

S T A T E   O F   N E W   Y O R K

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2015-2016 Regular Sessions

I N   A S S E M B L Y

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Introduced by M. of A. TITONE, LUPARDO, THIELE, SCHIMMINGER, CERETTO, ENGLEBRIGHT, FAHY -- Multi-Sponsored by -- M. of A. HAWLEY, MAGEE -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- recommitted to the Committee on Tourism, Parks, Arts and Sports Development in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the arts and cultural affairs law, in relation to providing educational services aid to eligible museums, historical societies and other cultural institutions chartered by the board of regents for the provision of curriculum-based educational programs for students and teachers in grades pre-kindergarten through twelve and adults enrolled in continuing education programs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Statement of legislative findings and intent. The legisla-  
2     ture finds and declares that the state of New York has the greatest  
3     museums, historical societies, zoos, botanical gardens, aquariums and  
4     cultural arts institutions in the United States, and that these organ-  
5     izations are major tourism and economic drivers with a wealth of ways to  
6     engage children and adults and instill in them a lasting love of learn-  
7     ing.  
8     The legislature finds and declares that museums, historical societies,  
9     zoos, botanical gardens, aquariums and cultural arts institutions  
10    attract millions of visitors each year and provide vitally important  
11    instructional services to the schoolchildren of this state, and that  
12    children, in grades pre-kindergarten through twelve and adults enrolled  
13    in continuing education programs should have broad and equal access to  
14    such services.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 The legislature finds that over 1,500 museums, historical societies,  
2 zoos, botanical gardens, aquariums and cultural arts institutions in  
3 this state now provide instruction to over six million children, and  
4 that these institutions now receive no direct state support to initiate,  
5 expand and enhance these educational services through access to museum  
6 collections, scholarship and virtual learning.

7 The legislature finds that museums, historical societies, zoos, botan-  
8 ical gardens, aquariums and cultural arts institutions, in collaboration  
9 with teachers and schools, must design new and innovative museum  
10 programs to address such pressing issues as science, anthropology,  
11 history and arts literacy, and under-resourced schools.

12 It is the intent of the legislature that the state provide financial  
13 assistance to museums, zoos, botanical gardens, aquariums and other  
14 cultural institutions so that these major tourist attractions can extend  
15 their uniquely valuable educational resources to the children and life-  
16 long learners of the state.

17 S 2. Short title. This act shall be known and may be cited as the  
18 "museum education act".

19 S 3. The arts and cultural affairs law is amended by adding a new  
20 section 61.15 to read as follows:

21 S 61.15. EDUCATION GRANTS FOR MUSEUMS. 1. THE COMMISSIONER OF EDUCA-  
22 TION SHALL DEVELOP AND IMPLEMENT, WITH CONSULTATION AND INPUT FROM  
23 REPRESENTATIVES FROM THE MUSEUM AND CULTURAL INSTITUTION COMMUNITY, A  
24 MUSEUM AND CULTURAL ORGANIZATION EDUCATION GRANT PROGRAM, AND SHALL  
25 AWARD, WITHIN THE AMOUNTS APPROPRIATED FROM THE GENERAL FUND FOR SUCH  
26 PURPOSE, COMPETITIVE GRANTS IN ACCORDANCE WITH THIS SECTION FOR THE  
27 PURPOSES OF ESTABLISHING OR IMPROVING EDUCATION PROGRAMS IN MUSEUMS AND  
28 CULTURAL ORGANIZATIONS DESIGNED TO IMPROVE STUDENT PERFORMANCE IN PUBLIC  
29 AND NONPUBLIC ELEMENTARY, MIDDLE AND SECONDARY SCHOOLS. SUCH GRANTS  
30 SHALL BE EXPENDED TO SUPPORT THE PRODUCTION OF CURRICULA, ACQUISITION OF  
31 SPECIALIZED EDUCATIONAL OR INTERPRETIVE SKILLS, ACQUISITION AND IMPLE-  
32 MENTATION OF TECHNOLOGY, AND PREPARATION OF SPECIALIZED EXHIBITION OR  
33 PUBLIC PROGRAMS THAT ARE TAILORED TO ELEMENTARY, MIDDLE AND SECONDARY  
34 SCHOOL STUDENTS; THE DEVELOPMENT AND DELIVERY OF CONTINUING EDUCATION  
35 PROGRAMS, PROVISION OF STUDENT TRANSPORTATION; AND OTHER PROGRAMS THAT  
36 SUPPORT THE DEVELOPMENT AND DELIVERY OF CURRICULUM-BASED PROGRAMS IN  
37 MUSEUMS WITH COLLECTIONS.

38 2. AS USED IN THIS SECTION, "ELIGIBLE INSTITUTION" SHALL MEAN: (A) A  
39 NONPROFIT INSTITUTION CHARTERED BY THE BOARD OF REGENTS, OR OTHERWISE  
40 INCORPORATED AS A MUSEUM, HISTORICAL SOCIETY, NATURE CENTER, ZOO, BOTAN-  
41 IC GARDEN, ARBORETUM, AQUARIUM OR OTHER CULTURAL EDUCATION INSTITUTION,  
42 OR A PRIVATELY OR MUNICIPALLY OPERATED INSTITUTION THAT MEETS THE APPLI-  
43 CABLE REGISTRATION STANDARDS ESTABLISHED BY THE BOARD OF REGENTS FOR  
44 MUSEUMS OR HISTORICAL SOCIETIES WITH COLLECTIONS; OR

45 (B) A PRIVATE NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATION, INCLUDING  
46 AN INCORPORATED INSTITUTION THE SOLE OR PRIMARY PURPOSE OF WHICH IS THE  
47 SUPPORT OF MUSEUMS, HISTORIC SITES OR HISTORICAL SOCIETIES; EXCEPT THAT  
48 INSTITUTIONS OPERATED BY STATE OR FEDERAL GOVERNMENT AGENCIES SHALL NOT  
49 BE CONSIDERED ELIGIBLE UNDER THIS SECTION.

50 3. THE GOVERNING BODY OR OFFICER OF AN ELIGIBLE INSTITUTION REQUESTING  
51 A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION AT SUCH  
52 TIME, IN SUCH FORM AND CONTAINING SUCH INFORMATION, AS THE COMMISSIONER  
53 OF EDUCATION MAY REQUIRE. SUCH COMMISSIONER SHALL ESTABLISH THE CRITERIA  
54 AND STANDARDS BY WHICH APPLICATIONS FOR GRANTS TO BE AWARDED PURSUANT TO  
55 THIS SECTION WILL BE EVALUATED AND GRANTS MADE TO ELIGIBLE INSTITUTIONS.  
56 THE COMMISSIONER OF EDUCATION IS AUTHORIZED TO PROMULGATE REGULATIONS

1 FOR THE DEVELOPMENT AND SUBMISSION OF APPLICATIONS FOR COOPERATIVE OR  
2 COLLABORATIVE GRANTS, PROVIDED THAT A SINGLE INSTITUTION SERVES AS THE  
3 APPLICANT FOR SUCH A GRANT AND FOR MULTI-YEAR GRANTS.

4 4. THE COMMISSIONER OF EDUCATION SHALL AWARD GRANTS IN AN AMOUNT NOT  
5 TO EXCEED THE ALLOWABLE COSTS OF THE ELIGIBLE INSTITUTION AS DETERMINED  
6 BY SUCH COMMISSIONER, PROVIDED THAT THE ALLOWABLE COSTS FOR MUSEUM  
7 EDUCATION GRANTS SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS PER YEAR  
8 FOR A MAXIMUM OF THREE YEARS. ALLOWABLE COSTS SHALL INCLUDE, BUT NEED  
9 NOT BE LIMITED TO, THE REASONABLE COST OF SALARIES AND FRINGE BENEFITS,  
10 MATERIALS AND EQUIPMENT. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A  
11 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH  
12 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN TEN  
13 THOUSAND DOLLARS AND ONE HUNDRED FIFTY THOUSAND DOLLARS PER YEAR. THE  
14 COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE  
15 PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTI-  
16 TUTIONS WITH AN OPERATING BUDGET OF BETWEEN ONE HUNDRED FIFTY-ONE THOU-  
17 SAND DOLLARS AND FIVE HUNDRED THOUSAND DOLLARS PER YEAR. THE COMMISSION-  
18 ER OF EDUCATION WILL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE  
19 AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN  
20 OPERATING BUDGET OF BETWEEN FIVE HUNDRED THOUSAND ONE DOLLARS AND ONE  
21 MILLION DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A  
22 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH  
23 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET IN EXCESS OF  
24 ONE MILLION DOLLARS PER YEAR.

25 5. ON OR BEFORE MARCH FIFTEENTH, TWO THOUSAND EIGHTEEN AND ON OR  
26 BEFORE MARCH FIRST OF EACH YEAR THEREAFTER, THE COMMISSIONER OF EDUCA-  
27 TION SHALL SUBMIT TO THE CHAIRS OF THE SENATE FINANCE AND THE ASSEMBLY  
28 WAYS AND MEANS COMMITTEES, AND THE DIRECTOR OF THE BUDGET, A REPORT  
29 DETAILING THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION, THE  
30 EXTENT OF PARTICIPATION BY ELIGIBLE INSTITUTIONS, THE RELATIONSHIP OF  
31 THE PROGRAMS PROVIDED TO SCHOOL CURRICULA, AND THE GEOGRAPHIC DISPERSION  
32 OF FUNDS AND PARTICIPATING INSTITUTIONS.

33 S 4. This act shall take effect one year after it shall have become a  
34 law.