

5001--C

2015-2016 Regular Sessions

I N S E N A T E

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Introduced by Sens. LITTLE, AKSHAR, LATIMER, ORTT, RANZENHOFER, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- recommitted to the Committee on Cultural Affairs, Tourism, Parks and Recreation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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
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

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

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1 in continuing education programs should have broad and equal access to
2 such services.

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

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

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

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

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

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

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

49 2. AS USED IN THIS SECTION, "ELIGIBLE INSTITUTION" SHALL MEAN: (A) A
50 NONPROFIT INSTITUTION CHARTERED BY THE BOARD OF REGENTS, OR OTHERWISE
51 INCORPORATED AS A MUSEUM, HISTORICAL SOCIETY, NATURE CENTER, ZOO, BOTAN-
52 ICAL GARDEN, ARBORETUM, AQUARIUM OR OTHER CULTURAL EDUCATION INSTITU-
53 TION, OR A PRIVATELY OR MUNICIPALLY OPERATED INSTITUTION THAT MEETS THE
54 APPLICABLE REGISTRATION STANDARDS ESTABLISHED BY THE BOARD OF REGENTS
55 FOR MUSEUMS OR HISTORICAL SOCIETIES WITH COLLECTIONS, AND THAT IS
56 LOCATED IN A LOW-INCOME URBAN, SUBURBAN OR RURAL COMMUNITY OR PROVIDES

1 EDUCATIONAL SERVICES TO STUDENTS AND ADULT LEARNERS FROM LOW-INCOME
2 URBAN, SUBURBAN OR RURAL COMMUNITIES; OR

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

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

21 4. THE COMMISSIONER OF EDUCATION SHALL AWARD GRANTS IN AN AMOUNT NOT
22 TO EXCEED THE ALLOWABLE COSTS OF THE ELIGIBLE INSTITUTION AS DETERMINED
23 BY SUCH COMMISSIONER, PROVIDED THAT THE ALLOWABLE COSTS FOR MUSEUM
24 EDUCATION GRANTS SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS PER YEAR
25 FOR A MAXIMUM OF THREE YEARS. ALLOWABLE COSTS SHALL INCLUDE, BUT NEED
26 NOT BE LIMITED TO, THE REASONABLE COST OF SALARIES AND FRINGE BENEFITS,
27 MATERIALS AND EQUIPMENT. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A
28 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH
29 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET OF BETWEEN TEN
30 THOUSAND DOLLARS AND ONE HUNDRED FIFTY THOUSAND DOLLARS PER YEAR. 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 ONE HUNDRED FIFTY THOUSAND
34 ONE DOLLARS AND FIVE HUNDRED THOUSAND DOLLARS PER YEAR. THE COMMISSIONER
35 OF EDUCATION WILL ALLOCATE A MINIMUM OF TWENTY-FIVE PERCENT OF THE
36 AMOUNT APPROPRIATED FOR SUCH GRANTS TO AWARD TO INSTITUTIONS WITH AN
37 OPERATING BUDGET OF BETWEEN FIVE HUNDRED THOUSAND ONE DOLLARS AND ONE
38 MILLION DOLLARS PER YEAR. THE COMMISSIONER OF EDUCATION SHALL ALLOCATE A
39 MINIMUM OF TWENTY-FIVE PERCENT OF THE AMOUNT APPROPRIATED FOR SUCH
40 GRANTS TO AWARD TO INSTITUTIONS WITH AN OPERATING BUDGET IN EXCESS OF
41 ONE MILLION DOLLARS PER YEAR.

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

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