

## **Executive Summary**

In 2005, Department of Education (DOE) administrators testified that the Bloomberg administration had made arts education a priority. In 2007, however, the administration announced the elimination of dedicated funding<sup>1</sup> for arts education, giving principals the option of using the funds for other purposes beginning in the 2007-2008 school year.

It is still too early to judge the full impact of the elimination of dedicated funding in part because data on how much each principal spent on arts education in the current school year is not available. Many advocates, however, are concerned that budget cuts, particularly recent mid-year cuts due to the fiscal downturn, in combination with increased pressure to achieve gains on standardized tests in reading and math, create an environment in which principals will be motivated to spend funds previously dedicated to arts programs on other priorities. Eighty-five percent of each school's Progress Report<sup>2</sup> grade is based on test scores in reading, writing, and math. Schools that receive an F or D (or, a C for three years in a row) may face leadership change or even be closed.<sup>3</sup>

At present, however, school Progress Reports do not allow parents to evaluate the amount and quality of arts instruction at their child's school. Similarly, the DOE has not held principals accountable for the amount or quality of arts education in their schools to this point, or provided principals with detailed information on how these factors will be incorporated into the formula for determining their performance and financial bonuses.

At the same time, the DOE's first effort to collect and report system-wide information on arts education has produced troubling results. Survey results for the 2006-2007 school year released in the DOE's first Annual Arts in School Report<sup>4</sup> in March 2008 show that most schools did not comply with the state's minimum requirements for arts education. Survey results for the 2007-2008 school year collected by the Office of the Public Advocate in January 2008 show that the majority of schools are still out of compliance. In the case of elementary school dance and theater, compliance has further deteriorated.

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<sup>1</sup> The term "dedicated funding" refers to a budgetary allocation that can only be used for specified purposes. From 1996 until the fall of 2007, Project ARTS funding guaranteed each school a per capital allocation that could be used only for instruction in the arts, materials and instruments and partnerships with arts and cultural organizations. For more information on Project ARTS, please see the discussion in this report (p.9).

<sup>2</sup> The Progress Report evaluates schools with a letter grade A through F. School grades are based on three elements: 1. School Environment (15 percent of score), which combines schools' attendance records and results of parent, teacher and student surveys; 2. Student Performance (30 percent), which, for elementary and middle schools, is measured by students' scores on the New York State tests in English Language Arts and Mathematics; and 3. Student Progress (55 percent), measured by how much students' progress during the school year in reading, writing, math, science and history. See: <http://schools.nyc.gov/Accountability/SchoolReports/ProgressReports/default.htm>. Progress Report grades for the 2006-2007 school year were issued in February 2008.

<sup>3</sup> New York City Department of Education (DOE), Student Performance and Accountability, Rewards and Consequences. See: <http://schools.nyc.gov/Accountability/RewardsandConsequences/default.htm>

<sup>4</sup> DOE, *Annual Arts in Schools Report, 2006-2007*.

New York State Education Department (NYSED) Regulations of the Commissioner<sup>5</sup> contain the following requirements and guidelines for arts education instruction:

- NYSED regulations<sup>6</sup> require that all children in first through sixth grade receive instruction in visual arts, music, dance, and theater.<sup>7</sup>
- NYSED guidelines<sup>8</sup> recommend that instruction in the arts for children in first through third grade comprise 20 percent of weekly instructional time, which is the equivalent of five instructional hours per week.<sup>9</sup>
- NYSED guidelines recommend that instruction in the arts for children in grades four through six,<sup>10</sup> should comprise 10 percent of weekly instruction time, the equivalent of two-and-a-half instructional hours per week.

In January 2008, the Public Advocate's Office surveyed 100 randomly selected public elementary schools and 50 randomly selected public middle schools<sup>11</sup> in New York City. Surveyors asked specifically about arts education classes provided to third and fourth graders, or sixth graders in the case of middle schools.

The survey found that:

- Only seven percent of elementary schools and 27 percent of middle schools surveyed offered instruction in all four arts disciplines—music, visual arts, dance, and theater—as required by state regulations.
- Sixty-eight percent of elementary schools and 47 percent of middle schools surveyed offered only one or two arts discipline(s).
- Seventy-five percent of elementary schools surveyed offered only one period per week—an average of 45 minutes—of arts education to third graders despite state regulations recommending that students in 1<sup>st</sup> through 3<sup>rd</sup> grade receive the equivalent of five instructional hours of arts education a week.

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<sup>5</sup> New York State Standards, Provisions in the Part 100 of the Regulations of the Commissioner of Education (C.R. 100.3 and 100.4)

<sup>6</sup> “Regulations have the force and effect of law.” DOE, *Summary of Arts Education Instructional Requirements for Schools and Students*. Footnote ii. See: <http://schools.nyc.gov/projectarts/Media/NY%20State%20and%20NYC%20City%20Arts%20Education%20Requirements%20and%20Guidelines.doc>

<sup>7</sup> *Supra* note 5.

<sup>8</sup> “Guidelines are provided as recommendations and should not be interpreted as requirements.”

*Supra* note 6.

<sup>9</sup> According to New York City Department of Education (DOE) documents, 20 percent of weekly time is equivalent to 186 hours per school year. In a 186-day school year, with each school day comprising 5 instructional hours, 20 percent of weekly time is equivalent to one instructional hour per day, or five instructional hours per week. *Supra* note 6, Footnote vi.

<sup>10</sup> Instructional requirements for Arts Education are listed separately for Grades 1–4, and for Grades 5–6. The primary difference between the two sets of requirements is that the requirements for Grades 1-4 refer to the attainment of state elementary learning standards, while the requirements for Grades 5-6 refer to the attainment of state intermediate learning standards. The theater requirements for Grades 1–4 include two sets of guidelines for instructional time, one for Grades 1–3, the other for Grade 4. The guidelines for instructional time for Grade 4 are the same as the guidelines for Grades 5–6. *Supra* note 5.

<sup>11</sup> While sixth grade falls under the elementary-level requirements for arts education, most sixth graders attend middle schools. Grades 7–8 are subject to different requirements. Students in these grades must receive one-half unit of study in the visual arts and one half unit of study in music. A half-unit is the equivalent of 55 hours of instruction. *Supra* note 6.

- Seven percent of elementary schools and nine percent of middle schools surveyed had no arts education at all.
- While some schools complied with the state requirement that schools offer instruction in all four art disciplines and some followed state guidelines for the amount of instruction time for arts education, not a single elementary school complied with both.
- The percentage of schools offering dance and theater in third and fourth grade in the current school year is markedly lower than in the DOE Annual Arts in School Report for 2006-2007:

Percentage of elementary schools that offer each arts discipline by grade

| <b>Grade 3</b> | Visual Arts | Music | Dance | Theater |
|----------------|-------------|-------|-------|---------|
| DOE 06-07      | 83%         | 75%   | 47%   | 34%     |
| OPA 08         | 80%         | 71%   | 24%   | 14%     |

| <b>Grade 4</b> | Visual Arts | Music | Dance | Theater |
|----------------|-------------|-------|-------|---------|
| DOE 06-07      | 80%         | 74%   | 45%   | 39%     |
| OPA 08         | 80%         | 70%   | 27%   | 14%     |

| <b>Grade 6</b> | Visual Arts | Music | Dance | Theater |
|----------------|-------------|-------|-------|---------|
| DOE 06-07      | 98%         | 78%   | 54%   | 35%     |
| OPA 08         | 89%         | 75%   | 35%   | 40%     |

The Public Advocate recommends that the DOE take the following actions:

- Ensure that all New York City public schools provide instruction in all four recognized arts disciplines (visual arts, music, dance and theater) as required by state regulations.
- Create a dedicated Arts Education funding line in budget allocations to individual schools.
- Promote a stated goal of one full-time certified arts teacher in at least one of the four recognized disciplines in every school.
- State recommended instructional time allocations for arts education in 60-minute hours instead of instructional hours.
- Create a more balanced school Progress Report that reports on multiple indicators including arts education.