LAO

# PROPOSITION 28
# Provides Additional Funding for Arts and Music Education in Public Schools. Initiative Statute.

## ANALYSIS OF MEASURE

### BACKGROUND

***State's Public School System.*** California's public schools currently have about 6 million students from kindergarten through grade 12. Roughly 60 percent of public school students are from low-income families. These are students eligible to receive free or reduced-price school meals under a federal nutrition program. The state also provides public preschool to some three- and four-year olds from low-income families. However, the amount of state funding is currently not enough to serve all eligible children. Public schools are operated primarily by school districts and charter schools, under the control of local governing boards.

***Annual Required Education Spending.*** The California Constitution requires the state to set aside a minimum amount of state General Fund and local property tax revenue each year (annually) for public schools and community colleges. (The General Fund is the state's main operating account, which pays for education, prisons, health care, and other public services.) In most years, the state must provide about 40 percent of General Fund revenue to meet this requirement. The state's current budget includes $110 billion to meet this requirement. Of this amount, $95.5 billion is specifically for public schools. Most school funding is distributed to schools through a per-student formula. The formula also gives schools more funding based on the share of their students who are low income, English learners, or in foster care. With a two-thirds vote of each house of the Legislature, the state could provide less funding for schools and community colleges than required for that year.

***Arts Education in Elementary and Middle Schools.*** State law requires schools to provide instruction in visual and performing arts (including music) to all students in grades 1 through 6. State law also requires schools to offer such courses in grades 7 and 8 as electives. The specific courses and amount of instruction are determined by each local governing board. Schools may also offer arts education through before/after school and summer programs. The state funds two after school programs currently totaling almost $5 billion each year. These programs require an academic component (such as tutoring) and an enrichment component (such as arts programs or physical fitness).

***Arts Education in High Schools.*** Students must complete specific courses before they can graduate from high school. The state requires students to complete certain core academic subjects, such as English, history/social science, mathematics, and science. The state also requires students 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. In the most recent school year for which data are available, high schools in California offered about 150,000 arts education courses. High schools may also provide after school arts programs.

## PROPOSAL

***Provides Additional Funding for Arts Education in Public Schools.*** Beginning next year, Proposition 28 requires the state to provide additional funding to increase arts instruction and/or arts programs in public schools. The amount required each year would equal 1 percent of the constitutionally required state and local funding that public schools received the year before. This funding would be considered a payment above the constitutionally required amount of funding for public schools and community colleges. The proposition allows the Legislature to reduce funding provided by this proposition for arts education in a year when the Legislature provides less than the constitutional spending requirement. In this case, the reduction in funding for arts education could not be more than the percentage reduction in total funding to public schools and community colleges.

***Distributes Funding Based on a Formula.*** Proposition 28 distributes the additional funding to public schools based on enrollment in preschool and K-12. Of the total amount, 70 percent would go to schools based on their share of statewide enrollment. The remaining 30 percent would go to schools based on their share of low-income students enrolled statewide. Local governing boards may use up to 1 percent of this new funding for administrative expenses. The remainder of the funding must be distributed to all school sites based on their student enrollment.

***Requires Funding Be Used Primarily to Hire New Arts Staff.*** Proposition 28 requires funding be used for arts education programs and requires schools to certify that these funds were spent in addition to existing funding for arts education programs. This may include a variety of subjects, including dance, media arts, music, theater, and various types of visual arts (including photography, craft arts, computer coding, and graphic design). The proposition also requires at least 80 percent of the additional funding be used to hire staff. (School districts and charter schools with fewer than 500 students would not have to meet this requirement.) The remaining funding could be used for training, supplies and materials, and for arts educational partnership programs. The California Department of Education (CDE) may approve requests from schools to spend less on staff. Schools will have three years to spend the funds they receive each year. CDE would reallocate any unspent funds to all schools in the following year.

***Allows School Principals to Determine How Funds Are Spent.*** Proposition 28 requires the principal of a school site (or the program director of a preschool) to develop a plan for spending

the funding they receive. The principal or program director would determine how to expand a site's arts instruction and/or programs.

***Requires Annual Data Reporting.*** Proposition 28 requires local governing boards to certify each year that the funding their schools received was spent on arts education. Additionally, local governing boards must post on their website a report on how funds were spent. The report must include 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

Beginning next year, **Proposition 28 would increase state costs by about $1 billion annually.** This amount is less than one-half of 1 percent of the state's total General Fund budget. The additional funding would be considered a payment above the constitutionally required amount of funding for public schools and community colleges.

## YES/NO STATEMENT

A **YES** vote on this measure means: The state would provide additional funding specifically for arts education in public schools. This amount would be above the constitutionally required amount of funding for public schools and community colleges.

A **NO** vote on this measure means: Funding for arts education in public schools would continue to depend on state and local budget decisions.

## SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT

- Increased state costs of about $1 billion annually, beginning next year, for arts education in public schools.

## BALLOT LABEL

**Fiscal Impact**: Increased state costs of about $1 billion annually, beginning next year, for arts education in public schools.