

By Mr. Collins of Amherst, petition of James G. Collins and other members of the House relative to the utilization of the services of cultural institutions in the public schools of the Commonwealth. Education.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT TO ENCOURAGE AND ASSIST IN THE UTILIZATION OF SERVICES OF MASSACHUSETTS CULTURAL INSTITUTIONS IN PRIMARY AND SECONDARY EDUCATIONAL PROGRAMS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The General Court finds that the commonwealth  
2 has done little to encourage private societies and public institutions  
3 in the promotion of the arts and sciences, as required by the  
4 constitution, and has failed to make full use of the great  
5 educational resources of the cultural organizations in this  
6 commonwealth for the benefit of the public schools, to the  
7 disadvantage of the children and of those organizations. It is the  
8 purpose of this act to provide encouragement and assistance to the  
9 public schools in making use of the untapped resources of cultural  
10 organizations in order to enrich the total educational experience of  
11 the children of the commonwealth.

1 SECTION 2. Chapter 69 of the General Laws is hereby  
2 amended by adding after section 35 the following section: —

3 *Section 36.* The department shall promote the use by the public  
4 schools, as a part of their regular programs, of the educational  
5 services of cultural organizations located in the commonwealth.  
6 For that purpose the department may, subject to appropriation  
7 and pursuant to regulations adopted by the board of education  
8 with the advice of the council on the arts and humanities, make  
9 monetary grants to local educational agencies, including  
10 collaboratives organized under section four E of chapter forty or

11 any other provision of law, or other joint educational undertakings  
12 of two or more cities or towns. Such grants shall be in addition to  
13 grants made under the provisions of the final paragraph of said  
14 section four E. No grant shall exceed seventy-five per cent of the  
15 costs of purchasing the services of a cultural organization and of  
16 any incidental costs of administration and transportation. In  
17 distributing grants, the department shall adopt a method which  
18 ensures, so far as practicable, that the grants are apportioned  
19 equitably throughout the commonwealth. The department may  
20 also contract with any appropriate public or private agency to  
21 assist cultural organizations in the planning and development of  
22 educational services for the purposes of this section, conformably  
23 with any regulations of the board of education.

24 For purposes of this section, "cultural organization" shall mean  
25 any non-profit organization, public or private, such as a museum,  
26 historical society, zoo, aquarium, or performing or visual arts  
27 organization, as further defined by the department, which is  
28 primarily concerned with the advancement of the arts and  
29 humanities or the broad aspects of science, and which:

30 (a) owns or utilizes, maintains and regularly exhibits tangible  
31 objects to the public, or provides a regular schedule of public  
32 performances or arts services to the surrounding geographic  
33 region;

34 (b) is professionally staffed to conduct its educational programs;

35 (c) has demonstrated to the satisfaction of the department the  
36 ability to provide effective educational programs; and

37 (d) is exempt from income taxation pursuant to section 501 (c)  
38 (3) of chapter 26 of the United States Code.

39 At the direction of the board of education, the commissioner  
40 may seek, accept, and administer specific grants from private  
41 foundations and federal agencies for the purposes of this section.  
42 Such grants shall be kept in a separate fund in the state treasury  
43 and shall be disbursed by the state treasurer at the direction of the  
44 board of education pursuant to its authority.

1 SECTION 3. No grant shall be made by the department of  
2 education under the provisions of section 36 of chapter 69 of the  
3 General Laws, as inserted by this act, prior to July first, nineteen  
4 hundred and seventy-nine, but the department may, prior to said  
5 date, incur any necessary administrative expenses in anticipation  
6 of such grants.