

Proposition 28: Arts and Music in Schools

March 6, 2024



Purpose

Provide updated information on Proposition 28 - Arts and Music in Schools (AMS) Funding Guarantee and Accountability Act.



Background

On November 8, 2022, California voters approved Proposition 28: The Arts and Music in Schools (AMS) Funding Guarantee and Accountability Act. The measure required the state to establish a new, ongoing program supporting arts instruction in schools beginning in 2023–24.

The legislation allocates 1 percent of the kindergarten through grade twelve (K–12) portion of the Proposition 98 funding guarantee provided in the prior fiscal year, excluding funding appropriated for the AMS education program. Local educational agencies (LEAs) with 500 or more students are required to ensure that at least 80 percent of AMS funds to be expended are used to employ certificated or classified employees to provide arts education program instruction. The remaining funds must be used for training, supplies and materials, and arts educational partnership programs, with no more than 1 percent of funds received to be used for an LEA's administrative expenses.

Funding

Funding is apportioned to school districts, county office of education, charter schools, and state special schools based on the share of statewide total enrollment and enrollment of economically disadvantaged pupils in the prior year.

The purpose of these funds is to supplement arts education programs.



Frequently Asked Questions

Will the amount of funding for each fiscal year change?

The amount of funding available for each fiscal year will be determined prior to the beginning of the fiscal year by the Department of Finance (DOF) as part of the May Revision of the Governor's Budget. This total appropriation amount is final.



Frequently Asked Questions

What type of arts programs can these funds be used for?

"Arts education program" includes (but is not limited to) instruction and training, supplies, materials, and arts educational partnership programs for instruction in dance, media arts, music, theatre, and visual arts including folk art, painting, sculpture, photography, craft arts, creative expression including graphic arts and design, computer coding, animation, music composition, ensembles, script writing, costume design, film, and video.



Frequently Asked Questions

Can schools pool their AMS funds, and can school districts help to facilitate inter-school programs?

Yes, schools can share teachers and teacher aides as well as community arts partners, and school districts can help facilitate this sharing among schools. For example, a teacher could teach at one school on Monday and Tuesday and at another on Wednesday, Thursday, and Friday. However, other restrictions outside of AMS could prohibit or restrict this. For example, LEAs that use AMS funds for arts education program instruction as part of the regular school day should keep in mind that statute requires that students be under the immediate supervision and control of a certificated employee of the LEA in order to generate attendance for apportionment and receive instructional time credit. Information about attendance accounting and instructional time requirements is available on the CDE Instructional Time and Attendance Accounting web page.

Frequently Asked Questions

Do any "supplement not supplant" requirements apply to AMS?

Yes, California Education Code (EC) Chapter 5.1, Section 8820, subdivision (g), paragraph (2), states that as a condition of receipt of funds pursuant to this chapter, an LEA shall annually: "Certify that such funds received will be used to supplement funding for arts education programs and that funds received in the prior fiscal year were, in fact, used to supplement arts education programs." For the purpose of this program, "supplement" means that the funds appropriated by this chapter shall be used by local educational agencies to increase funding of arts education programs and not to supplant existing funding for those programs (EC Section 8821[e]).

Frequently Asked Questions

What are the reporting requirements for this program?

There are several annual reporting requirements for this program, both at the school site and LEA level. Please review the four areas below:

- **School Site Expenditure Plan** - While each school is required to create an expenditure plan, it is not mandated that it be posted on the LEA website, be Board approved, or submitted to the CDE.
- **Annual Report** - This annual report must be Board approved, submitted to the CDE, and posted to the LEA's website. (Note: The CDE reporting tool is under development.) The mandated information for this report includes: number of full-time equivalent teachers, classified personnel, and teaching aides; number of pupils served; and number of school sites providing arts education programs with AMS funds.
- **Annual Certification** - LEAs must annually certify that all funds will be used to provide arts education programs, among other assurances.
- **Expenditure Report** - LEAs are required to report to the CDE the amount of unexpended AMS funds. The CDE reporting tool is under development and will be provided here upon completion.

Frequently Asked Questions

What about the Art, Music, Instructional Materials, Discretionary Block Grant?

CVUSD allocated funds from the AMIMDBG in 2022 toward “one-time” expenses related to Arts and Music programs. Proposition 28 AMS now provides an ongoing source of funding to expand the arts in CVUSD. The AMIMDBG originally included \$3 million dollars of one-time funds for the arts. This will be shifted to AMS on-going funding in lieu of a one-time grant. However, we will use \$500,000 of one-time funds for the purchase of musical instruments. The remainder of the one-time grant funds will be used to help offset operational costs due to the anticipated low Cost of Living Adjustment (COLA).



Next Steps

Use Proposition 28 AMS funds to continue expanding access and equity to the arts through the [CVUSD Strategic Arts Plan](#)

Communicate clear procedures and guidance to schools on the legal requirements and fiscal procedures

Provide continued training and support to school principals and visual and performing arts teachers

Conejo Valley Unified School District

Strategic Arts Plan

2022-2027

