

STATE OF NEW YORK

3892--A

2017-2018 Regular Sessions

IN ASSEMBLY

January 30, 2017

Introduced by M. of A. TITONE, LUPARDO, THIELE, SCHIMMINGER, ENGLE-BRIGHT, FAHY, McDONALD, WALTER, RAIA, SEAWRIGHT, COOK, GOTTFRIED, BLAKE, JOYNER, OTIS, CRESPO, ABBATE, CUSICK, JAFFEE, LAWRENCE, RA, CROUCH, WOERNER, PHEFFER AMATO, ORTIZ, L. ROSENTHAL, SOLAGES, DE LA ROSA, WALSH, WALKER, GUNTHER, JEAN-PIERRE, HARRIS, LIFTON, NIOU, MORINELLO, MURRAY, HYNDMAN, D'URSO, SKOUFIS, RODRIGUEZ, CAHILL, BARRETT -- Multi-Sponsored by -- M. of A. FRIEND, GIGLIO, HAWLEY, MAGEE, McDONOUGH, B. MILLER, M. L. MILLER, SIMON, STEC, STECK, WEINSTEIN -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- reported and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- 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.

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

LBD00484-03-8

1 The legislature finds and declares that museums, historical societies,
2 zoos, botanical gardens, aquariums and cultural arts institutions
3 attract millions of visitors each year and provide vitally important
4 instructional services to the schoolchildren of this state, and that
5 children, in grades pre-kindergarten through twelve and adults enrolled
6 in continuing education programs should have broad and equal access to
7 such services.

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

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

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

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

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

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

37 § 61.15. Education grants for museums. 1. The commissioner of educa-
38 tion shall develop and implement, with consultation and input from
39 representatives from the museum and cultural institution community, a
40 museum and cultural organization education grant program, and shall
41 award, within the amounts appropriated from the general fund for such
42 purpose, competitive grants in accordance with this section for the
43 purposes of establishing or improving education programs in museums and
44 cultural organizations designed to improve student performance in public
45 and nonpublic elementary, middle and secondary schools. Such grants
46 shall be expended to support the production of curricula, acquisition of
47 specialized educational or interpretive skills, acquisition and imple-
48 mentation of technology, and preparation of specialized exhibition or
49 public programs that are tailored to elementary, middle and secondary
50 school students; the development and delivery of continuing education
51 programs; provision of student transportation; and other programs that
52 support the development and delivery of curriculum-based programs in
53 museums with collections.

54 2. As used in this section, "eligible institution" shall mean: (a) a
55 nonprofit institution chartered by the board of regents, or otherwise
56 incorporated as a museum, historical society, nature center, zoo, botan-

1 ical garden, arboretum, aquarium or other cultural education institu-
2 tion, or a privately or municipally operated institution that meets the
3 applicable registration standards established by the board of regents
4 for museums or historical societies with collections, and that is
5 located in a low-income urban, suburban or rural community or provides
6 educational services to students and adult learners from low-income
7 urban, suburban or rural communities; or

8 (b) a private not-for-profit community based organization, including
9 an incorporated institution the sole or primary purpose of which is the
10 support of museums, historic sites or historical societies located in a
11 low-income urban, suburban or rural community or that provides educa-
12 tional services to students and adult learners from low-income urban,
13 suburban or rural communities; except that institutions operated by
14 state or federal government agencies shall not be considered eligible
15 under this section.

16 3. The governing body or officer of an eligible institution requesting
17 a grant pursuant to this section shall submit an application at such
18 time, in such form and containing such information, as the commissioner
19 of education may require. Such commissioner shall establish the criteria
20 and standards by which applications for grants to be awarded pursuant to
21 this section will be evaluated and grants made to eligible institutions.
22 The commissioner of education is authorized to promulgate regulations
23 for the development and submission of applications for cooperative or
24 collaborative grants, provided that a single institution serves as the
25 applicant for such a grant and for multi-year grants.

26 4. The commissioner of education shall award grants, subject to avail-
27 able appropriations, in an amount not to exceed the allowable costs of
28 the eligible institution as determined by such commissioner, provided
29 that the allowable costs for museum education grants shall not exceed
30 five hundred thousand dollars per year for a maximum of three years.
31 Allowable costs shall include, but need not be limited to, the reason-
32 able cost of salaries and fringe benefits, materials and equipment. The
33 commissioner of education shall allocate a minimum of twenty-five
34 percent of the amount appropriated for such grants to award to insti-
35 tutions with an operating budget of between ten thousand dollars and one
36 hundred fifty thousand dollars per year. The commissioner of education
37 shall allocate a minimum of twenty-five percent of the amount appropri-
38 ated for such grants to award to institutions with an operating budget
39 of between one hundred fifty thousand one dollars and five hundred thou-
40 sand dollars per year. The commissioner of education will allocate a
41 minimum of twenty-five percent of the amount appropriated for such
42 grants to award to institutions with an operating budget of between five
43 hundred thousand one dollars and one million dollars per year. The
44 commissioner of education shall allocate a minimum of twenty-five
45 percent of the amount appropriated for such grants to award to insti-
46 tutions with an operating budget in excess of one million dollars per
47 year.

48 5. On or before March fifteenth, two thousand twenty and on or before
49 March first of each year thereafter, the commissioner of education shall
50 submit to the chairs of the senate finance and the assembly ways and
51 means committees, and the director of the budget, a report detailing the
52 implementation of the provisions of this section, the extent of partic-
53 ipation by eligible institutions, the relationship of the programs
54 provided to school curricula, and the geographic dispersion of funds and
55 participating institutions.

1 § 4. This act shall take effect one year after it shall have become a
2 law.