

Date of Hearing: June 27, 2018

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 933 (Allen) – As Amended May 25, 2018

SENATE VOTE: 37-0

SUBJECT: Visual and performing arts education: grant program

SUMMARY: Establishes the Arts for Every Student Incentive Grant Program, to be administered by the California Department of Education (CDE), to encourage and maintain the delivery of high-quality visual and performing arts (VAPA) education programs, and provide a jump start for local educational agencies (LEAs) lacking the capacity to provide every pupil with access to VAPA education. Specifically, **this bill:**

- 1) States legislative findings and declarations relating to VAPA education.
- 2) Establishes the Arts for Every Student Incentive Grant to be administered by the CDE, as a state education, access, and equity initiative with the goal of providing pupils in prekindergarten, kindergarten, and grades 1 to 12, inclusive, with the knowledge and skills needed to be successful in school, work, and life, and to close the gap in access to VAPA education that exists in communities across the state, particularly the most under-resourced.
- 3) Requires the program to encourage and maintain the delivery of high-quality VAPA education programs, and to provide a jump start for school districts lacking the capacity to provide access to VAPA education for every pupil.
- 4) States the intent of the Legislature for the grant program to provide a one-time investment to establish models of best practice, leading to sustained funding over time through the Local Control Funding Formula (LCFF).
- 5) Requires the CDE, when awarding grants pursuant to the grant program, to give special consideration to both of the following:
 - a) Socioeconomically disadvantaged LEAs with limited access to VAPA education, in which funding may be used to create new opportunities or supplement existing programs.
 - b) LEAs that have demonstrated a commitment to VAPA education by meeting either of the following criteria:
 - i) Including VAPA education in the LEA's existing Local Control and Accountability Plan (LCAP).
 - ii) Articulating a plan for the sustained provision of VAPA education.
- 6) Requires grant applications to contain a plan describing how the grant will be used.

- 7) Requires the CDE to give favorable consideration to plans that expend appropriate grant resources on effective VAPA education supports, including on any of the following:
 - a) Offering high quality curriculum and instruction in all five artistic disciplines, in alignment with the state's VAPA content standards for sequential, standards-based arts education, provided by certificated VAPA educators and qualified community arts providers who may supplement instruction opportunities in cooperation with assigned, credentialed teachers.
 - b) Offering VAPA education and integration professional learning for credentialed teachers to enhance educator quality, preparation, and professional learning in VAPA.
 - c) Collecting and reporting data that are appropriate for evaluating the grant program.
 - d) Making public and private, direct and indirect investments in mentorship and training.
 - e) Building awareness and public will through community engagement and mobilization.
 - f) Identifying and utilizing community cultural and linguistic resources.
- 8) Requires the CDE to award grants using an appropriate scoring system that is based on a demonstrated commitment to high quality VAPA education and equity.
- 9) Specifies that a grant recipient may consist of one or more, or any combination of, LEAs.
- 10) Requires the CDE, in developing and administering the grant program, to consult with persons and entities that have expertise in VAPA education, including the following:
 - a) Higher education institutions with certificated VAPA programs
 - b) Statewide professional VAPA education organizations representing dance, theater, music, and visual arts
 - c) Community cultural organizations
 - d) LEA personnel
 - e) Creative industry business leaders
 - f) Credentialed VAPA teachers
 - g) Parents
 - h) VAPA education policy experts
- 11) Specifies that this chapter's provisions shall be implemented only upon the enactment of an appropriation in the annual Budget Act or another statute for its purposes.

- 12) Defines “local educational agency” to mean a school district, county office of education, or charter school.

EXISTING LAW:

- 1) Requires the adopted course of study for grades 1 to 6, inclusive, to include instruction, beginning in grade 1 and continuing through grade 6, in certain areas of study, including VAPA, including instruction in the subjects of dance, music, theatre, and visual arts, with emphasis upon the development of aesthetic appreciation and the skills of creative expression (EC § 51210(a)(5)).
- 2) Requires the adopted course of study for grades 7 to 12, inclusive, to offer courses in certain areas of study, including visual and performing arts, including dance, music, theater, and visual arts, with emphasis upon the development of aesthetic appreciation and the skills of creative expression (EC § 51220(b)(g)).
- 3) Specifies the course requirements to receive a diploma of graduation from high school, including one course in VAPA, foreign language, or, until July 1, 2022, career technical education.
- 4) Requires the Superintendent of Public Instruction (SPI) to present to the State Board of Education (SBE) revised VAPA content standards and recommended standards in media arts on or before November 30, 2018 (EC 60605.13).
- 5) Requires the National Core Arts Standards in the subjects of dance, theater, music, visual arts, and media arts, developed by the National Coalition for Core Arts Standards, to serve as the basis for deliberations regarding revisions to the VAPA content standards and recommendations for standards in media arts (EC 60605.13).
- 6) Requires nonteaching volunteer aides who assist certificated personnel in the performance of teaching and administrative responsibilities to work under the immediate supervision and direction of the certificated personnel of the district (EC 35021).
- 7) Continues implementation of the Local Control Funding Formula (LCFF), which was enacted as part of the 2013-14 Budget Act. The LCFF replaces the prior system of revenue limits and restricted funding for a multitude of categorical programs with a new funding formula that provides targeted base funding levels tied to four grade spans for the core educational needs of all students and supplemental funding for the additional educational needs of low-income students, English learners, and foster youth. With the implementation of the LCFF, the vast majority of categorical programs were eliminated and their funding was redirected into the LCFF. Because LCFF funds have limited spending restrictions, LEAs have considerable flexibility to direct LCFF resources to best meet their students’ needs, as outlined in their LCAPs (EC § 42238 et seq.).

FISCAL EFFECT: According to the Senate Appropriations Committee:

- 1) By establishing the Arts for Every Student Incentive Grant Program, this bill is estimated to result in Proposition 98 General Fund cost pressure in the tens of millions of dollars for the

state to fund the program. However, the program would only be implemented if an appropriation is included in the Budget Act or another statute for that purpose.

- 2) The CDE estimates ongoing General Fund costs of approximately \$353,000 and two positions to develop and administer the new grant program. This estimate includes costs for CDE to convene stakeholders with expertise in arts education in developing the program.

COMMENTS:

Need for the bill. The author’s office states: “California requires that students in grades K-12 receive arts education that includes elements of dance, music, visual arts, and theater. According to the California Arts Education Data Project, 86% of California schools provide at least one course in an arts discipline, but only 12% offer all four disciplines. During the 2016-17 school year, only 39% of California students were enrolled in an arts course. The majority of students were enrolled in visual arts and music courses, with theater and dance lagging behind. In order to graduate from high school, a student must have one course of visual/performing arts, foreign language, or career technical education. This permits California students to fulfill high school graduation requirements without taking any arts courses. A strong body of academic research has shown that arts instruction and arts integrated education engages students and increases learning in non-arts subjects.”

Limited access to visual and performing arts education. In awarding grants, the CDE is required by this bill to give special consideration to socioeconomically disadvantaged LEAs with limited ability to provide arts education to their students. This provision addresses longstanding and widespread challenges in providing arts education, particularly to students in lower income communities. The CDE highlights the general lack of access to arts education in a 2015 report entitled *A Blueprint for Creative Schools*, in which it states:

“...the inclusion of the arts—the disciplines of dance, music, theatre, and the visual arts—in the curricula has been eroding in our prekindergarten through grade 12 (preK-12) public schools. National trends over the last decade have emphasized skill mastery in English language arts and mathematics but have marginalized other subject areas, particularly the arts. California’s recent public education funding limitations have further exacerbated the state’s capacity to adequately support a creative education, although the new Local Control Funding Formula provides opportunities to restore programs in schools across the state.”

This statement alludes to education accountability measures put into place under the federal No Child Left Behind Act of 2001 (NCLB), which assessed school quality (and eligibility for federal education funds) primarily on the basis of student scores in reading and mathematics, but not other subject areas, including the arts. In 2010, the National Art Education Association and the National Art Education Foundation co-released a report entitled *No Child Left Behind: A Study of its Impact on Art Education*, which described the results from a survey of art educators throughout the country. The study found that of the respondents, 58 percent reported increased workloads, 63 percent reported budget cuts to funds needed to purchase consumable art supplies, 34 percent reported budget cuts for instructional resources, and 4 percent reported cuts to all funding for their art education programs as a result of NCLB. NCLB was replaced in 2015 with the Every Student Succeeds Act (ESSA), which includes the arts and music in its definition of a “well-rounded education” and expanded the funding eligibility for these programs.

Despite the change in federal education policy, the California Arts Education Data Project—a publicly available data tool created by the CDE, Arts Education Data Project, and CREATE

CA—shows that high quality arts education remains difficult to access for some student groups. For example, the Data Project reveals that for the schools years between 2013 and 2015, only 26 percent of California’s students have access to the dance, theater, music, and visual arts education; 38 percent participated in arts education courses; and the proportion of students without access to any arts courses was greater where the majority of students in the school were either African American or Hispanic. The table below highlights where arts education is highest and lowest, based on specific school and demographic characteristics, and shows that lower arts participation rates are particularly problematic in high poverty schools.

Highest Arts Participation Rates	Lowest Arts Participation Rates
Low Poverty (Free Lunch Students < 25%)	High Poverty (Free Lunch Students >75%)
City Schools	Rural Schools
Traditional Public Schools	Charter Schools
Non Title I Schools	Title I Schoolwide Eligible Schools
Majority Race/Ethnicity “Other”	Majority Race Ethnicity “African American”
High Schools	Elementary/High Combination Schools

Arts education supports child development and promotes academic performance. Several reports identify the beneficial impacts of a high quality arts education on child development and academic performance. A 2012 report called *The Arts and Achievement in At-Risk youth: Findings from Four Longitudinal Studies*, produced by the National Endowment for the Arts, analyzed four national datasets collected by the U.S. Department of Education and the Department of Labor over the 1988-2010 time period. This study examined the impacts of arts education on a variety of student measures, including academic performance and civic engagement. The report shows that in students of low socioeconomic status, greater access to educational opportunities in the arts is associated with higher test scores in science and writing; a greater likelihood of completing a high school course in calculus; higher grade point averages; a higher probability of graduating from high school; a greater likelihood of earning a bachelor’s degree after high school; and a greater likelihood of enrolling in a highly or moderately selective four-year college after high school. The report also shows that greater access to the arts in school is associated with higher participation rates in student government, school service clubs, volunteerism, and voting.

This bill allows LEAs to use grants to improve arts education not only in the K-12 grades, but in prekindergarten as well. A 2015 report by the National Endowment for the Arts, entitled *The Arts in Early Childhood: Social and Emotional Benefits of Arts Participation*, highlights the benefits of exposing children to the arts during early childhood, defined as the period from birth to eight years old. Based on a comprehensive literature review, the authors of the report conclude that there is “strong evidence that arts participation during early childhood has benefits for social-emotional development...” Examples of the report’s findings include:

- 1) Toddlers participating in a four-to-eight month, classroom-based music education program to promote school readiness were more likely to increase their level of teacher-reported social cooperation, interaction, and independence over the school year, compared with a control group who did not receive a music education program.

- 2) Toddlers from low socioeconomic backgrounds who were in programs that included an arts integration component had more positive emotion expression, and displayed improvements in teacher-rated positive and negative emotion regulation over the course of the school year.

The above report also states that there are benefits to providing arts education to students with disabilities. For example, for students with autistic spectrum disorders, music sessions promote social-emotional development and positive outcomes that exceed those of purely-play based learning sessions. However, in general there has been little research on the long-term impacts of arts education on students with disabilities. Despite this lack of research, Very Special Arts—an international nonprofit that was founded as an affiliate of the John F. Kennedy Center for the Performing Arts, for the purpose of including persons with disabilities in the arts—supports increased integration of the arts into special education. In its 2004 report entitled *Using the Arts to Help Special Education Students Meet their Learning Goals*, VSA Arts concludes that the benefits of arts education on the neurological, socioemotional, and physical development are likely to apply to all children, whether a disability is present or not.

Collaboration between schools and community arts providers: The Community Opus Project.

This bill requires the CDE to give favorable consideration to application plans that involve community arts providers in the delivery of supplemental instructional opportunities. As previously described, federal education policy and fiscal challenges have reduced educational opportunities in the arts in schools across California. In some cases, schools have responded by using community arts providers to continue providing their students with opportunities to participate in the arts. For example, in 2010 the San Diego Youth Symphony and Conservatory (SDYS) partnered with the Chula Vista Elementary School District (CVESD) to establish the Community Opus Project. The project provided free after-school instrumental instruction to 3rd graders in CVESD, which had not provided school-day music instruction to its students for the previous 15 years. The school district found that the program was associated with increased parental engagement and improvements in student behavior during school hours. As a result, CVESD reinstated in-school music instruction for its nearly 30,000 students and, in the 2015-16 school year, committed \$15 million over three years to support more than 70 VAPA teachers. The Community Opus Project is still in operation and continues to provide high-quality music instruction to the students of CVESD through a variety of programs, including an arts summer camp and music classes designed for infants.

The VAPA standards are undergoing revision. AB 2862 (O'Donnell), Chapter 647, Statutes of 2016 and AB 37 (O'Donnell), Chapter 102, Statutes of 2017 required the SBE to adopt, reject, or modify recommended revisions—issued by the SPI in consultation with the Instructional Quality Commission (IQC)—to the VAPA content standards in five artistic disciplines (dance, theater, music, visual arts, and media arts) by January 31, 2019. In January 2018, the SBE established the VAPA Standards Advisory Committee, which conducted four public meetings between February and May of the same year. A draft of the revised standards will become available to the public for a 60 day review period between August and September of 2018.

The revised standards must, as required by AB 2862, be based on the National Core Arts Standards. The Core Arts Standards were developed by the National Coalition for Core Arts Standards and address not only the five disciplines listed above, but the need for inclusive arts educational practices that are accessible to students with disabilities. In 2014, the Coalition

released guidelines for teachers using the Core Arts Standards with students with disabilities (see the table below).

In September 2017, the IQC released the VAPA Standards Guidelines to provide a general overview of how the standards will be structured. These guidelines are heavily influenced by the National Core Art Standards and include statements that the Standards Advisory Committee will:

1. Maintain high expectations
2. Promote communicative competence
3. Use the principles of Universal Design for Learning
4. Know how to select and use appropriate accommodations for individual students
5. Make use of evidence-based practices
6. Target instruction and use formative indicators of student performance

- 1) Ensure that the state standards follow the principles of Universal Design for Learning, which will be woven throughout the standards to promote inclusion for students with disabilities.
- 2) Consider how the standards can support interdisciplinary connections to other content areas.
- 3) Consider project-based and 21st century learning, including the “4Cs” of collaboration, creativity, critical thinking, and communication.

Recommended amendments. Staff recommends the following amendments:

- 1) The intent of this bill is to increase pupil access to a high quality arts education. In addition, increasing access for students with disabilities is consistent with the IQC’s guidelines for the revision of the VAPA academic standards. Thus, **staff recommends** amending the bill to require that grant applicants specify how they will use the grant to increase access to VAPA educational opportunities for students with disabilities.
- 2) Add media arts to the list of VAPA disciplines that this grant program addresses, since media arts is now a component of the VAPA academic content standards.
- 3) Require community arts providers to provide supplemental educational instruction under the direct supervision of an assigned credentialed teacher, since this is already required of nonteaching volunteer aides.
- 4) Clarify that professional learning opportunities should enhance the ability of teachers to integrate arts across subject areas.
- 5) Specify that the CDE will, when developing the grant program, consult with VAPA teachers with expertise across all five of the artistic disciplines.

Related legislation. AB 2683 (Gipson) of this Session creates the California Student Author Art and Literacy Project as a grant program for the benefit of pupils from extremely low income communities. The bill appropriates \$1 million from the General Fund to the Arts Council in the 2018-19 fiscal year to award grants to nonprofit organizations for the purposes of the program. This bill died in the Assembly Appropriations Committee.

Previous legislation. SB 916 (Allen), Chapter 652, Statutes of 2016 added dance and theatre to the list of subjects for which the Commission on Teacher Credentialing may issue a single subject teaching credential.

AB 2862 (O'Donnell), Chapter 647, Statutes of 2016 requires the SPI, in consultation with the IQC, to recommend to the SBE revisions to the VAPA standards, and requires the SBE to adopt, reject, or modify any revisions by January 31, 2019.

AB 37 (O'Donnell), Chapter 102, Statutes of 2017 requires the SPI, in consultation with the IQC, to recommend VAPA content standards in the subject of media arts to the SBE for action by January 31, 2019.

REGISTERED SUPPORT / OPPOSITION:

Support

Alfred Music
 American Civil Liberties Union
 Angels Gate Cultural Center
 Arcata Arts Institute
 ART=OPPORTUNITY
 Arts Bridging the Gap
 Arts Council Santa Cruz County
 Arts Education Alliance of the Bay Area
 Arts for LA
 Arts Orange County
 Artspiration
 Art Theater Entertainment Magnet High School
 CalArts Community Arts Partnership
 California Alliance for Arts Education
 California Arts Advocates
 California Association for the Gifted
 California Association for Health, Physical Education, Recreation and Dance
 California Association of Museums
 California Desert Arts Council
 California Educational Theatre Association
 California Federation of Teachers
 California Shakespeare Theater
 Ciari Guitars
 City of Los Angeles Department of Cultural Affairs
 City and County of San Francisco
 City of Sacramento Mayor and Council
 Coaching+Color
 Compton Unified School District
 Conscious Youth Media Crew
 Constellation Music Instruments
 County of Santa Barbara
 Davis Senior High School, Davis Joint Union School District
 Drama Education Network

DynaMount, LLC
E. Clara Raley Studios for the Performing Arts
Enchanted Studio Props, LLC
Freestyle Academy
Humboldt County Office of Education
Inner-City Arts
Inside Track Int'l
La Quinta Arts Foundation
Little Kids Rock
Los Angeles County Arts Commission
Los Angeles County Office of Education
Los Angeles Philharmonic
Love and a 38
Monterey Jazz Festival
Montgomery High School, Santa Rosa City Schools
Morgan Hill Unified School District
Music for Minors
National Association of Music Merchants
Nick Rail Music
Pasadena Unified School District
Performing Arts Workshop
P.S. Arts
Rockin' Kidz Music Co.
Recording Academy
San Diego County Office of Education
San Diego Music Studio
San Francisco Unified School District
Sanchez Art Center
Santa Barbara Education Foundation
Santa Clara County Office of Education
Santa Rosa City Schools
Side Street Projects
South Pasadena Arts Council
Standard Property Company
Stockton Unified School District VAPA Department
Techno Empire, Inc.
The Academies Charter Management Organization
The Actors Fund
Tim's Music
Turnaround Arts: California
Visalia Fox Theatre
Wonderful Company
Woodshop Rocks
Windsor Unified School District
Yamaha Corporation of America
Yerba Buena Center for the Arts
Young Storytellers

Opposition

None received

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