

# STATE OF NEW YORK

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3835

2023-2024 Regular Sessions

## IN ASSEMBLY

February 8, 2023

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Introduced by M. of A. FAHY, OTIS, LUPARDO, BARRETT, THIELE, SEAWRIGHT, COLTON, BRAUNSTEIN -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law, in relation to providing financial assistance to museums, zoos, botanical gardens, aquariums and other cultural institutions located in low-income urban, suburban or rural communities, or that provide educational services to students from such 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 is home to vast  
3 educational resources in museums, historical societies, zoos, botanical  
4 gardens, aquaria and cultural arts institutions that offer a wealth of  
5 ways to engage children and adults and instill in them a lasting love of  
6 learning.

7 The legislature finds that over 1,500 museums, historical societies,  
8 zoos, botanical gardens, aquaria and cultural arts institutions in this  
9 state now provide instruction to over six million children, and that  
10 children in grades pre-kindergarten through twelve and adults enrolled  
11 in continuing education programs should have broad and equal access to  
12 such services.

13 The legislature further finds that community cultural arts insti-  
14 tutions, in collaboration with teachers and schools, must design new and  
15 innovative programs to engage learners in such pressing issues as  
16 science, anthropology, history and arts literacy.

17 It is the intent of the legislature that the state provide financial  
18 assistance to cultural arts institutions serving under-resourced urban,  
19 suburban or rural communities to expand educational services through  
20 access to museum collections, scholarship and virtual learning and

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

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1 extend their uniquely valuable educational resources to the children and  
2 lifelong learners of the state.

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

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

7 § 61.15. Education grants for museums. 1. The commissioner of educa-  
8 tion shall develop and implement, with consultation and input from  
9 representatives from the museum and cultural institution community, a  
10 museum and cultural organization education grant program, and shall  
11 award, within the amounts appropriated from the general fund for such  
12 purpose, competitive grants in accordance with this section for the  
13 purpose of establishing or improving education programs in museums and  
14 cultural organizations designed to improve student performance in public  
15 and nonpublic elementary, middle and secondary schools. Such grants  
16 shall be expended to support the production of curricula, acquisition of  
17 specialized educational or interpretive skills, acquisition and imple-  
18 mentation of technology, and preparation of specialized exhibition or  
19 public programs that are tailored to elementary, middle and secondary  
20 school students; the development and delivery of continuing education  
21 programs; provision of student transportation; and other programs that  
22 support the development and delivery of curriculum-based programs in  
23 museums with collections.

24 2. As used in this section, "eligible institution" shall mean: (a) a  
25 nonprofit institution chartered by the board of regents, or otherwise  
26 incorporated as a museum, historical society, nature center, zoo, botan-  
27 ical garden, arboretum, aquarium or other cultural education institu-  
28 tion, or a privately or municipally operated institution that meets the  
29 applicable registration standards established by the board of regents  
30 for museums or historical societies with collections, and that is  
31 located in a low-income urban, suburban or rural community or provides  
32 educational services to students and adult learners from low-income  
33 urban, suburban or rural communities; (b) a museum authorized by a  
34 special charter from the legislature of this state and that is located  
35 in a low-income urban, suburban or rural community or provides educa-  
36 tional services to students and adult learners from low-income urban,  
37 suburban or rural communities; or (c) a private not-for-profit community  
38 based organization, including an incorporated institution the sole or  
39 primary purpose of which is the support of museums, historic sites or  
40 historical societies located in a low-income urban, suburban or rural  
41 community or that provides educational services to students and adult  
42 learners from low-income urban, suburban or rural communities; except  
43 that institutions operated by state or federal government agencies shall  
44 not be considered eligible under this section.

45 3. The governing body or officer of an eligible institution requesting  
46 a grant pursuant to this section shall submit an application at such  
47 time, and in such form and containing such information, as the commis-  
48 sioner of education may require. Such commissioner shall establish the  
49 criteria and standards by which applications for grants to be awarded  
50 pursuant to this section will be evaluated and made to eligible insti-  
51 tutions. The commissioner of education is authorized to promulgate regu-  
52 lations for the development and submission of applications for cooper-  
53 ative or collaborative grants, provided that a single institution serves  
54 as the applicant for such a grant and for multi-year grants.

55 4. The commissioner of education shall award grants, subject to avail-  
56 able appropriations, in an amount not to exceed the allowable costs of

1 the eligible institution as determined by such commissioner. Allowable  
2 costs shall include, but need not be limited to, the reasonable cost of  
3 salaries and fringe benefits, materials and equipment. The commissioner  
4 of education shall allocate a minimum of twenty-five percent of the  
5 amount appropriated for such grants to award to institutions with an  
6 operating budget of between ten thousand dollars and one hundred fifty  
7 thousand dollars per year. The commissioner of education shall allocate  
8 a minimum of twenty-five percent of the amount appropriated for such  
9 grants to award to institutions with an operating budget of between one  
10 hundred fifty thousand one dollars and five hundred thousand dollars per  
11 year. The commissioner of education shall allocate a minimum of twenty-  
12 five percent of the amount appropriated for such grants to award to  
13 institutions with an operating budget of between five hundred thousand  
14 one dollars and one million dollars per year. The commissioner of educa-  
15 tion shall allocate a minimum of twenty-five percent of the amount  
16 appropriated for such grants to award to institutions with an operating  
17 budget in excess of one million dollars per year.

18 5. On or before March fifteenth, two thousand twenty-six and on or  
19 before March first of each year thereafter, the commissioner of educa-  
20 tion shall submit to the chairs of the senate finance and the assembly  
21 ways and means committees, and the director of the budget, a report  
22 detailing the implementation of the provisions of this section, the  
23 extent of participation by eligible institutions, the relationship of  
24 the programs provided to school curricula, and the geographic dispersion  
25 of funds and participating institutions.

26 § 4. This act shall take effect on the three hundred sixty-fifth day  
27 after it shall have become a law. Effective immediately the addition,  
28 amendment and/or repeal of any rule or regulation necessary for the  
29 implementation of this act on its effective date are authorized to be  
30 made and completed on or before such date.