New Issues in Arts Advocacy
Every Student Succeeds Act

Ben Martin, Executive Director
REMEMBER

IF YOU ARE NOT AT THE TABLE
YOU ARE ON THE MENU
Brief History

1965
Elementary & Secondary Education Act (ESEA) passed.

Lyndon Johnson signs the ESEA in 1965

The Arts in Education Grant Program is included in this act.
Brief History

1968 Congress adds to the ESEA by incorporating new programs and titles, including for migrant children, for neglected or delinquent children, and by passing the Bilingual Education Act.
Brief History

1970

After reports show that school districts have misused Title I aid, Congress tightens up the program, adding language that states the federal money should “supplement, not supplant” money spent by states and localities.
Brief History

1978

President Jimmy Carter signs a reauthorization allowing schools with at least 75 percent of students in poverty to operate “schoolwide” programs with Title I funds, rather than only for low-income children.
Brief History

1979-1981

The U.S. Department of Education is established under President Jimmy Carter. President Ronald Reagan champions an update of the ESEA that consolidates many programs into a single block grant, but maintains Title I—rechristened “Chapter 1”—as a separate program. The law also cuts down on regulatory requirements for districts and states. This renewal kicks off a period of sluggish federal spending on K-12 education.
Brief History

1988 ACCOUNTABILITY

The law moves toward expansion of student testing and accountability. Districts required to take an annual look at the effectiveness of Chapter 1 by examining student test scores. Schools that don’t make progress required to develop improvement plans.
Brief History

1989

President George H.W. Bush and nearly all the state governors meet for a summit on public education and pledge to set national education goals and a federal-state partnership in standards and accountability.
Brief History

1994

President Bill Clinton signs a renewal of ESEA, Improving America’s Schools Act, that calls for states to develop standards and aligned tests for all students. “Adequate yearly progress,” first appears, but the law has a much looser definition of AYP than the subsequent No Child Left Behind Act version. And “Chapter 1” goes back to being “Title I.” Arts in Education grants are expanded to include at-risk youth.
2002

President George W. Bush signs No Child Left Behind Act, which expands testing requirements. States assess students annually in reading and math in grades 3-8 and once in high school. States are to use specific interventions—namely, public school choice and free tutoring—with schools that fail to make sufficient progress. And it requires that all teachers be “highly qualified.”

The Arts are identified as Core Subjects and begin a period that sees the largest loss of programs in decades.
Brief History

2009

This economic-stimulus measure includes $100 billion in education aid. The Obama administration uses $4 billion to create Race to the Top, which awards grants to states willing to embrace a wide array of school reforms and grants to design new tests aligned to the Common Core State Standards.
Brief History

2011

With ESEA reauthorization still stalled in Congress, the Obama administration offers waivers easing the NCLB law. States must embrace standards that will prepare students for college and workforce, teacher evaluation incorporating student outcomes, and school turnarounds.
Brief History

2015

Waivers are in place in more than 40 states. Meanwhile, Congress is making its most serious attempt at reauthorizing the ESEA in nearly a decade. A breakthrough occurs and Every Student Succeeds Act receives bipartisan support and is signed into law on December 10, 2015.

Celebration Time
ESSA Overview

In general, the ESSA pulls back on Federal control, leaving goals and broad directives in place, but relying on states and local school districts to organize and implement. Among the broad directives there are a number of remarkably specific references to arts education.
The Every Student Succeeds Act (ESSA) presents huge opportunities for arts education. There is, however, no guarantee that we will be the beneficiaries of those opportunities.

1. The regulation process is ongoing as the Department of Education tries to decipher nearly 400 pages of legislation and convert that into practical guidelines.

2. Even when those regulations appear, the place of arts education is not ensured. Instead, two rather important phrases need to be understood.
Realization #2

“A Well Rounded Education.” Throughout the new act students are guaranteed the right to a well-rounded education. Music and the arts are specifically mentioned as part of this concept. This new definition provides no more protection than under NCLB *UNLESS* arts educators push for the inclusion of music and the arts in their schools. Fortunately, that is more possible today because of the next phrase.
Realization #3

“Evidence-Based Instructional Strategies.” In providing a well-rounded education, the emphasis is on using evidence-based instructional strategies. Fifteen years ago, we might have thrown up our hands in dismay, but today studies are rapidly appearing that demonstrate the effectiveness of the arts in raising student achievement and improving student engagement. Couple that with the next factor and arts education is almost home.
Realization #4

ESSA puts the emphasis back on the states and local districts. Although testing and data are still mandated, the states and local districts are given far more control. Far less Federal influence on what is done means that innovative and creative approaches to student learning are more likely to be acceptable to decision-makers in education—as long as we in arts education do the following---
We know we have a tremendously positive impact on students. However, that word has still not reached throughout the education community. Now is the time for all of us to spread that word far and wide.
ESSA and the Arts

Support for Well-Rounded Education

The Arts and Music (interesting separate listing) are listed as two of more than a dozen subjects that contribute to a well-rounded education. (Sec. 8002).

Well-rounded education is then used throughout the document as a requirement for states and local education authorities. Even a priority when determining some grants

Caution—The Arts were noted as a “core” subject in NCLB
ESSA and The Arts

“Effective instructional strategies that are evidence based”

This phrase appears throughout the act in connection with literacy, improving student achievement, helping struggling learners, and other connections.

With the improved documentation of arts learning outcomes, we can begin to make the case that arts education in a wide variety of applications fit that description.
Title I and the Arts

SEC. 1001. STATEMENT OF PURPOSE.

“The purpose of this title is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.”
ESSA and The Arts

Academic Assessments
The Act specifies assessments in ELA or reading, mathematics and science, but also notes states may create standards and assessments in any other subject.

The act allows for a variety of forms of academic assessments including “portfolios, projects or extended performance tasks.”
ESSA and The Arts

Public School Measurements

The states *may* include student and teacher engagement, school climate, etc—all areas that arts, and especially arts integration, programs tend to boost significantly. P. 35
ESSA and the Arts

Low Performing School Interventions

The Act specifies that alternative evidence based strategies may be employed to help struggling schools and that resource inequities are to be addressed—especially students being taught by ineffective out-of-field teachers. Pp. 40-50
ESSA and the Arts

Delivery of Services by External Providers

For schools that have at least 40% of students below poverty line, federal funds may be used to hire external providers (imagine teaching artists) to employ evidence based strategies to raise achievement and/or provide professional development. pp. 64-65
ESSA and The Arts

Federal Funds to develop Standards

Federal Funds to states may be used to develop standards and appropriate assessments for academic subjects not required by ESSA.
p. 78
ESSA and the Arts

Teacher and Principal Leadership Academies

The Act asks states to establish Leadership Academies where trainees partner with teachers or principals who have demonstrated strategies to raise student achievement. We need to get our arts emphasis schools involved in this process!

P.114
ESSA and The Arts

Student Support and Academic Enrichment Grants beginning on

This section describes a variety of grant programs, 20% of which are designed to give ALL students access to a “well-rounded education.” Arts and music programs are listed as eligible for these grants from both direct federal funds and state funds that are from federal allotments. Arts programs are especially noted for use of funds to give students “increased access to” educational opportunities.
ESSA and The Arts

Formula Grants to Support Effective Instruction

The act calls for states to use some of the formula grants to improve equitable access to effective teachers—speech/theatre already identified in Missouri as severe shortage area—and for effective teachers to lead evidence based professional development for other teachers. P. 119-120
ESSA and The Arts

Essential Components of Reading Instruction

Definition

The Act specifically calls for implementation of evidence-based programs on literacy which include explicit and systematic instruction in 5 areas, one of which is “reading fluency.”

This should enable theatre programs to argue their place in helping students learn to read, without us having to change what we already do. Work with your ELA teachers and become part of those efforts.
ESSA and The Arts

Social Studies Academies

Sections 2232 and 2233 contain language that could easily include arts–based instruction in these special academies to train history and civics teachers and students. pp. 144-146
The act calls for developing and implementing new innovative programs to teach ELL and migrant children. Arts strategies could definitely work here if they are evidence-based. P. 157
ESSA and The Arts

Specific grant support is noted for Student Support and Academic Enrichment programs.

The grants may be used for arts and music programs, combining STEM efforts with other disciplines, like the arts, and creating cross-curricular efforts with the example of math and music specifically cited. pp. 167-177
ESSA and The Arts

Arts in Community Learning Centers

The act contains provisions for utilizing the arts in high needs areas as part of a comprehensive before and after-school hours community learning centers approach. p. 182
ESSA and The Arts

A Grant Program for High-Risk Learners

“Well-rounded education efforts” and ‘cultural programs’ are specifically mentioned as eligible for grant support under this program. p. 191
ESSA and The Arts

Magnet School Assistance

Under a program of grants for Magnet Schools, visual art and music programs are specifically mentioned as eligible for grant moneys. p. 214
ESSA and The Arts

Grant Support for Arts Education, Section 4642

These provisions continue a special grants program that supports a variety of arts education grants. This is a continuation of the current grants program. Significant point—the Arts were one of the few targeted subject-specific grant programs that was continued under ESSA. pp. 232-233.
ESSA and The Arts

“Evidence Based Strategies” Defined

The phrase is actually defined in great detail with the requirements to be met for an instructional strategy to be considered evidence based. Important to read and understand if you want to make the claim that you fit this description. pp. 289-290.
ESSA and The Arts

Retaining the rights under the 1st Amendment

Two-edged sword warning.
This is a “sense of Congress” declaration. So, the expression is encouraging and would be viewed positively by the courts, but this section doesn’t actually carry any force of law. However, do you really want to end up in a situation where you have to take your employer or principal to court? Use common sense and communicate clearly with administrators. Ask them about that provision and how they see it. P. 337
ESSA and The Arts?

You will be happy to learn that Jack Johnson has been posthumously pardoned in Section 9206 of the Every Student Succeeds Act of 2015. It’s about time! You can read the history on your own. It is an interesting and important story . . . BUT IS COMPLETELY UNRELATED TO ESSA!!

pp. 338-340
Missouri Rules and Statutes That Impact the Arts

The newest and most important development in Missouri is the re-establishment of the Director for Arts Education position in DESE.

Tom Tobias began working at DESE in January of 2015.
Missouri Rules and Statutes That Impact the Arts

Resource Standards

50 minutes a week required for each Art and Music in the Elementary grades

Access to 1,500 minutes a year of instruction in Art or Music in middle school

1 unit of credit required in any one of the Arts for high school graduation
Missouri Rules and Statutes That Impact the Arts

Teacher Certification

Specific requirements are in place for a teacher to be certified to teach Art, Dance, Music or Theatre.

Arts training for elementary school teachers is hit-or-miss.

Arts Integration training for elementary and secondary school teachers is hit-or-miss.
Missouri Rules and Statutes That Impact the Arts

The Items Not Waived Checklist

Each district must complete this checklist each year and submit it to DESE. Item #21, which was added in 2014, is

“The district provides adequate education in the fine arts and physical education.”

This may still be under threat in the legislature this year.

HBs 1947 & 1948
Where You Come In!

**Be an Advocate**

**LEARN THE FACTS**

Stay Aware of Actions at DESE

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**Why Advocate?**

"Unless someone like you cares a whole awful lot, Nothing is going to get better. It's not."

- Dr. Seuss, The Lorax

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**Contact**

Representatives and Senators

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**Contact Local Decisionmakers**

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Amazing Advocates!
Final Thoughts

Reactions

and

Responses?