

106TH CONGRESS
1ST SESSION

S. 1293

To establish a Congressional Recognition for Excellence in Arts Education Board.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 1999

Mr. COCHRAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a Congressional Recognition for Excellence in Arts Education Board.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Recogni-
5 tion for Excellence in Arts Education Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Arts literacy is a fundamental purpose of
9 schooling for all students.

1 (2) Arts education stimulates, develops, and re-
2 fines many cognitive and creative skills, critical
3 thinking and nimbleness in judgment, creativity and
4 imagination, cooperative decisionmaking, leadership,
5 high-level literacy and communication, and the ca-
6 pacity for problem-posing and problem-solving.

7 (3) Arts education contributes significantly to
8 the creation of flexible, adaptable, and knowledge-
9 able workers who will be needed in the 21st century
10 economy.

11 (4) Arts education improves teaching and learn-
12 ing.

13 (5) Where parents and families, artists, arts or-
14 ganizations, businesses, local civic and cultural lead-
15 ers, and institutions are actively engaged in instruc-
16 tional programs, arts education is more successful.

17 (6) Effective teachers of the arts should be en-
18 couraged to continue to learn and grow in mastery
19 of their art form as well as in their teaching com-
20 petence.

21 (7) The 1999 study, entitled “Gaining the Arts
22 Advantage: Lessons from School Districts that
23 Value Arts Education”, found that the literacy, edu-
24 cation, programs, learning and growth described in

1 paragraphs (1) through (6) contribute to successful
2 districtwide arts education.

3 (8) Despite all of the literacy, education, pro-
4 grams, learning and growth findings described in
5 paragraphs (1) through (6), the 1997 National As-
6 sessment of Educational Progress reported that stu-
7 dents lack sufficient opportunity for participatory
8 learning in the arts.

9 (9) The Arts Education Partnership, a coalition
10 of national and State education, arts, business, and
11 civic groups has demonstrated its effectiveness in ad-
12 dressing the purposes described in section 5(a) and
13 the capacity and credibility to administer arts edu-
14 cation programs of national significance.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) **ARTS EDUCATION PARTNERSHIP.**—The
18 term “Arts Education Partnership” (formerly known
19 as the Goals 2000 Arts Education Partnership) is a
20 private, nonprofit coalition of education, arts, busi-
21 ness, philanthropic, and government organizations
22 that—

23 (A) demonstrates and promotes the essen-
24 tial role of arts education in enabling all stu-
25 dents to succeed in school, life, and work; and

1 (B) was formed in 1995 through a cooper-
2 ative agreement among—

3 (i) the National Endowment for the
4 Arts;

5 (ii) the Department of Education;

6 (iii) the National Assembly of State
7 Arts Agencies; and

8 (iv) the Council of Chief State School
9 Officers.

10 (2) BOARD.—The term “Board” means the
11 Congressional Recognition for Excellence in Arts
12 Education Awards Board established under section
13 4.

14 (3) ELEMENTARY SCHOOL; SECONDARY
15 SCHOOL.—The terms “elementary school” and “sec-
16 ondary school” mean—

17 (A) a public or private elementary school
18 or secondary school (as the case may be), as de-
19 fined in section 14101 of the Elementary and
20 Secondary Education Act of 1965 (20 U.S.C.
21 8801); or

22 (B) a bureau funded school as defined in
23 section 1146 of the Education Amendments of
24 1978 (25 U.S.C. 2026).

1 (4) STATE.—The term “State” means each of
2 the several States of the United States, the District
3 of Columbia, the Commonwealth of Puerto Rico,
4 Guam, American Samoa, the United States Virgin
5 Islands, the Commonwealth of the Northern Mar-
6 iana Islands, the Republic of the Marshall Islands,
7 the Federated States of Micronesia, and the Repub-
8 lic of Palau.

9 **SEC. 4. ESTABLISHMENT OF BOARD.**

10 There is established as an independent establishment
11 of the Federal Government a Congressional Recognition
12 for Excellence in Arts Education Awards Board. The
13 Board shall be responsible for administering the awards
14 program described in section 5.

15 **SEC. 5. BOARD DUTIES.**

16 (a) AWARDS PROGRAM ESTABLISHED.—The Board
17 shall establish and administer an awards program to be
18 known as the “Congressional Recognition for Excellence
19 in Arts Education Awards Program”. The purpose of the
20 program shall be to—

- 21 (1) celebrate the positive impact and public
22 benefits of the arts;
- 23 (2) encourage all elementary schools and sec-
24 ondary schools to integrate the arts into the school
25 curriculum;

1 (3) spotlight the most compelling evidence of
2 the relationship between the arts and student learn-
3 ing;

4 (4) demonstrate how community involvement in
5 the creation and implementation of arts policies en-
6 riches the schools;

7 (5) recognize school administrators and faculty
8 who provide quality arts education to students;

9 (6) acknowledge schools that provide profes-
10 sional development opportunities for their teachers;

11 (7) create opportunities for students to experi-
12 ence the relationship between early participation in
13 the arts and developing the life skills necessary for
14 future personal and professional success;

15 (8) increase, encourage, and ensure comprehen-
16 sive, sequential arts learning for all students; and

17 (9) expand accessibility of the arts to schools in
18 every community.

19 (b) DUTIES.—

20 (1) SCHOOL AWARDS.—The Board shall—

21 (A) make annual awards to elementary
22 schools and secondary schools in the States in
23 accordance with criteria established under sub-
24 paragraph (B), which awards—

1 (i) shall be of such design and mate-
2 rials as the Board may determine, includ-
3 ing a well-designed certificate or a work of
4 art, designed for the awards event by an
5 appropriate artist; and

6 (ii) shall be reflective of the dignity of
7 Congress;

8 (B) establish criteria required for a school
9 to receive the award, and establish such proce-
10 dures as may be necessary to verify that the
11 school meets the criteria, which criteria shall in-
12 clude criteria requiring—

13 (i) that the school provides com-
14 prehensive, sequential arts learning and in-
15 tegrates the arts throughout the cur-
16 riculum; and

17 (ii) 3 of the following:

18 (I) that the community serving
19 the school is actively involved in shap-
20 ing and implementing the arts policies
21 and programs of the school;

22 (II) that the school principal sup-
23 ports the policy of arts education for
24 all students;

1 (III) that arts teachers in the
 2 school are encouraged to learn and
 3 grow in mastery of their art form as
 4 well as in their teaching competence;

5 (IV) that the school actively en-
 6 courages the use of arts assessment
 7 techniques for improving student,
 8 teacher, and administrative perform-
 9 ance; and

10 (V) that school leaders engage
 11 the total school community in arts ac-
 12 tivities that create a climate of sup-
 13 port for arts education; and

14 (C) include, in the procedures necessary
 15 for verification that a school meets the criteria
 16 described in subparagraph (B), written evidence
 17 of the specific criteria, and supporting docu-
 18 mentation, that includes—

19 (i) three letters of support for the
 20 school, of which—

21 (I) one shall be from the school's
 22 Parent Teacher Association (PTA);

23 (II) one shall be from community
 24 leaders, such as elected or appointed
 25 officials; and

1 (III) one shall be from arts orga-
2 nizations or institutions in the com-
3 munity that partner with the school;
4 and

5 (ii) the completed application for the
6 award signed by the principal or other edu-
7 cation leader such as a school district arts
8 coordinator, school board member, or
9 school superintendent;

10 (D) determine appropriate methods for dis-
11 seminating information about the program and
12 make application forms available to schools,
13 which methods may include—

14 (i) the Arts Education Partnership
15 web site and publications;

16 (ii) the Department of Education
17 Community Update newsletter;

18 (iii) websites and publications of the
19 Arts Education Partnership steering com-
20 mittee members;

21 (iv) press releases, public service an-
22 nouncements and other media opportuni-
23 ties; and

24 (v) direct communication by postal
25 mail, or electronic means;

1 (E) delineate such roles as the Board con-
 2 siders to be appropriate for the Director in ad-
 3 ministering the program, and set forth in the
 4 bylaws of the Board the duties, salary, and ben-
 5 efits of the Director;

6 (F) raise funds for the operation of the
 7 program;

8 (G) determine, and inform Congress re-
 9 garding, the national readiness for interdiscipli-
 10 nary individual student awards described in
 11 paragraph (2), on the basis of the 1997 Na-
 12 tional Assessment of Educational Progress arts
 13 education achievement levels; and

14 (H) take such other actions as may be ap-
 15 propriate for the administration of the Congres-
 16 sional Recognition for Excellence in Arts Edu-
 17 cation Awards Program.

18 (2) STUDENT AWARDS.—

19 (A) IN GENERAL.—At such time as the
 20 Board determines appropriate, the Board—

21 (i) shall make annual awards to ele-
 22 mentary school and secondary school stu-
 23 dents for individual interdisciplinary arts
 24 achievement; and

1 (ii) establish criteria for the making
2 of the awards.

3 (B) AWARD MODEL.—The Board may use
4 as a model for the awards the Congressional
5 Award Program and the President’s Physical
6 Fitness Award Program.

7 (c) PRESENTATION.—The Board shall arrange for
8 the presentation of awards under this section to the recipi-
9 ents and shall provide for participation by Members of
10 Congress in such presentation, when appropriate.

11 (d) DATE OF ANNOUNCEMENT.—The Board shall de-
12 termine an appropriate date or dates for announcement
13 of the awards under this section, which date shall coincide
14 with a National Arts in Schools Week or similarly des-
15 ignated day, week or month, if such designation exists.

16 (e) REPORT.—

17 (1) IN GENERAL.—The Board shall prepare and
18 submit an annual report to Congress not later than
19 March 1 of each year summarizing the activities of
20 the Congressional Recognition for Excellence in Arts
21 Education Awards Program during the previous year
22 and making appropriate recommendations for the
23 program. Any minority views and recommendations
24 of members of the Board shall be included in such
25 reports.

1 (2) CONTENTS.—The annual report shall con-
2 tain the following:

3 (A) Specific information regarding the
4 methods used to raise funds for the Congres-
5 sional Recognition for Excellence in Arts Edu-
6 cation Awards Program and a list of the
7 sources of all money raised by the Board.

8 (B) Detailed information regarding the ex-
9 penditures made by the Board, including the
10 percentage of funds that are used for adminis-
11 trative expenses.

12 (C) A description of the programs formu-
13 lated by the Director under section 7(b)(1), in-
14 cluding an explanation of the operation of such
15 programs and a list of the sponsors of the pro-
16 grams.

17 (D) A detailed list of the administrative
18 expenditures made by the Board, including the
19 amounts expended for salaries, travel expenses,
20 and reimbursed expenses.

21 (E) A list of schools given awards under
22 the program, and the city, town, or county, and
23 State in which the school is located.

24 (F) An evaluation of the state of arts edu-
25 cation in schools, which may include anecdotal

evidence of the effect of the Congressional Recognition for Excellence in Arts Education Awards Program on individual school curriculum.

(G) On the basis of the findings described in section 2 and the purposes of the Congressional Recognition for Excellence in Arts Education Awards Program described in section 5(a), a recommendation regarding the national readiness to make individual student awards under subsection (b)(2).

SEC. 6. COMPOSITION OF BOARD.

(a) COMPOSITION.—

(1) IN GENERAL.—The Board shall consist of 24 members as follows:

(A) Two Members of the Senate appointed by the Majority Leader of the Senate.

(B) Two Members of the Senate appointed by the Minority Leader of the Senate.

(C) Two Members of the House of Representatives appointed by the Speaker of the House of Representatives.

(D) Two Members of the House of Representatives appointed by the Minority Leader of the House of Representatives.

1 (E) The Director of the Board, who shall
2 serve as a nonvoting member.

3 (F) Fifteen members appointed by the
4 Arts Education Partnership steering committee
5 from among representatives of the Arts Edu-
6 cation Partnership.

7 (2) SPECIAL RULE.—In making appointments
8 to the Board, the individuals and entity making the
9 appointments under paragraph (1) shall consider
10 recommendations submitted by any interested party,
11 including any member of the Board.

12 (3) INTEREST.—

13 (A) IN GENERAL.—Members of Congress
14 appointed to the Board shall have an interest in
15 1 of the purposes described in section 5(a).

16 (B) DIVERSITY.—Representatives of the
17 Arts Education Partnership appointed to the
18 Board shall represent the diversity of that orga-
19 nization's membership, so that artistic and edu-
20 cation professionals are represented in the
21 membership of the Board.

22 (b) TERMS.—Members of the Board shall serve for
23 terms of 6 years, except that of the members first
24 appointed—

1 (1) one Member of the House of Representa-
2 tives, 1 Member of the Senate, and 3 members of
3 the Arts Education Partnership shall serve for terms
4 of 2 years;

5 (2) one Member of the House of Representa-
6 tives, 1 Member of the Senate, and 4 members of
7 the Arts Education Partnership shall serve for terms
8 of 4 years; and

9 (3) two Members of the House of Representa-
10 tives, 2 Members of the Senate, and 8 representa-
11 tives of the Arts Education Partnership shall serve
12 for terms of 6 years,

13 as determined by lot when all such members have been
14 appointed.

15 (c) VACANCY.—

16 (1) IN GENERAL.—Any vacancy in the member-
17 ship of the Board shall be filled in the same manner
18 in which the original appointment was made.

19 (2) TERM.—Any member appointed to fill a va-
20 cancy occurring before the expiration of the term for
21 which the member's predecessor was appointed shall
22 be appointed only for the remainder of such term.

23 (3) EXTENSION.—Any appointed member of the
24 Board may continue to serve after the expiration of

1 the member's term until the member's successor has
2 taken office.

3 (4) SPECIAL RULE.—Vacancies in the member-
4 ship of the Board shall not affect the Board's power
5 to function if there remain sufficient members of the
6 Board to constitute a quorum under subsection (d).

7 (d) QUORUM.—A majority of the members of the
8 Board shall constitute a quorum.

9 (e) COMPENSATION.—Members of the Board shall
10 serve without pay but may be compensated for reasonable
11 travel expenses incurred by the members in the perform-
12 ance of their duties as members of the Board.

13 (f) MEETINGS.—The Board shall meet annually at
14 the call of the Chairperson and at such other times as
15 the Chairperson may determine to be appropriate. The
16 Chairperson shall call a meeting of the Board whenever
17 $\frac{1}{3}$ of the members of the Board submit written requests
18 for such a meeting.

19 (g) OFFICERS.—The Chairperson and the Vice Chair-
20 person of the Board shall be elected from among the Mem-
21 bers of Congress serving on the Board, by a majority vote
22 of the members of the Board, for such terms as the Board
23 determines. The Vice Chairperson shall perform the duties
24 of the Chairperson in the absence of the Chairperson.

25 (h) COMMITTEES.—

1 (1) IN GENERAL.—The Board may appoint
 2 such committees, and assign to the committees such
 3 functions, as may be appropriate to assist the Board
 4 in carrying out its duties under this Act. Members
 5 of such committees may include the members of the
 6 Board or such other qualified individuals as the
 7 Board may select.

8 (2) SPECIAL RULE.—Any employee or officer of
 9 the Federal Government may serve as a member of
 10 a committee created by the Board, but may not re-
 11 ceive compensation for services performed for such a
 12 committee.

13 (i) BYLAWS AND OTHER REQUIREMENTS.—The
 14 Board shall establish such bylaws and other requirements
 15 as may be appropriate to enable the Board to carry out
 16 the Board's duties under this Act.

17 **SEC. 7. ADMINISTRATION.**

18 (a) IN GENERAL.—In the administration of the Con-
 19 gressional Recognition for Excellence in Arts Education
 20 Awards Program, the Board shall be assisted by a Direc-
 21 tor, who shall be the principal executive of the program
 22 and who shall supervise the affairs of the Board. The Di-
 23 rector shall be nominated by the Arts Education Partner-
 24 ship steering committee and appointed by a majority vote
 25 of the Board.

1 (b) DIRECTOR'S RESPONSIBILITIES.—The Director
2 shall, in consultation with the Board—

3 (1) formulate programs to carry out the policies
4 of the Congressional Recognition for Excellence in
5 Arts Education Awards Program;

6 (2) establish such divisions within the Congres-
7 sional Recognition for Excellence in Arts Education
8 Awards Program as may be appropriate; and

9 (3) employ and provide for the compensation of
10 such personnel as may be necessary to carry out the
11 Congressional Recognition for Excellence in Arts
12 Education Awards Program, subject to such policies
13 as the Board shall prescribe under its bylaws.

14 (c) APPLICATION.—Each school or student desiring
15 a grant under this Act shall submit an application to the
16 Board at such time, in such manner and accompanied by
17 such information as the Board may require.

18 **SEC. 8. LIMITATIONS.**

19 (a) IN GENERAL.—Subject to such limitations as
20 may be provided for under this section, the Board may
21 take such actions and make such expenditures as may be
22 necessary to carry out the Congressional Recognition for
23 Excellence in Arts Education Awards Program, except
24 that the Board shall carry out its functions and make ex-
25 penditures with only such resources as are available to the

1 Board from the Congressional Recognition for Excellence
2 in Arts Education Awards Trust Fund pursuant to section
3 10(e), and from sources other than the Federal Govern-
4 ment.

5 (b) CONTRACTS.—The Board may enter into such
6 contracts as may be appropriate to carry out the business
7 of the Board, but the Board may not enter into any con-
8 tract which will obligate the Board to expend an amount
9 greater than the amount available to the Board for the
10 purpose of such contract during the fiscal year in which
11 the expenditure is made.

12 (c) GIFTS.—The Board may seek and accept, from
13 sources other than the Federal Government, funds and
14 other resources to carry out the Board's activities. The
15 Board may not accept any funds or other resources that
16 are—

17 (1) donated with a restriction on their use un-
18 less such restriction merely provides that such funds
19 or other resources be used in furtherance of the
20 Congressional Recognition for Excellence in Arts
21 Education Awards Program; or

22 (2) donated subject to the condition that the
23 identity of the donor of the funds or resources shall
24 remain anonymous.

1 (d) VOLUNTEERS.—The Board may accept and uti-
 2 lize the services of voluntary, uncompensated personnel.

3 (e) REAL OR PERSONAL PROPERTY.—The Board
 4 may lease (or otherwise hold), acquire, or dispose of real
 5 or personal property necessary for, or relating to, the du-
 6 ties of the Board.

7 (f) PROHIBITIONS.—The Board shall have no
 8 power—

9 (1) to issue bonds, notes, debentures, or other
 10 similar obligations creating long-term indebtedness;

11 (2) to issue any share of stock or to declare or
 12 pay any dividends; or

13 (3) to provide for any part of the income or as-
 14 sets of the Board to inure to the benefit of any di-
 15 rector, officer, or employee of the Board except as
 16 reasonable compensation for services or reimburse-
 17 ment for expenses.

18 **SEC. 9. AUDITS.**

19 The financial records of the Board may be audited
 20 by the Comptroller General of the United States at such
 21 times as the Comptroller General may determine to be ap-
 22 propriate. The Comptroller General, or any duly author-
 23 ized representative of the Comptroller General, shall have
 24 access for the purpose of audit to any books, documents,
 25 papers, and records of the Board (or any agent of the

1 Board) which, in the opinion of the Comptroller General,
2 may be pertinent to the Congressional Recognition for Ex-
3 cellence in Arts Education Awards Program.

4 **SEC. 10. TERMINATION.**

5 The Board shall terminate 6 years after the date of
6 enactment of this Act. The Board shall set forth, in its
7 bylaws, the procedures for dissolution to be followed by
8 the Board.

9 **SEC. 11. TRUST FUND.**

10 (a) ESTABLISHMENT OF FUND.—There is estab-
11 lished in the Treasury of the United States a trust fund
12 to be known as the “Congressional Recognition for Excel-
13 lence in Arts Education Awards Trust Fund”. The fund
14 shall consist of amounts appropriated to the fund pursu-
15 ant to section 12 and amounts credited to the fund under
16 subsection (d).

17 (b) INVESTMENT OF FUND ASSETS.—

18 (1) IN GENERAL.—It shall be the duty of the
19 Secretary of the Treasury to invest in full the
20 amounts appropriated to the fund. Such investments
21 may be made only in interest-bearing obligations of
22 the United States or in obligations guaranteed as to
23 both principal and interest by the United States.
24 For such purpose, such obligations may be acquired

1 on original issue at the issue price or by purchase
2 of outstanding obligations at the marketplace.

3 (2) SPECIAL RULE.—The purposes for which
4 obligations of the United States may be issued under
5 the Second Liberty Bond Act are hereby extended to
6 authorize the issuance at par of special obligations
7 exclusively to the fund. Such special obligations shall
8 bear interest at a rate equal to the average rate of
9 interest, computed as to the end of the calendar
10 month next preceding the date of such issue, borne
11 by all marketable interest-bearing obligations of the
12 United States then forming a part of the public
13 debt, except that when such average rate is not a
14 multiple of $\frac{1}{8}$ of 1 percent, the rate of interest of
15 such special obligations shall be the multiple of $\frac{1}{8}$
16 of 1 percent next lower than such average rate. Such
17 special obligations shall be issued only if the Sec-
18 retary determines that the purchase of other inter-
19 est-bearing obligations of the United States, or of
20 obligations guaranteed as to both principal and in-
21 terest by the United States on original issue or at
22 the market price, is not in the public interest.

23 (c) AUTHORITY TO SELL OBLIGATIONS.—Any obli-
24 gation acquired by the fund (except special obligations
25 issued exclusively to the fund) may be sold by the Sec-

1 retary of the Treasury at the market price, and such spe-
 2 cial obligations may be redeemed at par plus accrued in-
 3 terest.

4 (d) PROCEEDS FROM CERTAIN TRANSACTIONS
 5 CREDITED TO FUND.—The interest on, and the proceeds
 6 from the sale or redemption of, any obligations held in
 7 the fund shall be credited to and form a part of the fund.

8 (e) EXPENDITURES FROM TRUST FUND.—The Sec-
 9 retary of the Treasury is authorized to pay to the Board
 10 from the interest and earnings of the fund such sums as
 11 the Board determines are necessary and appropriate to en-
 12 able the Board to carry out this Act.

13 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to the Con-
 15 gressional Recognition for Excellence in Arts Education
 16 Awards Trust Fund established under section 11,
 17 \$1,000,000 during the period beginning with fiscal year
 18 2001 and ending with fiscal year 2005.

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