

JUNE 1, 2022

# Initiative Statute: Provides Additional Funding for Arts and Music Education in Public Schools

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PRESENTED TO:

Assembly Committee on Education  
Hon. Patrick O'Donnell, Chair

Senate Education Committee  
Hon. Connie Leyva, Chair



LEGISLATIVE ANALYST'S OFFICE

# LAO Role in Initiative Process

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## Fiscal Analysis Prior to Signature Collection

- State law requires our office, alongside the Department of Finance, to prepare an impartial fiscal analysis of each initiative before it can be circulated for signatures.
- State law requires this analysis provide an estimate of the measure's fiscal impact on the state and local governments.
- A summary of the estimated fiscal impact is included on petitions that are circulated for signatures.

## Analyses for Qualified Measures

- State law requires our office to provide impartial analyses of all statewide ballot propositions for the statewide voter information guide.
- This analysis includes a description of the measure and its fiscal effects.
- We are currently in the process of preparing these materials for initiatives that have qualified—or have a reasonable likelihood of qualifying—for the November 2022 ballot. As such, the fiscal effects discussed in this handout are generally based on our earlier analysis prior to signature collection.



# Background

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## Constitutional Funding Requirement for Schools and Community Colleges

- Proposition 98 (1988) requires the state to set aside a minimum amount of state General Fund and local property tax revenue each year for public schools and community colleges. In most years, the state must allocate about 40 percent of General Fund revenue to meet this requirement.
- With a two-thirds vote of each house of the Legislature, the state can suspend the guarantee and provide less funding than required that year.

## Arts Education in Elementary and Middle Schools

- State law requires schools to provide instruction in visual and performing arts in grades 1 through 6, and to offer such courses in grades 7 and 8. The specific courses and amount of instruction is determined by local governing boards.
- Schools may also offer arts education through before/after school and summer programs. The state funds two programs for these purposes—the After School Education and Safety Program and Expanded Learning Opportunities Program. These programs require an academic component (such as tutoring) and an enrichment component (such as arts programs or physical fitness).
- The 2021-22 budget included a total of \$2.4 billion for before/after school and summer programs. The Governor’s May Revision proposes to increase total funding for these to programs to over \$5.5 billion in 2022-23.



# Background

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## Arts Education in High School

- In addition to requirements in core academic subjects, the state requires students to complete one year of either (1) visual or performing arts, (2) a foreign language, or (3) career technical education (CTE).
- Local governing boards can add other requirements for high school graduation. A 2017 survey found that about half of the state's school districts set their minimum graduation requirements to match the course requirements for admission to the state's public universities. Under these requirements, students must take one year of visual and performing arts, which cannot be fulfilled with foreign language or CTE coursework.



# Proposal

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## **Provides Additional Funding for Arts Education in Schools**

- Beginning in 2023-24, the measure requires the state to provide additional funding to increase arts instruction and programming in schools. The amount would be equal to 1 percent of Proposition 98 funding that K-12 schools received in the previous year.
- This funding would be considered a payment above the constitutionally required amount of funding for schools and community colleges. The Legislature could reduce funding for arts education in a year when it suspends the constitutional spending requirement.

## **Distributes Funding Based on Formula**

- The measure requires 70 percent of funding to go to schools based on their share of statewide enrollment. The remaining 30 percent would go to schools based on a school's share of low-income students statewide.
- Local governing boards may set aside up to 1 percent of their funding for administrative expenses.

## **Requires Funding to Be Used Primarily to Hire New Arts Staff**

- The measure requires funding to be used for arts education programs. Schools must certify these funds were spent in addition to existing funding for arts education programs.
- At least 80 percent of funding must be used to hire staff. (School districts and charter schools with less than 500 students would not have to meet this requirement.)
- The California Department of Education (CDE) may allow a school site to spend less on staff. This would require the school principal (or the program director of a preschool) to submit a written request.



# Proposal

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## **Allows School Principals to Determine How Funds Are Spent**

- The principal of a school site (or the program director of a preschool) would determine how to expand a site's arts programs, including combining funds with other schools to develop joint programs and share staff. The principal or program director must also develop a plan for spending the funding they receive.

## **Requires Annual Data Reporting**

- The measure requires local governing boards to report each year that the funding their schools received the year before was spent on arts education.
- School districts and charter schools must make public on their website a report on how funds were spent. The report must include details on the type of arts education programs funded, the number of staff employed, the number of students served, and the number of school sites providing arts education with the funding received. This report must also be submitted to CDE and made public on the department's website.



# Fiscal Effects

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## Increased State Spending

- Beginning in 2023-24, additional spending likely in the range of \$800 million to \$1 billion annually for arts education in schools. Over time, funding would vary based on changes in required funding for schools and community colleges.

