

CHAPTER 20. OKLAHOMA CIVIL RIGHTS TRAIL GRANT PROGRAM

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

SUBCHAPTER 1. GENERAL PROVISIONS

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

320:20-1-1. Purpose

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The Oklahoma Historical Society, a state agency and private membership organization, shall utilize funds appropriated by the Oklahoma State Legislature, federal funds, and gifts and donations deposited to the Oklahoma Civil Rights Trail revolving fund to assist organizations that highlight Oklahoma's contributions to the Civil Rights Movement. The objectives of this program include:

(1) Connecting All-Black towns and locations significant to the Civil Rights Movement in Oklahoma, including many Native American sites of historical significance, stimulating tourism, fostering entrepreneurship, and promoting economic development within these communities.

(2) All-Black towns and locations on the Oklahoma Civil Rights Trail include, but are not limited to:

- (A) Standing Bear Park, Museum, and Education Center, Ponca City
- (B) The 1920s "Osage Reign of Terror," Fairfax
- (C) Boley, OK
- (D) Brooksville, OK
- (E) Clearview, OK
- (F) Grayson, OK
- (G) Langston, OK
- (H) Lima, OK
- (I) Red Bird, OK
- (J) Rentiesville, OK,
- (K) Summit, OK
- (L) Taft, OK
- (M) Tatums, OK
- (N) Tullahassee, OK
- (O) Vernon, OK
- (P) Honey Springs Battlefield, Checotah
- (Q) Cabin Creek Battlefield, Big Cabin
- (R) Greenwood Rising and the Pathway to Hope, Tulsa
- (S) Clara Luper Center, Oklahoma City

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

320:20-1-2. Applicability

The rules in this chapter shall be applicable to the Oklahoma Historical Society's Oklahoma Civil Rights Trail Grant Program as authorized by 53 O.S. Sections 501-503.

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

320:20-1-3. 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.

"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.

"Grant cycle" means or refers to the period during which an awarded organization is eligible to receive reimbursements for their approved project costs.

"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 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.

"Nonprofit organization" means or refers to a nonprofit corporation that has obtained a Oklahoma Certificate of Incorporation Not for Profit Corporation from the Oklahoma Secretary of State. 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. A nonprofit organization can also mean or refer to a nonprofit incorporated through tribal government and recognized by the IRS.

"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. This committee must include the State Historian and at least one individual from the State Historic Preservation Office. The Administrator of this grant program is excluded from appointment to this committee and has no grant decision-making power.

"Oklahoma Civil Rights Trail" means or refers to the All-Black towns and other significant locations designated as part of the trail.

"Oklahoma Civil Rights Trail 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. 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

"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.

"State Historian" means or refers to the OHS staff member named as the State Historian by the OHS Executive Director.

"State Historic Preservation Office" or "SHPO" means or refers to the division of the OHS, responsible, in partnership with the U.S. Department of the Interior's National Park Service and local governments, for carrying out the mandates of the National Historic Preservation Act in Oklahoma. The SHPO works with citizens and groups throughout the state to identify, evaluate, and protect Oklahoma's diverse range of historic, architectural, and archaeological resources.

"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: Added at 41 Ok Reg, Number 22, effective 8-11-24]

SUBCHAPTER 2. GRANT APPLICATIONS

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

320:20-2-1. Eligibility

(a) **Eligible Entities.** Eligible entities must benefit a location designated on the Oklahoma Civil Rights Trail to be considered for a grant and be one of the following as defined in section 320:20-1-3:

- (1) Municipal government,
- (2) County government
- (3) Tribal government
- (4) Nonprofit organization

(b) **Eligible Projects.** Only projects that meet the following eligibility requirements shall be considered for a grant.

- (1) The minimum amount requested shall be one thousand dollars (\$1,000.00), and the maximum amount requested shall be fifty thousand dollars (\$50,000.00).
- (2) Proposed projects must be completed within twelve (12) months of the beginning of the grant cycle.
- (3) Project extensions may be granted by the Administrator of the program on a case-by-case basis.

(c) **Ineligible Project Expenses.** The following expenses will not be eligible for grant funding:

- (1) Rent or mortgage payments
- (2) Utilities or insurance
- (3) Salaries, wages, or benefits for employees (project-specific salaries will be considered)
- (4) Acquisition of real estate
- (5) Planning for new construction
- (6) Fundraising events
- (7) Entities utilizing federal and/or state historic tax credits for proposed project.
- (8) Historic preservation projects that are part of a federal undertaking
- (9) Indirect costs
- (10) Repairs to correct structural deficiencies

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

320:20-2-2. Grant selection weighted criteria

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

- (1) Educational impact, which may include historic context, exhibits, programming of the proposed project of the applicant organization. This criteria shall be weighted at a factor of five (5).
- (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 or produces measurable outcomes. This criteria shall be weighted at a factor of five (5).
- (3) Institutional readiness of applicant organization, which may 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 fifteen (15) months. This criteria shall be weighted at a factor of three (3).
- (5) Project sustainability, which may include plans for maintenance, regular upkeep, and continued public access. This criteria shall be weighted at a

factor of three (3).

(6) Failure to meet requirements from past Oklahoma Civil Rights Trail Grants (if applicable). This criteria shall be weighted at a factor of negative two (-2).

[Source: Added at 41 Ok Reg, Number 22, effective 8-11-24]

320:20-2-3. 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 legislative appropriations, federal funds, and gifts and donations to the Oklahoma Civil Rights Trail revolving fund. If insufficient funds exist, the OHS reserves the right to forego administration of the Oklahoma Civil Rights Trail grant program until a time when funds become sufficient.

(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 consultants to the grant recipients. Still, other projects may be completed through third-party vendors who are paid quarterly or monthly based on work completed.

- (1) Enhancements and/or repairs to:
 - (A) Visitor centers
 - (B) Museums
 - (C) Exhibits
- (2) Signage
- (3) Educational plaques
- (4) Historical markers
- (5) Construction of visitor amenities (i.e., reflection or contemplation area, walking trail, parking, restrooms)
- (6) Storage, management, and/or care of collections
- (7) Conducting, transcribing, or cataloging oral histories
- (8) 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).
- (9) Preservation assessments
- (10) Exhibit research, writing, graphic design, fabricating, mounting, and installation
- (11) Production or installation of audio/visual components of exhibits
- (12) Public programs, such as guided tours, classes, or lectures
- (13) Publications
- (14) Website development
- (15) Educational workshops
- (16) Acquisition of collections
- (17) Archeological/architectural/historical surveys
- (18) Archaeological field work
- (19) 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.

(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 nonprofit
- (E) Organization description (including, if applicable, existing programs, visitation, sources of financial support, participation of board members, and total membership)
- (F) Accessibility to the public (this may include hours of operation, website, social media, workshops, or regularly scheduled meetings)
- (G) Key staff/volunteers (if applicable) and board members
- (H) Project summary
- (I) Project plans/specs, if applicable
- (J) Plan for project sustainability
- (K) Project cost
- (L) Amount requested
- (M) Strategic plan, if available
- (N) Timeline of project
- (O) Date board of directors approved submitting a project proposal, if applicable
- (P) Proposed project budget, which shall account for items outlined in project narrative and include quotes from vendors or use of market research to formulate budget
- (Q) If the application includes a property that is a National Historic Landmark it must meet the Secretary of the Interior's Standards for rehab and a scope of work and National Park Service project approval will be required for the application to be considered.
- (R) 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 cycle.

(f) **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 (320:20-2-2[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 will then 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 Civil Rights Trail grant awards.

(3) The OHS Executive Director shall submit the staff evaluations and accompanying recommendations to the Oklahoma Civil Rights Trail 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. 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, more than ten percent of any line item/spending category, will require prior approval in writing from OHS Executive Director.

(6) 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.

(g) **Payment procedures.** Where applicable, payments for projects, programs, services, or activities for the Oklahoma Civil Rights Trail 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.

(h) **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.