



THE CENTER FOR ARTS EDUCATION

**Testimony to the
Joint Meeting of the Committees**

**Senate Committee on Cultural Affairs, Tourism, Parks and Recreation
Assembly Committee on Tourism, Arts and Sports Development**

**Delivered by Richard Kessler, Executive Director
The Center for Arts Education**

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Thank you Chairs Serrano and Englebright and committee members for the opportunity to testify today. I am Richard Kessler, Executive Director of The Center for Arts Education, a not-for-profit arts organization committed to stimulating and sustaining quality arts education as an essential part of every child's education.

The Center for Arts Education stands together with our colleagues today in support of maintaining funding for the New York State Council on the Arts. The arts provide many benefits for New York State including a significant economic impact, as well as myriad opportunities for students to learn and grow.

I will be focusing my remarks today on the impact of arts education on children and the importance of ensuring that all students in New York State's public schools are receiving the arts instruction that is outlined in state law.

Specifically, I've come today to urge the State Legislature to support Senate Bill #5878 and Assembly Bill #8938, introduced by Senator Serrano and Assemblymember Englebright, respectively. Both of these legislators have played a leading role on this issue and are deserving of great thanks for their effort.

As you may be aware, New York State has a comprehensive set of educational requirements for arts instruction—which have the effect and power of law—yet lack of compliance with these mandates is widespread. Furthermore, there is no real mechanism in place to monitor or enforce compliance. As a result, hundreds of thousands of children are being denied the benefits and opportunities derived from a quality arts education.

S. 5878/A. 8938 would put in place a collaborative mechanism to ensure greater equity in the delivery of arts education by providing students with the arts instruction mandated by law and set forth in Part 100 of the Regulations of the Commissioner of Education.

This legislation is a critical step towards ensuring that students are receiving a well-rounded education, especially at a time when we are witnessing an increasingly narrowed curriculum and significant cuts to school budgets across the state. We are in fact, seeing a profound shift away from the arts and the other elements of a well-rounded education in many of our public schools.

Declines in budgeting for the arts in schools is alarming. In New York City, for instance, over the past three years we've seen a decline of close to a 15 percent on spending by schools to hire the services of cultural arts organizations to deliver arts education in public schools. More strikingly, there's been a drastic 68 percent decline in spending on arts supplies, instruments and materials—that's \$7 million less in this area in New York City alone.

As mentioned earlier, recent reporting by the New York City Department of Education shows that in New York City there is a widespread lack of compliance with state mandates for arts instruction. Unfortunately, at present, statewide data and reporting does not yet exist in respect to compliance with arts instruction mandates. However, it is likely there are similar inequities in the delivery of arts instruction with many districts and schools failing to meet the state mandates.

According to the New York City Department of Education:

- In the elementary grades, only 12 percent of elementary schools offer the four arts forms (music, dance, theatre, and visual arts) each year to every child as required by law.
- In middle school, almost 40 percent of schools are failing to ensure that every child receives the State Education Department's required arts instruction for grades 7 and 8.
- Nearly 20 percent of high schools do not have any certified arts teacher on staff despite state mandates requiring that all students complete instruction in the arts taught by a certified arts teacher.

With such widespread violation of state education law, and a lack of any real mechanism to ensure compliance with state mandates, it is imperative, and morally responsible, for the State Legislature to take action to protect the interests of the state's public school children.

With a set of incentives and consequences—put in place largely at the federal level and enhanced in New York City—geared towards measured improvement in only two subject areas, schools are receiving little support or encouragement to keep the arts in schools. That is why it is so critical for state legislators to take steps within their jurisdiction to support the arts in schools and the state's educational requirements that rightly place a high value on arts instruction.

In short, S. 5878/A. 8938 would create a mechanism to ensure a greater level of compliance with state instructional requirements for the arts by:

- Requiring the state education commissioner to conduct a statewide audit of compliance with state education regulations for arts instruction every five years;
- Requiring the state education commissioner to report the findings of the audit to the legislature and the public by June of the year the audit was conducted;
- Requiring that districts with schools found to be out of compliance with state requirements develop corrective action plans with those schools that outlines steps to be taken to meet state mandates.

The Arts Education Compliance and Equity Act, as we've come to calling it, is about working with schools and districts to ensure schools are providing arts instruction so that students have access to music class, theater, dance and visual arts. These disciplines inspire children to learn and grow, and importantly, to stay in school and excel.

The legislation is meant to enhance arts instruction, and public education in general, and is in no means punitive for schools, quite the contrary. The legislation, if passed, would promote positive dialogue, informed decision-making, community involvement and ultimately, positive outcomes for students. The bill, if passed, is also likely to have positive impacts for teachers, teaching artists, and the community cultural arts organizations that provide education services to schools and are valued members of communities and economies across the state.

We ask you today to sponsor S. 5878/A. 8938 to ensure that New York public schools provide the arts education promised in state law. If you are already a sponsor, we thank you, and ask that you ask your colleagues to join you in ensuring passage of this important bill to improve public education.

Thank you for your time today and your consideration of this request.