S T A T E O F N E W Y O R K

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I N A S S E M B L Y

June 11, 2015

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:

Section 1. Statement of legislative findings and intent. The legislature finds and declares that the state of New York has the greatest museums, historical societies, zoos, botanical gardens, aquariums and cultural arts institutions in the United States, and that these organizations are major tourism and economic drivers with a wealth of ways to engage children and adults and instill in them a lasting love of learning.

The legislature finds and declares that museums, historical societies, zoos, botanical gardens, aquariums and cultural arts institutions

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

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

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

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

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

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

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

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

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

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

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

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

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

4. THE COMMISSIONER OF EDUCATION SHALL AWARD GRANTS, SUBJECT TO AVAILABLE APPROPRIATIONS, IN AN AMOUNT NOT TO EXCEED THE ALLOWABLE COSTS OF THE ELIGIBLE INSTITUTION AS DETERMINED BY SUCH COMMISSIONER, PROVIDED THAT THE ALLOWABLE COSTS FOR MUSEUM EDUCATION GRANTS SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS PER YEAR FOR A MAXIMUM OF THREE YEARS. ALLOWABLE COSTS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE REASONABLE COST OF SALARIES AND FRINGE BENEFITS, MATERIALS AND EQUIPMENT. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN TEN THOUSAND DOLLARS AND ONE HUNDRED FIFTY THOUSAND DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN ONE HUNDRED FIFTY THOUSAND ONE DOLLARS AND FIVE HUNDRED THOUSAND DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION WILL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN FIVE HUNDRED THOUSAND ONE DOLLARS AND ONE MILLION DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET IN EXCESS OF ONE MILLION DOLLARS PER YEAR.

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

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