

106TH CONGRESS
2^D SESSION

H. R. 5554

To amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2000

Mr. MCKEON introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Congressional Award Act 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. CONGRESSIONAL RECOGNITION FOR EXCEL-**
4 **LENCE IN ARTS EDUCATION.**

5 (a) IN GENERAL.—The Congressional Award Act (2
6 U.S.C. 801–808) is amended by adding at the end the fol-
7 lowing:

1 **“TITLE II—CONGRESSIONAL**
2 **RECOGNITION FOR EXCEL-**
3 **LENCE IN ARTS EDUCATION**

4 **“SEC. 201. SHORT TITLE.**

5 “This title may be cited as the ‘Congressional Rec-
6 ognition for Excellence in Arts Education Act’.

7 **“SEC. 202. FINDINGS.**

8 “Congress makes the following findings:

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

11 “(2) Arts education stimulates, develops, and
12 refines many cognitive and creative skills, critical
13 thinking and nimbleness in judgment, creativity and
14 imagination, cooperative decisionmaking, leadership,
15 high-level literacy and communication, and the ca-
16 pacity for problem-posing and problem-solving.

17 “(3) Arts education contributes significantly to
18 the creation of flexible, adaptable, and knowledge-
19 able workers who will be needed in the 21st century
20 economy.

21 “(4) Arts education improves teaching and
22 learning.

23 “(5) Where parents and families, artists, arts
24 organizations, businesses, local civic and cultural
25 leaders, and institutions are actively engaged in in-

1 instructional programs, arts education is more suc-
2 cessful.

3 “(6) Effective teachers of the arts should be en-
4 couraged to continue to learn and grow in mastery
5 of their art form as well as in their teaching com-
6 petence.

7 “(7) The 1999 study, entitled ‘Gaining the Arts
8 Advantage: Lessons from School Districts that
9 Value Arts Education’, found that the literacy, edu-
10 cation, programs, learning and growth described in
11 paragraphs (1) through (6) contribute to successful
12 districtwide arts education.

13 “(8) Despite all of the literacy, education, pro-
14 grams, learning and growth findings described in
15 paragraphs (1) through (6), the 1997 National As-
16 sessment of Educational Progress reported that stu-
17 dents lack sufficient opportunity for participatory
18 learning in the arts.

19 “(9) The Arts Education Partnership, a coali-
20 tion of national and State education, arts, business,
21 and civic groups, is an excellent example of one or-
22 ganization that has demonstrated its effectiveness in
23 addressing the purposes described in section 205(a)
24 and the capacity and credibility to administer arts
25 education programs of national significance.

1 **“SEC. 203. DEFINITIONS.**

2 “In this title:

3 “(1) ARTS EDUCATION PARTNERSHIP.—The
4 term ‘Arts Education Partnership’ means a private,
5 nonprofit coalition of education, arts, business, phil-
6 anthropic, and government organizations that dem-
7 onstrates and promotes the essential role of arts
8 education in enabling all students to succeed in
9 school, life, and work, and was formed in 1995.

10 “(2) BOARD.—The term ‘Board’ means the
11 Congressional Recognition for Excellence in Arts
12 Education Awards Board established under section
13 204.

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).

25 “(4) STATE.—The term ‘State’ means each of
26 the several States of the United States, the District

1 of Columbia, the Commonwealth of Puerto Rico,
2 Guam, American Samoa, the United States Virgin
3 Islands, the Commonwealth of the Northern Mar-
4 iana Islands, the Republic of the Marshall Islands,
5 the Federated States of Micronesia, and the Repub-
6 lic of Palau.

7 **“SEC. 204. ESTABLISHMENT OF BOARD.**

8 “There is established within the legislative branch of
9 the Federal Government a Congressional Recognition for
10 Excellence in Arts Education Awards Board. The Board
11 shall be responsible for administering the awards program
12 described in section 205.

13 **“SEC. 205. BOARD DUTIES.**

14 “(a) AWARDS PROGRAM ESTABLISHED.—The Board
15 shall establish and administer an awards program to be
16 known as the ‘Congressional Recognition for Excellence in
17 Arts Education Awards Program’. The purpose of the pro-
18 gram shall be to—

19 “(1) celebrate the positive impact and public
20 benefits of the arts;

21 “(2) encourage all elementary schools and sec-
22 ondary schools to integrate the arts into the school
23 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
5 in the creation and implementation of arts policies
6 enriches 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 com-
16 prehensive, sequential arts learning for all students;
17 and

18 “(9) expand student access to arts education in
19 schools in every community.

20 “(b) DUTIES.—

21 “(1) SCHOOL AWARDS.—The Board shall—

22 “(A) make annual awards to elementary
23 schools and secondary schools in the States in
24 accordance with criteria established under sub-
25 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
7 of 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—

14 “(I) provides comprehensive, se-
15 quential arts learning; and

16 “(II) integrates the arts through-
17 out the curriculum in subjects other
18 than the arts; and

19 “(ii) 3 of the following:

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

1 “(II) that the school principal
2 supports the policy of arts education
3 for all students;

4 “(III) that arts teachers in the
5 school are encouraged to learn and
6 grow in mastery of their art form as
7 well as in their teaching competence;

8 “(IV) that the school actively en-
9 courages the use of arts assessment
10 techniques for improving student,
11 teacher, and administrative perform-
12 ance; and

13 “(V) that school leaders engage
14 the total school community in arts ac-
15 tivities that create a climate of sup-
16 port for arts education; and

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

22 “(i) 3 letters of support for the school
23 from community members, which may in-
24 clude a letter from—

1 “(I) the school’s Parent Teacher
2 Association (PTA);

3 “(II) community leaders, such as
4 elected or appointed officials; and

5 “(III) arts organizations or insti-
6 tutions in the community that partner
7 with the school; and

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

13 “(D) determine appropriate methods for
14 disseminating information about the program
15 and make application forms available to schools;

16 “(E) delineate such roles as the Board
17 considers to be appropriate for the Director in
18 administering the program, and set forth in the
19 bylaws of the Board the duties, salary, and ben-
20 efits of the Director;

21 “(F) raise funds for the operation of the
22 program;

23 “(G) determine, and inform Congress re-
24 garding, the national readiness for interdiscipli-
25 nary individual student awards described in

1 paragraph (2), on the basis of the framework
2 established in the 1997 National Assessment of
3 Educational Progress and such other criteria as
4 the Board determines appropriate; and

5 “(H) take such other actions as may be
6 appropriate for the administration of the Con-
7 gressional Recognition for Excellence in Arts
8 Education Awards Program.

9 “(2) STUDENT AWARDS.—

10 “(A) IN GENERAL.—At such time as the
11 Board determines appropriate, the Board—

12 “(i) shall make annual awards to ele-
13 mentary school and secondary school stu-
14 dents for individual interdisciplinary arts
15 achievement; and

16 “(ii) establish criteria for the making
17 of the awards.

18 “(B) AWARD MODEL.—The Board may use
19 as a model for the awards the Congressional
20 Award Program and the President’s Physical
21 Fitness Award Program.

22 “(c) PRESENTATION.—The Board shall arrange for
23 the presentation of awards under this section to the recipi-
24 ents and shall provide for participation by Members of
25 Congress in such presentation, when appropriate.

1 “(d) DATE OF ANNOUNCEMENT.—The Board shall
2 determine an appropriate date or dates for announcement
3 of the awards under this section, which date shall coincide
4 with a National Arts Education Month or a similarly des-
5 ignated day, week or month, if such designation exists.

6 “(e) REPORT.—

7 “(1) IN GENERAL.—The Board shall prepare
8 and submit an annual report to Congress not later
9 than March 1 of each year summarizing the activi-
10 ties of the Congressional Recognition for Excellence
11 in Arts Education Awards Program during the pre-
12 vious year and making appropriate recommendations
13 for the program. Any minority views and rec-
14 ommendations of members of the Board shall be in-
15 cluded in such reports.

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

18 “(A) Specific information regarding the
19 methods used to raise funds for the Congres-
20 sional Recognition for Excellence in Arts Edu-
21 cation Awards Program and a list of the
22 sources of all money raised by the Board.

23 “(B) Detailed information regarding the
24 expenditures made by the Board, including the

1 percentage of funds that are used for adminis-
2 trative expenses.

3 “(C) A description of the programs formu-
4 lated by the Director under section 207(b)(1),
5 including an explanation of the operation of
6 such programs and a list of the sponsors of the
7 programs.

8 “(D) A detailed list of the administrative
9 expenditures made by the Board, including the
10 amounts expended for salaries, travel expenses,
11 and reimbursed expenses.

12 “(E) A list of schools given awards under
13 the program, and the city, town, or county, and
14 State in which the school is located.

15 “(F) An evaluation of the state of arts
16 education in schools, which may include anec-
17 dotal evidence of the effect of the Congressional
18 Recognition for Excellence in Arts Education
19 Awards Program on individual school cur-
20 riculum.

21 “(G) On the basis of the findings described
22 in section 202 and the purposes of the Congres-
23 sional Recognition for Excellence in Arts Edu-
24 cation Awards Program described in section
25 205(a), a recommendation regarding the na-

1 tional readiness to make individual student
2 awards under subsection (b)(2).

3 **“SEC. 206. COMPOSITION OF BOARD; ADVISORY BOARD.**

4 “(a) COMPOSITION.—

5 “(1) IN GENERAL.—The Board shall consist of
6 9 members as follows:

7 “(A) 2 Members of the Senate appointed
8 by the Majority Leader of the Senate.

9 “(B) 2 Members of the Senate appointed
10 by the Minority Leader of the Senate.

11 “(C) 2 Members of the House of Rep-
12 resentatives appointed by the Speaker of the
13 House of Representatives.

14 “(D) 2 Members of the House of Rep-
15 resentatives appointed by the Minority Leader
16 of the House of Representatives.

17 “(E) The Director of the Board, who shall
18 serve as a nonvoting member.

19 “(2) ADVISORY BOARD.—There is established
20 an Advisory Board to assist and advise the Board
21 with respect to its duties under this title, that shall
22 consist of 15 members appointed—

23 “(A) in the case of the initial such mem-
24 bers of the Advisory Board, by the leaders of
25 the Senate and House of Representatives mak-

1 ing the appointments under paragraph (1),
2 from recommendations received from organiza-
3 tions and entities involved in the arts such as
4 businesses, civic and cultural organizations, and
5 the Arts Education Partnership steering com-
6 mittee; and

7 “(B) in the case of any other such mem-
8 bers of the Advisory Board, by the Board.

9 “(3) SPECIAL RULE FOR ADVISORY BOARD.—In
10 making appointments to the Advisory Board, the in-
11 dividuals and entity making the appointments under
12 paragraph (2) shall consider recommendations sub-
13 mitted by any interested party, including any mem-
14 ber of the Board.

15 “(4) INTEREST.—

16 “(A) IN GENERAL.—Members of Congress
17 appointed to the Board shall have an interest in
18 1 of the purposes described in section 205(a).

19 “(B) DIVERSITY.—The membership of the
20 Advisory Board shall represent a balance of ar-
21 tistic and education professionals, including at
22 least 1 representative who teaches in each of
23 the following disciplines:

24 “(i) Music.

25 “(ii) Theater.

1 “(iii) Visual Arts.

2 “(iv) Dance.

3 “(b) TERMS.—

4 “(1) BOARD.—Members of the Board shall
5 serve for terms of 6 years, except that of the mem-
6 bers first appointed—

7 “(A) 1 Member of the House of Represent-
8 atives and 1 Member of the Senate shall serve
9 for terms of 2 years;

10 “(B) 1 Member of the House of Represent-
11 atives and 1 Member of the Senate shall serve
12 for terms of 4 years; and

13 “(C) 2 Members of the House of Rep-
14 resentatives and 2 Members of the Senate shall
15 serve for terms of 6 years,

16 as determined by lot when all such members have
17 been appointed.

18 “(2) ADVISORY BOARD.—Members of the Advi-
19 sory Board shall serve for terms of 6 years, except
20 that of the members first appointed, 3 shall serve
21 for terms of 2 years, 4 shall serve for terms of 4
22 years, and 8 shall serve for terms of 6 years, as de-
23 termined by lot when all such members have been
24 appointed.

25 “(c) VACANCY.—

1 “(1) IN GENERAL.—Any vacancy in the mem-
2 bership of the Board or Advisory Board shall be
3 filled in the same manner in which the original ap-
4 pointment was made.

5 “(2) TERM.—Any member appointed to fill a
6 vacancy occurring before the expiration of the term
7 for which the member’s predecessor was appointed
8 shall be appointed only for the remainder of such
9 term.

10 “(3) EXTENSION.—Any appointed member of
11 the Board or Advisory Board may continue to serve
12 after the expiration of the member’s term until the
13 member’s successor has taken office.

14 “(4) SPECIAL RULE.—Vacancies in the mem-
15 bership of the Board shall not affect the Board’s
16 power to function if there remain sufficient members
17 of the Board to constitute a quorum under sub-
18 section (d).

19 “(d) QUORUM.—A majority of the members of the
20 Board shall constitute a quorum.

21 “(e) COMPENSATION.—Members of the Board and
22 Advisory Board shall serve without pay but may be com-
23 pensated, from amounts in the trust fund, for reasonable
24 travel expenses incurred by the members in the perform-
25 ance of their duties as members of the Board.

1 “(f) MEETINGS.—The Board shall meet annually at
2 the call of the Chairperson and at such other times as
3 the Chairperson may determine to be appropriate. The
4 Chairperson shall call a meeting of the Board whenever
5 $\frac{1}{3}$ of the members of the Board submit written requests
6 for such a meeting.

7 “(g) OFFICERS.—The Chairperson and the Vice
8 Chairperson of the Board shall be elected from among the
9 members of the Board, by a majority vote of the members
10 of the Board, for such terms as the Board determines.
11 The Vice Chairperson shall perform the duties of the
12 Chairperson in the absence of the Chairperson.

13 “(h) COMMITTEES.—

14 “(1) IN GENERAL.—The Board may appoint
15 such committees, and assign to the committees such
16 functions, as may be appropriate to assist the Board
17 in carrying out its duties under this title. Members
18 of such committees may include the members of the
19 Board or the Advisory Board.

20 “(2) SPECIAL RULE.—Any employee or officer
21 of the Federal Government may serve as a member
22 of a committee created by the Board, but may not
23 receive compensation for services performed for such
24 a committee.

1 “(i) BYLAWS AND OTHER REQUIREMENTS.—The
2 Board shall establish such bylaws and other requirements
3 as may be appropriate to enable the Board to carry out
4 the Board’s duties under this title.

5 **“SEC. 207. ADMINISTRATION.**

6 “(a) IN GENERAL.—In the administration of the
7 Congressional Recognition for Excellence in Arts Edu-
8 cation Awards Program, the Board shall be assisted by
9 a Director, who shall be the principal executive of the pro-
10 gram and who shall supervise the affairs of the Board.
11 The Director shall be appointed by a majority vote of the
12 Board.

13 “(b) DIRECTOR’S RESPONSIBILITIES.—The Director
14 shall, in consultation with the Board—

15 “(1) formulate programs to carry out the poli-
16 cies of the Congressional Recognition for Excellence
17 in Arts Education Awards Program;

18 “(2) establish such divisions within the Con-
19 gressional Recognition for Excellence in Arts Edu-
20 cation Awards Program as may be appropriate; and

21 “(3) employ and provide for the compensation
22 of such personnel as may be necessary to carry out
23 the Congressional Recognition for Excellence in Arts
24 Education Awards Program, subject to such policies
25 as the Board shall prescribe under its bylaws.

1 “(c) APPLICATION.—Each school or student desiring
2 an award under this title shall submit an application to
3 the Board at such time, in such manner and accompanied
4 by such information as the Board may require.

5 **“SEC. 208. LIMITATIONS.**

6 “(a) IN GENERAL.—Subject to such limitations as
7 may be provided for under this section, the Board may
8 take such actions and make such expenditures as may be
9 necessary to carry out the Congressional Recognition for
10 Excellence in Arts Education Awards Program, except
11 that the Board shall carry out its functions and make ex-
12 penditures with only such resources as are available to the
13 Board from the Congressional Recognition for Excellence
14 in Arts Education Awards Trust Fund under section 211.

15 “(b) CONTRACTS.—The Board may enter into such
16 contracts as may be appropriate to carry out the business
17 of the Board, but the Board may not enter into any con-
18 tract which will obligate the Board to expend an amount
19 greater than the amount available to the Board for the
20 purpose of such contract during the fiscal year in which
21 the expenditure is made.

22 “(c) GIFTS.—The Board may seek and accept, from
23 sources other than the Federal Government, funds and
24 other resources to carry out the Board’s activities. The

1 Board may not accept any funds or other resources that
2 are—

3 “(1) donated with a restriction on their use un-
4 less such restriction merely provides that such funds
5 or other resources be used in furtherance of the
6 Congressional Recognition for Excellence in Arts
7 Education Awards Program; or

8 “(2) donated subject to the condition that the
9 identity of the donor of the funds or resources shall
10 remain anonymous.

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

13 “(e) REAL OR PERSONAL PROPERTY.—The Board
14 may lease (or otherwise hold), acquire, or dispose of real
15 or personal property necessary for, or relating to, the du-
16 ties of the Board.

17 “(f) PROHIBITIONS.—The Board shall have no
18 power—

19 “(1) to issue bonds, notes, debentures, or other
20 similar obligations creating long-term indebtedness;

21 “(2) to issue any share of stock or to declare
22 or pay any dividends; or

23 “(3) to provide for any part of the income or
24 assets of the Board to inure to the benefit of any
25 director, officer, or employee of the Board except as

1 reasonable compensation for services or reimburse-
2 ment for expenses.

3 **“SEC. 209. AUDITS.**

4 “The financial records of the Board may be audited
5 by the Comptroller General of the United States at such
6 times as the Comptroller General may determine to be ap-
7 propriate. The Comptroller General, or any duly author-
8 ized representative of the Comptroller General, shall have
9 access for the purpose of audit to any books, documents,
10 papers, and records of the Board (or any agent of the
11 Board) which, in the opinion of the Comptroller General,
12 may be pertinent to the Congressional Recognition for Ex-
13 cellence in Arts Education Awards Program.

14 **“SEC. 210. TERMINATION.**

15 “The Board shall terminate 6 years after the date
16 of enactment of this title. The Board shall set forth, in
17 its bylaws, the procedures for dissolution to be followed
18 by the Board.

19 **“SEC. 211. TRUST FUND.**

20 “(a) ESTABLISHMENT OF FUND.—There shall be es-
21 tablished in the Treasury of the United States a trust fund
22 which shall be known as the “Congressional Recognition
23 for Excellence in Arts Education Awards Trust Fund”.
24 The fund shall be administered by the Board, and shall
25 consist of amounts donated to the Board under section

1 208(c) and amounts credited to the fund under subsection
2 (d).

3 “(b) INVESTMENT.—

4 “(1) IN GENERAL.—It shall be the duty of the
5 Secretary of the Treasury to invest, at the direction
6 of the Director of the Board, such portion of the
7 fund that is not, in the judgment of the Director of
8 the Board, required to meet the current needs of the
9 fund.

10 “(2) AUTHORIZED INVESTMENTS.—Such invest-
11 ments shall be in public debt obligations with matu-
12 rities suitable to the needs of the fund, as deter-
13 mined by the Director of the Board. Investments in
14 public debt obligations shall bear interest at rates
15 determined by the Secretary of the Treasury taking
16 into consideration the current market yield on out-
17 standing marketable obligations of the United States
18 of comparable maturity.

19 “(c) AUTHORITY TO SELL OBLIGATIONS.—Any obli-
20 gation acquired by the fund may be sold by the Secretary
21 of the Treasury at the market price.

22 “(d) PROCEEDS FROM CERTAIN TRANSACTIONS
23 CREDITED TO FUND.—The interest on, and the proceeds
24 from the sale or redemption of, any obligations held in
25 the fund shall be credited to and form a part of the fund.”.

1 (b) CONFORMING AMENDMENTS.—The Congres-
2 sional Award Act (2 U.S.C. 801–808) is amended—

3 (1) by inserting after section 1 the following:

4 **“TITLE I—CONGRESSIONAL**
5 **AWARD PROGRAM”**,

6 (2) by redesignating sections 2 through 9 as
7 sections 101 through 108, respectively,

8 (3) in section 101 (as so redesignated)—

9 (A) by striking “Act” and inserting “title”,

10 and

11 (B) by striking “section 3” and inserting
12 “section 102”,

13 (4) in section 102(e) (as so redesignated)—

14 (A) by striking “section 5(g)(1)” and in-
15 serting “section 104(g)(1)”, and

16 (B) by striking “section 7(g)(1)” and in-
17 serting “section 106(g)(1)”, and

18 (5) in section 103(i), by striking “section 7”
19 and inserting “section 106”.

○