to exhibits or installing exhibits.

"Cash match" means or refers to the money that the applicant organization will provide toward the project. This money can be from a number of sources: examples include general operations, donations, or a fundraiser. Cash match would not include the salary of a full-time staff member already working for the applicant organization. Matching funds must be expended after the grant contract is signed.

"Collections" means or refers to objects, photographs, manuscripts, videos, audio recordings, maps, periodicals, microforms, books, vertical files, archaeological material, historic buildings, or oral histories.

"Conserved" means or refers to the act of stabilizing or protecting an artifact or archival collection.

"County government" means or refers to Oklahoma county governments as defined in Oklahoma law.

"Exhibits" means or refers to the public display, either physical or online, of collections with contextual interpretation informing the public on the topic being explored.

"Historic buildings" means or refers to a structure listed or eligible for listing on the National Register of Historic Places.

"Indirect costs" means or refers to an organization's overhead, administrative, or other expenses not directly related to the project and also possibly supporting other projects or functions. An example of this would be another division of the applicant organization managing the financial aspects of the grant and wanting a percentage of the grant funds to pay for the financial overhead costs incurred.

"Key staff" means or refers to the staff member(s) or individual(s) who will play a major role in the proposed project.

"Libraries with special collection(s)" means or refers to historical collections held by libraries that may include anything other than published books.

"Major component" means or refers to the mission of the institution and the inclusion of Oklahoma history.

"Municipal government" means or refers to Oklahoma municipalities as defined in Oklahoma law.

"Not-for-profit historical organization" means or refers to museums, historic sites, historical associations, historic preservation organizations, archives, libraries with special collections, or genealogical associations. These organizations must be located in the state of Oklahoma, be registered and in good standing with the Oklahoma Secretary of State as a domestic not for profit corporation, and feature Oklahoma history as a major component of their mission.

"OHS" means or refers to the Oklahoma Historical Society.

"OHS project teams" means or refers to employees or volunteers under the jurisdiction of the Oklahoma Historical Society who may serve as consultants or contractors to the grant recipient to accomplish all or part of an awarded project.

"OHS staff review committee" means or refers to the OHS staff members selected by the OHS Executive Director who will evaluate applications based on the weighted criteria and adherence to program requirements. The OHS Grants Administrator is excluded from appointment to this committee and has no grant decision-making power.

"Oklahoma Heritage Preservation Grant Review Committee" means or refers to the committee appointed by the Oklahoma Historical Society Board President and confirmed by the Oklahoma Historical Society Board of Directors. As authorized by 53 O.S. Section 416(a) this committee will be made up of no less than five (5) and no more than seven (7) individuals.

"Oklahoma Historical Society Board of Directors" means or refers to the governing body of the Oklahoma Historical Society as authorized by 53 O.S. Section 1.6.

"Organizational development" means or refers to training for board and staff, professional assistance with organizational issues, improving governance structures, volunteer or membership program development, and assessments or strategic plans (including paid facilitators/consultants).

"Operating budget" means or refers to the most recent operating budget approved for the applicant organization. This budget shall include staff salaries but exclude non-reoccurring costs. Applicants of tribal or municipal governments may use the operating budget of the division in which the project will take place. If an applicant organization is a sub-entity of tribal or municipal government but is a historical organization (museum, historic site, historical association, archive, library with special collection or genealogical association), they will use the sub-entity's operating budget. Support organizations must use the operating budget of the primary beneficiary of the grant funds, regardless of the funding source of that operating budget. Libraries with special collections may use the operating budget allotted to special collections. An example of this would be a city government applying for a grant to digitize historic maps. This applicant would use the operating budget for the division that oversees archives, not the entire budget of the city government.

"Programs" means or refers to organized educational activities available to the public. Examples of this might include a tour, lecture series, or workshop.

"Project" means or refers to an inclusive term to convey any eligible proposal.

"Publications" means or refers to publishing content of an educational nature in print or electronic form. For this purpose, publications would not include paid advertisements or invitation cards.

"Repair" means or refers to fix or mend a thing suffering from damage or fault, or refers to fixing or repairing of facilities, not the repair of items in collections.

"Strategic plan" means or refers to an organization's process of defining its strategy, or direction, and making decisions on allocating its resources to pursue this strategy. The applicant organization's strategic plan should address the following: organization's mission statement, setting of goals, long-range planning, and an action plan for accomplishing goals.

"Support groups" means or refers to a not-for-profit organization whose purpose is to support the mission and provide financial support to the applicant organization. This term could also include friend's groups or foundations. An example of this would be a library operated by an institute of higher learning having a friend's group that supports the organization through applying for grants, receiving and managing donations, or hosting donor events.

"Theme" means or refers to broad categories of Oklahoma history such as "American Indian," "Transportation," or "Military."

"Third-party vendor" means or refers to a contracted third party who conducts work for the grant recipient as it relates to the project grant funds awarded.

"Tribal government" means or refers to federally recognized American Indian tribes located in Oklahoma.

[Source: Amended at 41 Ok Reg, Number 22, effective 8-11-24; Amended at 39 Ok Reg 1639, eff 9-11-22; Amended at 38 Ok Reg 1113, eff 8-26-21; Amended at 37 Ok Reg 1672, eff 9-11-20; Added at 36 Ok Reg 1124, eff 8-12-19]

320:15-1-4. Declaratory ruling

(a) Any person subject to the rules contained in the rules of the Oklahoma Historical Society (Oklahoma Administrative Code Title 320.) may petition for a declaratory ruling as to the applicability of a specific rule and its effect on the petitioner. In petitioning the Oklahoma Historical Society for a declaratory ruling, the following procedures must be followed:

(1) The petition shall be in writing and submitted to the Executive Director of the Oklahoma Historical Society via US mail;

(2) The petition shall state with specificity the rule in question;

(3) The petition shall state clearly and with specificity the basis for the action and the action or relief sought;

(4) The petition shall pose the specific question(s) to be answered by the Oklahoma Historical Society; and

(5) The petitioner or the petitioner's authorized representative shall print his or her name, address, and telephone number on the petition and sign it.

(b) The petition will be stamped upon receipt by the Oklahoma Historical Society to show the date it was received. The petition shall be referred to the Executive Director of the Oklahoma Historical Society, who shall issue a ruling.

(c) The petitioner shall be notified of the declaratory ruling in writing by US certified mail, return receipt requested.

(d) The ruling shall become final unless, within twenty (20) days, the petitioner files with the OHS Administrative Rules Liaison a petition for appeal before the Board, which shall specify in detail the alleged error(s) in the Executive Director's decision, together with arguments in support of the petitioner's claim of the alleged error(s). The Executive Director may file a written response to the petition, if desired, and the Board will render its opinion based upon consideration of the written petition and the written response of the Executive Director, if one is filed. The petition will be set on an agenda of a regularly scheduled meeting and the Board will rule on the matter. If the petitioner requests such a hearing, the matter shall be placed on the agenda of the next scheduled Board meeting if it is filed twenty (20) calendar days or more prior to the meeting. If the request is filed less than twenty (20) days prior to the next scheduled Board meeting, it will be placed on the agenda of the following meeting.

(e) At the hearing of the matter by the Board, the petitioner and relevant OHS staff shall be permitted to present oral arguments to the Board, the length of which shall be limited by the President of the Board. At the conclusion of the presentation of the matter, the Board will either render a decision or continue the matter at a future meeting.

(f) A declaratory ruling or refusal to issue such a ruling, shall be subject to judicial review in the manner provided for review of decisions in individual proceedings in the Oklahoma Administrative Procedures Act

(75 O.S. Section 307).

[Source: Added at 36 Ok Reg 1124, eff 8-12-19]

320:15-1-5. Public petition requesting changes in rules and regulations

- (a) Any individual wishing to petition the Oklahoma Historical Society concerning changes in any rules to this chapter may do so by writing the Executive Director at the Oklahoma Historical Society's office.
- (b) The Oklahoma Historical Society Board of Directors will act upon the request at a regularly scheduled meeting and the Board will rule on the matter. Upon receiving the request the matter shall be placed on the agenda of the next scheduled Board meeting if it is filed twenty (20) calendar days or more prior to the meeting. If the request is filed less than twenty (20) days prior to the next scheduled Board meeting, it will be placed on the agenda of the following meeting. Upon finding sufficient cause, the Board may order public hearings on the rule(s) in question. If the Board takes action on the petition, public hearings will take place within thirty (30) days after any required publications. The Board will consider fully all written and oral submissions respecting the proposed new rule(s), or amendment or repeal of existing rule(s). The entire process of requesting changes to a rule(s) will be subject to 75 O.S. Section 250 et seq.

[Source: Added at 36 Ok Reg 1124, eff 8-12-19]

SUBCHAPTER 2. GRANT APPLICATIONS

320:15-2-1. Eligibility

- (a) **Eligible Entities.** Only entities that meet the following eligibility requirements shall be considered for a grant:
- (1) Applicants must be municipal, county, or tribal governments, not-for-profit historical organizations as defined in section 320:15-1-3, or a support group of a municipal, county, or tribal government or a not-for-profit historical organization.
 - (2) Applicant organizations must be engaged in the collection, preservation, and sharing of collections that may include but are not limited to: objects, photographs, manuscripts, videos, audio recordings, maps, periodicals, microforms, books, vertical files, archaeological material, or historic buildings.
 - (3) Applicant organizations must have a strategic plan for their organization. If an organization does not have a strategic plan, the only project that will be eligible for consideration is the development of a strategic plan.
 - (4) Applicant organizations must have an operating budget under \$750,000.
- (b) **Eligible Projects.** Only projects that meet the following eligibility requirements shall be considered for a grant.
- (1) The minimum amount requested shall be \$1,000, and the maximum amount requested shall be \$25,000, with the exception of grant requests for the development of a strategic plan, which shall be a minimum of \$ 1,000 to and a maximum of \$5,000.
 - (2) Applicants requesting \$5,000 to \$25,000 in grant funds must provide a cash match of ten (10) percent of the total grant funds distributed by the OHS. Applicants requesting less than \$5,000 must provide a financial match (cash or in-kind) of ten (10) percent of the total grant funds distributed by the OHS.
 - (3) Proposed projects must be completed within twelve (12) months of receipt of grant contract.
- (c) **Ineligible Project Expenses.** The following expenses will not be eligible for grant funding:
- (1) Repair, maintenance, or expansion of facilities (projects affecting a facility that is directly related to collections, collections care, or exhibits will be considered)
 - (2) Rent or mortgage payments
 - (3) Utilities or insurance
 - (4) Salaries, wages, or benefits for employees (project-specific salaries will be considered)
 - (5) Creation of new monuments, sculptures, murals, or other works of art, unless it serves as an integral part of a larger exhibit
 - (6) Acquisition of real estate

- (7) Landscaping or site work, unless it serves as an exhibit, an integral part of an exhibit, or educational program
- (8) Planning for new construction
- (9) Indirect costs
- (10) Projects to remodel or modernize building interiors unrelated to collections, collections care, or exhibit construction.
- (11) Fundraising events
- (12) Entities utilizing federal and/or state historic tax credits for proposed project.
- (13) Historic preservation projects that are part of a federal undertaking

[Source: Added at 36 Ok Reg 1124, eff 8-12-19; Amended at 37 Ok Reg 1672, eff 9-11-20; Amended at 38 Ok Reg 1113, eff 8-26-21; Amended at 39 Ok Reg 1639, eff 9-11-22; Amended at 41 Ok Reg, Number 22, effective 8-11-24]

320:15-2-2. Grant selection weighted criteria

All project proposals will be evaluated and ranked using the following weighted criteria:

- (1) Historical importance of the collections or theme of the applicant organization as defined by the most current OHS Historic Context Review Report (available upon request), which is in effect at the time of the solicitation of proposals. This criteria shall be weighted at a factor of three (3).
- (2) Project potential, which may include fulfilling a demonstrated need in the community or for the applicant organization, economic impact on community or organization, publicly accessible product/service, project sustainability, possible impact on the scope of collections, or produces measurable outcomes. This criteria shall be weighted at a factor of five (5).
- (3) Institutional readiness of applicant organization, which will address the following: applicant organization's capacity to complete the project. This may also include past accomplishments, programming/activities, facilities, base of support, strength of organizational strategic plan, community engagement, participation of board members/volunteers, accessibility to the public, or record of collecting experience/care. This criteria shall be weighted a factor of three (3).
- (4) Implementation of project, which may include a clear and comprehensive explanation of the project, a clear explanation of how the project will be accomplished, development of project budget based on vendor quotes or market-based research, identification of staff, volunteer, and/or third-party vendor responsibilities, identification of deadlines, method for gauging project impact, or ability to complete project within one year. This criteria shall be weighted at a factor of five (5).
- (5) Organizational impact, which may include a description of how the project fits into the long-term goals or strategic plan of the applicant organization, a description of how the project will increase the ability to attract and diversify future funders, and the ability to capitalize on the project's success to springboard into future projects/collaborations. This criteria shall be weighted at a factor of three (3).
- (6) Failure to meet requirements from past Heritage Preservation Grant award (if applicable). This criteria shall be weighted at a factor of negative two (-2).

[Source: Added at 36 Ok Reg 1124, eff 8-12-19; Amended at 37 Ok Reg 1672, eff 9-11-20; Amended at 38 Ok Reg 1113, eff 8-26-21; Amended at 39 Ok Reg 1639, eff 9-11-22; Amended at 41 Ok Reg, Number 22, effective 8-11-24]

320:15-2-3. Application process

- (a) **Requests for project proposals.** Requests for project proposals shall be distributed at such times as determined by the OHS in the manner provided below.
- (b) **Notification, solicitation, and deadlines.** Notification of availability of funds, solicitation of proposals, and deadlines for the receipt of application shall be provided, but not limited to, the following organizations or via the following methods:
 - (1) Oklahoma Historical Society website
 - (2) Press Release
- (c) **Funding.** The total amount of funds to be granted, as well as specific grants awarded, will be based on appropriations, unless a revenue shortfall reduces appropriations to the OHS. If this occurs, funds granted

will be deducted by the proportionate percentage of the shortfall to the Oklahoma Historical Society's appropriations.

(d) **Typical projects.** The following serve as examples of projects that would be eligible for funding. Some of these projects may be accomplished by a grant recipient's staff and/or volunteers, with payments available every quarter or month based on completed work. Some may be accomplished through OHS project teams that work as vendors to the grant recipients. Still other projects may be completed through third-party consultants who are paid quarterly or monthly based on work completed.

- (1) Storage, management, and/or care of collections
- (2) Conducting, transcribing, or cataloging oral histories
- (3) Digital conversion of historical collections (copyright and fair use will be the responsibility of the applicant organization, however the OHS reserves the right to not fund digitization projects for which there are concerns about copyright).
- (4) Preservation assessments
- (5) Emergency Preparedness Efforts
- (6) Environmental assessments and monitoring systems
- (7) Exhibit research, writing, graphic design, fabricating, mounting, and installation
- (8) Production or installation of audio/visual components of exhibits
- (9) Governance capacity building, including board development, constitution and bylaws, or policies and procedures
- (10) Strategic plan/succession planning
- (11) Board, staff, and volunteer training
- (12) Public programs, such as guided tours, classes, or lectures
- (13) Publications
- (14) Historical markers
- (15) Website development
- (16) Educational workshops
- (17) Acquisition of collections
- (18) Archeological/architectural/historical surveys
- (19) Archaeological fieldwork
- (20) Preservation covenant/easement preparation

(e) **Application requirements.** Application forms will be available online through the Oklahoma Historical Society's website following the announcement of solicitation of proposals. This form must be submitted online following the instructions on the website. Applicants with questions regarding the application may contact the OHS Grants office. Any staff member(s) designated to facilitate the grant program will not be part of the evaluation or award decision process.

(1) The following information may be requested in the application:

- (A) Project name
- (B) Organization with name and contact information of authorizing official
- (C) Organization status (non-profit, governmental entity, tribal)
- (D) Filing number with the Oklahoma Secretary of State, if applicant organization is a domestic not-for-profit.
- (E) Organization type (museum, historic site, historical society, library with special collection, or archive, etc.)
- (F) Organization description (including, if applicable, existing programs, scope and approximate number of collections, visitation, sources of financial support, participation of board members, and total membership)
- (G) Accessibility to the public (this may include hours of operation, website, social media, workshops, or regularly scheduled meetings)
- (H) Key staff/volunteers (if applicable) and board members
- (I) Project summary
- (J) Plan for project and organizational sustainability
- (K) Project cost
- (L) Amount requested
- (M) Source of ten (10) percent financial match

(N) Strategic plan (not applicable if grant request is for strategic plan development)

(O) Organization's annual budget

(P) Timeline of project

(Q) Date board of directors approved submitting a project proposal

(R) Proposed project budget which shall account for items outlined in project narrative, account for applicant organization's financial match, and include quotes from vendors or use of market research to formulate a budget

(S) Any other information as may be requested

(2) OHS staff will evaluate all project proposals and certify whether each meets the minimum eligibility requirements. Incomplete applications or applications received after the application deadline will not be considered.

(3) Only one completed application will be considered per organization each grant selection cycle.

(f) Draft application. Applicant organizations may voluntarily send a draft application to the Grants Administrator for feedback. This draft application must be sent following the guidelines and due date found on the OHS website. Participation in the draft application feedback will not guarantee funding, nor will non-participation negatively affect an organization's ability to receive funding. The applicant organization is able to accept or disregard in whole or part the recommendations offered by the Grants Administrator. It is important to remember that the Grants Administrator does not have grant decision-making authority.

(g) Application evaluation and awards.

(1) The OHS staff review committee appointed by the OHS Executive Director shall rank the proposed projects using the weighted criteria. The OHS staff member(s) designated to facilitate the program and grant application process will be excluded from appointment to this committee.

(2) Using the established weighted criteria (320:15-2-2[1-6]), a rating of one (1) to five (5) will be applied to each criteria, with one (1) signifying minimum value and five (5) signifying maximum value. The rating then will be multiplied by the weight assigned to each criteria to determine a total value. In making the list for recommendation, the OHS staff review committee shall evaluate based on the weighted criteria and adherence to statutory and regulatory program requirements. These requirements are geographic balance, local financial match, the existence of a strategic plan for the applicant organization, tribal division, or governmental department, as well as consideration of failure to meet requirements from past Oklahoma Heritage Preservation Grant awards.

(3) The OHS Executive Director shall submit the staff evaluations and accompanying recommendations to the Oklahoma Heritage Preservation Grant Review Committee for review and recommendation to the full Board.

(4) The OHS Board of Directors will make the final decision of which projects will be funded, the amount of each grant, and the number of organizations to receive a grant. In awarding grants the Board will, in accordance with statutory requirements, give preference to projects affecting collections, educational programs, and exhibits (53 O.S. Section 415). Because the grant application procedure(s) are not individual proceedings, the awarding of grants by the Board is not subject to appeal under the Administrative Procedures Act.

(5) The OHS will initiate a contract with each grant recipient. Modifications to project scope or project budget, in excess of ten percent of any line item/spending category will require prior approval in writing from OHS Executive Director. A contract extension may be granted by the OHS on a case-by-case basis and must be approved in writing.

(6) The Grants Administrator may contact the applicant organization for clarification or for additional information regarding an application.

(7) No employee of the OHS shall act as an individually paid third-party vendor for a project with an applicant organization that receives grant funds.

(h) Payment procedures. Where applicable, payments for projects, programs, services, or activities for the Heritage Preservation Grant Program will be made according to the Central Purchasing Act (74 O.S. Section 85.1 et seq.) and Central Purchasing Rules as established by the Oklahoma Office of Management and Enterprise Services Administrative rules OAC 260:115. Grant recipients must submit documentation for completed work and invoices to receive reimbursement as the project moves forward. All reimbursements will be made after proof that work has been completed.

(i) Audit.

(1) The grantee shall retain all books, documents, accounting procedures and practices, and other data, regardless of type and regardless of whether such items are in written form, in the form of computer data, or in any other form. In accepting any contract with the State, the successful grant recipient agrees any pertinent State or Federal agency will have the right to examine and audit all records relevant to execution and performance of the resultant contract.

(2) The successful grant recipient is required to retain records relative to the contract for the duration of the contract and for a period of seven (7) years following completion and/or termination of the contract. If an audit, litigation, or other action involving such records is started before the end of the seven (7) year period, the records are required to be maintained for two (2) years from the date that all issues arising out of the action are resolved, or until the end of the seven (7) year retention period, whichever is later.

[Source: Added at 36 Ok Reg 1124, eff 8-12-19; Amended at 37 Ok Reg 1672, eff 9-11-20; Amended at 39 Ok Reg 1639, eff 9-11-22; Amended at 41 Ok Reg, Number 22, effective 8-11-24]