

8199--D

2015-2016 Regular Sessions

I N   A S S E M B L Y

June 11, 2015

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Introduced by M. of A. TITONE, LUPARDO, THIELE, SCHIMMINGER, CERETTO, ENGLEBRIGHT, FAHY, McDONALD, NOJAY, WALTER -- 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 -- again reported from said committee with amendments, 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 in low-income urban, suburban and rural communities

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

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

LBD10697-10-6

1 attract millions of visitors each year and provide vitally important  
2 instructional services to the schoolchildren of this state, and that  
3 children, in grades pre-kindergarten through twelve and adults enrolled  
4 in continuing education programs should have broad and equal access to  
5 such services.

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

12 The legislature finds that students living in low-income communities  
13 in urban, suburban, or rural settings benefit from having access to the  
14 type of learning provided by museums, historical societies, zoos, botan-  
15 ical gardens, aquariums and cultural arts institutions and that fair and  
16 equal access to these types of institutions will provide enhanced learn-  
17 ing opportunities to these students.

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

23 It is the intent of the legislature that the state provide financial  
24 assistance to museums, zoos, botanical gardens, aquariums and other  
25 cultural institutions located in low-income urban, suburban or rural  
26 communities, so that these major tourist attractions can extend their  
27 uniquely valuable educational resources to the children and lifelong  
28 learners of the state, especially those in low-income urban, suburban or  
29 rural communities, or that provide educational services to students from  
30 such communities.

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

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

35 S 61.15. EDUCATION GRANTS FOR MUSEUMS. 1. THE COMMISSIONER OF EDUCA-  
36 TION SHALL DEVELOP AND IMPLEMENT, WITH CONSULTATION AND INPUT FROM  
37 REPRESENTATIVES FROM THE MUSEUM AND CULTURAL INSTITUTION COMMUNITY, A  
38 MUSEUM AND CULTURAL ORGANIZATION EDUCATION GRANT PROGRAM, AND SHALL  
39 AWARD, WITHIN THE AMOUNTS APPROPRIATED FROM THE GENERAL FUND FOR SUCH  
40 PURPOSE, COMPETITIVE GRANTS IN ACCORDANCE WITH THIS SECTION FOR THE  
41 PURPOSES OF ESTABLISHING OR IMPROVING EDUCATION PROGRAMS IN MUSEUMS AND  
42 CULTURAL ORGANIZATIONS DESIGNED TO IMPROVE STUDENT PERFORMANCE IN PUBLIC  
43 AND NONPUBLIC ELEMENTARY, MIDDLE AND SECONDARY SCHOOLS. SUCH GRANTS  
44 SHALL BE EXPENDED TO SUPPORT THE PRODUCTION OF CURRICULA, ACQUISITION OF  
45 SPECIALIZED EDUCATIONAL OR INTERPRETIVE SKILLS, ACQUISITION AND IMPE-  
46 LEMENTATION OF TECHNOLOGY, AND PREPARATION OF SPECIALIZED EXHIBITION OR  
47 PUBLIC PROGRAMS THAT ARE TAILORED TO ELEMENTARY, MIDDLE AND SECONDARY  
48 SCHOOL STUDENTS; THE DEVELOPMENT AND DELIVERY OF CONTINUING EDUCATION  
49 PROGRAMS; PROVISION OF STUDENT TRANSPORTATION; AND OTHER PROGRAMS THAT  
50 SUPPORT THE DEVELOPMENT AND DELIVERY OF CURRICULUM-BASED PROGRAMS IN  
51 MUSEUMS WITH COLLECTIONS.

52 2. AS USED IN THIS SECTION, "ELIGIBLE INSTITUTION" SHALL MEAN: (A) A  
53 NONPROFIT INSTITUTION CHARTERED BY THE BOARD OF REGENTS, OR OTHERWISE  
54 INCORPORATED AS A MUSEUM, HISTORICAL SOCIETY, NATURE CENTER, ZOO, BOTAN-  
55 ICAL GARDEN, ARBORETUM, AQUARIUM OR OTHER CULTURAL EDUCATION INSTITU-  
56 TION, OR A PRIVATELY OR MUNICIPALLY OPERATED INSTITUTION THAT MEETS THE

1 APPLICABLE REGISTRATION STANDARDS ESTABLISHED BY THE BOARD OF REGENTS  
2 FOR MUSEUMS OR HISTORICAL SOCIETIES WITH COLLECTIONS, AND THAT IS  
3 LOCATED IN A LOW-INCOME URBAN, SUBURBAN OR RURAL COMMUNITY OR PROVIDES  
4 EDUCATIONAL SERVICES TO STUDENTS AND ADULT LEARNERS FROM LOW-INCOME  
5 URBAN, SUBURBAN OR RURAL COMMUNITIES; OR

6 (B) A PRIVATE NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATION, INCLUDING  
7 AN INCORPORATED INSTITUTION THE SOLE OR PRIMARY PURPOSE OF WHICH IS THE  
8 SUPPORT OF MUSEUMS, HISTORIC SITES OR HISTORICAL SOCIETIES LOCATED IN A  
9 LOW-INCOME URBAN, SUBURBAN OR RURAL COMMUNITY OR THAT PROVIDES EDUCA-  
10 TIONAL SERVICES TO STUDENTS AND ADULT LEARNERS FROM LOW-INCOME URBAN,  
11 SUBURBAN OR RURAL COMMUNITIES; EXCEPT THAT INSTITUTIONS OPERATED BY  
12 STATE OR FEDERAL GOVERNMENT AGENCIES SHALL NOT BE CONSIDERED ELIGIBLE  
13 UNDER THIS SECTION.

14 3. THE GOVERNING BODY OR OFFICER OF AN ELIGIBLE INSTITUTION REQUESTING  
15 A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT AN APPLICATION AT SUCH  
16 TIME, IN SUCH FORM AND CONTAINING SUCH INFORMATION, AS THE COMMISSIONER  
17 OF EDUCATION MAY REQUIRE. SUCH COMMISSIONER SHALL ESTABLISH THE CRITERIA  
18 AND STANDARDS BY WHICH APPLICATIONS FOR GRANTS TO BE AWARDED PURSUANT TO  
19 THIS SECTION WILL BE EVALUATED AND GRANTS MADE TO ELIGIBLE INSTITUTIONS.  
20 THE COMMISSIONER OF EDUCATION IS AUTHORIZED TO PROMULGATE REGULATIONS  
21 FOR THE DEVELOPMENT AND SUBMISSION OF APPLICATIONS FOR COOPERATIVE OR  
22 COLLABORATIVE GRANTS, PROVIDED THAT A SINGLE INSTITUTION SERVES AS THE  
23 APPLICANT FOR SUCH A GRANT AND FOR MULTI-YEAR GRANTS.

24 4. THE COMMISSIONER OF EDUCATION SHALL AWARD GRANTS, SUBJECT TO AVAIL-  
25 ABLE APPROPRIATIONS, IN AN AMOUNT NOT TO EXCEED THE ALLOWABLE COSTS OF  
26 THE ELIGIBLE INSTITUTION AS DETERMINED BY SUCH COMMISSIONER, PROVIDED  
27 THAT THE ALLOWABLE COSTS FOR MUSEUM EDUCATION GRANTS SHALL NOT EXCEED  
28 FIVE HUNDRED THOUSAND DOLLARS PER YEAR FOR A MAXIMUM OF THREE YEARS.  
29 ALLOWABLE COSTS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE REASON-  
30 ABLE COST OF SALARIES AND FRINGE BENEFITS, MATERIALS AND EQUIPMENT. THE  
31 COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE  
32 PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTI-  
33 TUTIONS WITH AN OPERATING BUDGET OF BETWEEN TEN THOUSAND DOLLARS AND ONE  
34 HUNDRED FIFTY THOUSAND DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION  
35 SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRI-  
36 ATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET  
37 OF BETWEEN ONE HUNDRED FIFTY THOUSAND ONE DOLLARS AND FIVE HUNDRED THOU-  
38 SAND DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION WILL ALLOCATE A  
39 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH  
40 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN FIVE  
41 HUNDRED THOUSAND ONE DOLLARS AND ONE MILLION DOLLARS PER YEAR. THE  
42 COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE  
43 PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTI-  
44 TUTIONS WITH AN OPERATING BUDGET IN EXCESS OF ONE MILLION DOLLARS PER  
45 YEAR.

46 5. ON OR BEFORE MARCH FIFTEENTH, TWO THOUSAND EIGHTEEN AND ON OR  
47 BEFORE MARCH FIRST OF EACH YEAR THEREAFTER, THE COMMISSIONER OF EDUCA-  
48 TION SHALL SUBMIT TO THE CHAIRS OF THE SENATE FINANCE AND THE ASSEMBLY  
49 WAYS AND MEANS COMMITTEES, AND THE DIRECTOR OF THE BUDGET, A REPORT  
50 DETAILING THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION, THE  
51 EXTENT OF PARTICIPATION BY ELIGIBLE INSTITUTIONS, THE RELATIONSHIP OF  
52 THE PROGRAMS PROVIDED TO SCHOOL CURRICULA, AND THE GEOGRAPHIC DISPERSION  
53 OF FUNDS AND PARTICIPATING INSTITUTIONS.

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