

NEW YORK ARTS COUNCIL APPEALS AND AWARDS

What if you don't get a grant you think you deserve? In New York State, organizations that get turned down by the arts council (NYSCA) have the option of making an appeal. NYSCA maintains a special panel that meets five times each year to review disputed decisions on grants. Like other NYSCA panels it is composed largely of artists, administrators, and other peers who are actively involved in the fields they represent.

NYSCA's guidelines clearly state that "dissatisfaction with the denial of an award or with the amount of award is not sufficient reason for an appeal." However, appeals are considered on the following grounds: information given to NYSCA was not provided to the panel or committee making decisions, the information was misrepresented, or NYSCA acted improperly, or "its discretionary authority . . . was arbitrary and capricious."

In NYSCA's media program two appeals have recently been argued and won by applicants. In both cases the grants had initially been approved by peer panels. Yet, they were rejected when sent for approval to the Communication Arts committee—a group composed of NYSCA council members Kitty Carlisle Hart, Robert Towbin, Elisabeth Chapin, Hugh Downe, Peter Duchin, Lee Guber, Edward Kresky, Samuel Lindenbaum, Armond Magnarelli, Arthur Mitchell, and Andrew Wolfe. This committee of political appointees checks all grants recommended by NYSCA's film, literature, and media programs.

The Experimental TV Center in Owego had asked for money for the production of Gary Hill's videotape *The Writing's on the Wall*. After rejection by the Communication Arts committee, the appeals committee (David Bailey, Pablo Figueroa, Ming Cho Lee, Ann-Ellen Lesser, Joan Lyons, Bessie Schonberg, Norman Singer, and Breffny

Walsh) examined the application. According to NYSCA media program director John Giancola, the materials were sent back to the Communication Arts committee for closer scrutiny, e.g., the committee screened Hill's entire tape instead of an excerpt. After that the committee reversed its previous decision.

The committee also held up a proposal from the Raindance Foundation to produce a pilot program for a cable series of artists' videotapes. According to Giancola, in this case the reasons involved the problem of a non-profit organization making a profit. The Raindance pilot was to generate income for the production of future programs. However, the Communication Arts committee feared that if profits were made they might be distributed outside the Raindance organization. At the committee meeting NYSCA staff could not confirm that Raindance intended to hold all the profits, and the grant was rejected. The appeals panel received assurance from Raindance that the project's income would not be shared with others, such as artists or co-distributors. This convinced the Communication Arts committee to make a \$20,000 award—\$6,000 less than originally recommended by the NYSCA fiscal staff and the media panel. Ira Schneider, a coordinator for the Raindance project, said that although the foundation was grateful for the NYSCA support, the reduced size of the grant and the full year it took to resolve the matter made execution of the program difficult. Schneider added that Raindance had requested funding to continue the project for another year, but that application was turned down.

That these two actions taken by the Communication Arts committee were reversed is good news, but that the projects were held up is not. Such interference with the peer review system throws all awards and rejections into question. Unfortunately, such occurrences are likely to continue. They are the unavoidable consequence of NYSCA's organizational structure which subordinates the authority of a body of active arts professionals that reviews all applications to that of a group of dignitaries that sees only a few.

COVER: Shirley Clarke filming *Bullfight* (1955). Courtesy Wisconsin Center for Film and Theater Research. See "Choreography of Cinema: An Interview with Shirley Clarke," by Lauren Rabinovitz, page 8.

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