

Date of Hearing: April 10, 2019

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 398 (Chu) – As Introduced February 6, 2019

SUBJECT: School accountability: local control and accountability plans

SUMMARY: Requires the California Department of Education (CDE) to incorporate elementary enrollment and completion data for visual and performing arts (VAPA) into the California Longitudinal Pupil Achievement Data System (CALPADS). Requires school districts to submit VAPA data via CALPADS for grades kindergarten through sixth (K-6), and requires school districts to include VAPA data in their Local Control and Accountability Plans (LCAPs). Specifically, **this bill:**

- 1) Requires a school district to highlight on its LCAP the access to required instruction and course offerings in VAPA for pupils enrolled in K-6th grade when describing the annual goals to be achieved for the state priority of access to a broad course of study.
- 2) Requires a school district to submit enrollment and completion data specifically related to VAPA using existing state course codes for pupils enrolled in grades K-6th grade through the CALPADS to support the LCAP reporting on this subject, as well as to promote public awareness of instruction offered in arts education.
- 3) Requires the CDE to incorporate elementary pupil enrollment and completion data for VAPA into the CALPADS during the next system update.

EXISTING LAW:

- 1) Requires school districts to include VAPA, including dance, music, theater, and visual arts, in their courses of study in grades 1 to 6 and 7 to 12.
- 2) Requires CALPADS to accomplish all of the following goals:
 - a) Provide school districts and the CDE access to data necessary to comply with federal reporting requirements
 - b) Provide a better means of evaluating educational progress and investments over time
 - c) Provide LEAs information that can be used to improve pupil achievement
 - d) Provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level data
 - e) Facilitate the ability of the state to publicly report data as required by federal law; and
 - f) Ensure that any data access provided to researchers, as required pursuant to the federal Race to the Top regulations and guidelines is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g)

- 3) Prohibits the CDE from adding additional data to CALPADS (Budget Act control language for budget item 6100-001-0890).
- 4) Requires school districts to adopt and annually revise LCAPs.
- 5) Requires LCAPs to address eight state priorities, including a description of the extent to which pupils have access to, and are enrolled in, a broad course of study, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received under the Local Control Funding Formula.

FISCAL EFFECT: Unknown.

COMMENTS: *Need for the bill.* According to the author, “Arts education is essential for encouraging creativity and innovation. By emphasizing arts education, we are encouraging these traits in all our students, preparing them for their dream field, whether it be engineering or graphic design. Currently, our educational system does not equitably deliver arts education to students of color and students from low socioeconomic backgrounds. We know this from data analysis for grades 7-12. To improve something, you must first be able to measure it. That is why we need to start data collection much earlier. This bill shows that California is serious about providing a high quality arts education to all children in California, regardless of school or socioeconomic status. AB 398 is an important step towards equity.”

Visual and performing arts. Existing law prescribes a course of study for grades 1 through 6 and 7 through 12. In both grade spans, the prescribed course of study includes VAPA, including instruction in dance, music, theater, and visual arts. The State Board of Education (SBE) adopted the California Arts Standards for Public Schools, Prekindergarten Through Grade Twelve (Arts Standards) on January 9, 2019. The adopted Arts Standards for grades K-12 are in the artistic disciplines of dance, media arts, music, theatre, and visual arts. The CDE is developing the revised California Arts Framework for Public Schools, Kindergarten Through Grade Twelve (Arts Framework) to incorporate and support the newly-adopted Arts Standards. The SBE recently appointed 20 members to the VAPA Curriculum Framework and Evaluation Criteria Committee to assist in the development of the Arts Framework.

Inequitable access to VAPA courses. According to a report from the Arts Education Data Project, there are 517 schools serving 101,374 students (3.3% of all students) that provide no VAPA courses. The report also found that 14% of all elementary students have no access to art courses. In addition, 41% of the students with no access to arts courses are eligible for free or reduced-price meals, and a disproportionate percentage of "no arts" students attend schools that are either majority Black or majority Latino. In other words, students who are low-income or who are ethnic minorities are more likely than students in general to have no access to VAPA courses.

School district LCAPs. Existing law requires each school district to adopt and annually update an LCAP, and requires each LCAP to address eight state priorities:

- 1) Teacher assignments
- 2) Implementation of state-adopted academic content and performance standards

- 3) Parental involvement
- 4) Pupil achievement
- 5) Pupil engagement
- 6) School climate
- 7) Pupil access to required courses of study
- 8) Pupil outcomes

This bill would require a school district to highlight in its LCAP the access to required instruction and course offerings in VAPA for pupils enrolled in grades K-6 to support the eight state priorities and to promote public awareness of offered instruction in arts education, for purposes of priority #7.

California Longitudinal Pupil Achievement Data System. CALPADS was authorized by SB 1453 (Alpert), Chapter 1002, Statutes of 2002, to enable California to meet federal requirements delineated in the No Child Left Behind (NCLB) Act of 2001. It has been operational since 2009 and is the statewide system that stores individual-level longitudinal data on students and district/school certificated staff in California's public schools. CALPADS is used by LEAs to collect, maintain and report information such as:

- Student enrollment and demographics
- Student English language acquisition status data
- Student program participation data (e.g. eligibility for Free/Reduced price meals)
- Student course enrollment and course completion
- Student data related to graduation and dropout rates
- Student suspension/expulsion data
- Certificated staff demographics
- Teacher assignments
- Course attributes (e.g. subject, whether or not it meets UC/CSU requirements, etc.)
- Assessment results

CALPADS currently collects course enrollment data for courses in grades 7 to 12, but not for courses in grades 1 to 6. This is due to the fact that most K-6th grade classrooms are self-contained and taught by a teacher with a multiple subject credential. However, the CDE reports

that CALPADS currently includes the option for districts to voluntarily report this course data for grades 1 to 6. This bill requires districts to submit course enrollment and completion data specifically related to VAPA through CALPADS using existing state course codes for the pupils enrolled in K-6. Further, this bill requires the CDE to incorporate elementary pupil enrollment and completion data for VAPA into the CALPADS during the next system update. *The Committee should consider* that this proposed requirement is only for the VAPA subject area, and does not include other courses that are often considered “pull in” or “pull out” where an appropriately credentialed teacher delivers subject-specific instruction in addition to the instruction provided by their teacher in the self-contained K-6 classroom, including science and physical education.

Staff recommends that the bill be amended to:

- Include permissive language for school district participation in reporting VAPA course participation in CALPADS
- Include permissive language for reporting VAPA the access to required instruction and course offerings in VAPA for pupils enrolled in K-6 when describing the annual goals in an LCAP
- Remove the requirement for the CDE to make any changes to CALPADS

Existing law prohibits expanding CALPADS. CALPADS was established primarily to meet federal data and reporting requirements, and its maintenance and operation is funded with federal funds. For the past several years budget control language, including Item 6100-001-0890, Provision 11 of the 2019-20 budget bill, has provided that, "...the CDE shall not add additional data elements to CALPADS, require local educational agencies to use the data collected through the CALPADS for any purpose, or otherwise expand or enhance the system beyond the data elements and functionalities that are [currently required]." For this reason, this bill provides that the submission of the new course data to CALPADS shall not result in a loss of funding pursuant to this Budget Act provision.

Prior legislation. SB 777 (Allen) of the 2017-18 Session. Would have required the CDE to establish a statewide program to provide professional development training to assist school districts and county boards of education with offering instruction in VAPA and with including information about courses offered in VAPA in a LCAP or annual update to an LCAP. This bill was held in the Senate Appropriations Committee.

AB 385 (Chu) of the 2017-18 Session. Would have encouraged county offices of education to provide LCAP guidance to school districts on collecting and dispersing elementary arts education data and would have required a school district that voluntarily reports enrollment and completion data specifically related to VAPA offered by the school district for pupils in K-6 to the CALPADS to make that data and any best practices used by the school district for compiling the data available to the public upon request. This bill was held in the Senate Appropriations Committee.

AB 2862 (O'Donnell), Chapter 647, Statutes of 2016. Authorized the Superintendent of Public Instruction (SPI), in consultation with the Instructional Quality Commission (IQC), to

recommend to the SBE revisions to the VAPA standards and required the SBE to adopt, reject, or modify any revisions by January 31, 2019.

REGISTERED SUPPORT / OPPOSITION:

Support

Arts Council Santa Cruz County
Arts Education Alliance Of The Bay Area
California Alliance For Arts Education
California Arts Advocates
California State PTA
Inner-City Arts
Los Angeles County Arts Commission
Performing Arts Workshop
San Benito County Arts Council

Opposition

None on file.

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