

SUBCHAPTER E—INSTITUTE OF MUSEUM AND LIBRARY SERVICES

PART 1180—GRANTS REGULATIONS

Subpart A—Definitions and Eligibility

Sec.

- 1180.1 Scope of this part.
- 1180.2 Definition of a museum.
- 1180.3 Other definitions.
- 1180.4 Museum eligibility and burden of proof—Who may apply.
- 1180.5 Related institutions.
- 1180.6 Basic materials which an applicant must submit to be considered for funding.

Subpart B—General Application, Selection and Award Procedures Applications

APPLICATIONS

- 1180.30 Publication of application notices; content of notices.
- 1180.31 Information in application notices.
- 1180.32 Deadline date for applications.
- 1180.33 Applicants must meet procedural rules.
- 1180.34 [Reserved]
- 1180.35 Group applications.

SELECTION AND AWARD PROCEDURES

- 1180.36 Rejection of an application.
- 1180.37 Rejection for technical deficiency—appeal; reconsideration; waiver.
- 1180.38 [Reserved]
- 1180.39 Applications not selected for funding.
- 1180.40 [Reserved]
- 1180.41 The cost analysis; basis for grant amount.
- 1180.42 The notification of grant award.
- 1180.43 Effect of the grant.

Subpart C—General Conditions Which Must Be Met by a Grantee

NONDISCRIMINATION

- 1180.44 Federal statutes and regulations on nondiscrimination.
- 1180.45 [Reserved]

EVALUATION

- 1180.46 Evaluation by the grantee.
- 1180.47 Federal evaluation—Cooperation by a grantee.

PUBLICATIONS AND COPYRIGHTS

- 1180.48 General conditions on publications.
- 1180.49 Copyright policy for grantees.
- 1180.50 Definition of “materials.”

GENERAL ADMINISTRATIVE RESPONSIBILITIES

- 1180.51 Compliance with statutes, regulations, and its approved grant application.
- 1180.52 The grantee administers or supervises the grant.
- 1180.53 Fiscal control and fund accounting procedures.
- 1180.54 Obligation of funds during the grant period.
- 1180.55 Prohibition of subgrants.
- 1180.56 Allowable costs.
- 1180.57 Use of consultants.
- 1180.58 Duration of grants.

RECORDS

- 1180.59 Records related to grant funds.
- 1180.60 Records related to compliance.
- 1180.61 Records related to performance.

Subpart D—Museum Conservation Program

- 1180.70 Guidelines and standards for museum conservation projects.

AUTHORITY: 20 U.S.C. 9101–9176.

SOURCE: 48 FR 27728, June 17, 1983, unless otherwise noted.

Subpart A—Definitions and Eligibility

SOURCE: 71 FR 6371, Feb. 8, 2006, unless otherwise noted.

§ 1180.1 Scope of this part.

This part establishes rules for the award of grants from funds appropriated under the Museum and Library Services Act, including rules governing the eligibility of applicant institutions, the type of assistance which may be provided, requirements which applicants must meet and criteria to be used in evaluating applications.

§ 1180.2 Definition of a museum.

For the purpose of this part:

(a) Museum means a public or private nonprofit institution which is organized on a permanent basis for essentially educational or aesthetic purposes and which, using a professional staff:

- (1) Owns or uses tangible objects, either animate or inanimate;
- (2) Cares for these objects; and

§ 1180.3

(3) Exhibits them to the general public on a regular basis.

(i) An institution which exhibits objects to the general public for at least 120 days a year shall be deemed to meet this requirement.

(ii) An institution which exhibits objects by appointment may meet this requirement if it can establish, in light of the facts under all the relevant circumstances, that this method of exhibition does not unreasonably restrict the accessibility of the institution's exhibits to the general public.

(b) Museums include, but are not limited to, the following types of institutions, if they otherwise satisfy the provision of this section:

- (1) Aquariums;
- (2) Arboretums;
- (3) Botanical gardens;
- (4) Art museums;
- (5) Children's museums;
- (6) General museums;
- (7) Historic houses and sites;
- (8) History museums;
- (9) Nature centers;
- (10) Natural history and anthropology museums;
- (11) Planetariums;
- (12) Science and technology centers;
- (13) Specialized museums; and
- (14) Zoological parks.

(c) For the purposes of this section, an institution uses a professional staff if it employs at least one staff member, or the fulltime equivalent, whether paid or unpaid primarily engaged in the acquisition, care, or exhibition to the public of objects owned or used by the institution.

(d)(1) Except as set forth in paragraph (d)(2) of this section, an institution exhibits objects to the general public for the purposes of this section if such exhibition is a primary purpose of the institution.

(2) An institution which does not have as a primary purpose the exhibition of objects to the general public but which can demonstrate that it exhibits objects to the general public on a regular basis as a significant, separate, distinct, and continuing portion of its activities, and that it otherwise meets the requirements of this section, may be determined to be a museum under this section. In order to establish its eligibility, such an institution must

45 CFR Ch. XI (10-1-07 Edition)

provide information regarding the following:

(i) The number of staff members devoted to museum functions as described in paragraph (a) of this section.

(ii) The period of time that such museum functions have been carried out by the institution over the course of the institution's history.

(iii) Appropriate financial information for such functions presented separately from the financial information of the institution as a whole.

(iv) The percentage of the institution's total space devoted to such museum functions.

(v) Such other information as the Director requests.

(3) The Director uses the information furnished under paragraph (d)(2) of this section in making a determination regarding the eligibility of such an institution under this section.

(e) For the purpose of this section, an institution exhibits objects to the public if it exhibits the objects through facilities which it owns or operates.

§ 1180.3 Other definitions.

The following other definitions apply in this part:

Act means The museum and Library Services Act, Pub. L. 104-208 (20 U.S.C. 9101-9176), as amended.

Board means the National Museum and Services Board established by The Museum and Library Services Act of 2003, Pub. L. 108-81 (20 U.S.C. 9105a).

Collection includes objects owned, used or loaned by a museum as well as those literary, archival and documentary resources specifically required for the study and interpretation of these objects.

Director means the Director of the Institute of Museum and Library Services.

Foundation means the National Foundation on the Arts and the Humanities.

Grantee means the recipient of a grant under the Act.

Institute or *IMLS* means the Institute of Museum and Library Services established under Section 203 of the Act.

Museum services means services provided by a museum, primarily exhibiting objects to the general public, and including but not limited to preserving and maintaining its collections, and