

# CRS Report for Congress

## Arts in Education: Background and Legislation

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# Arts in Education: Background and Legislation

## Summary

The “arts” are considered a core academic subject as part of the core curriculum for K-12 education, according to the Goals 2000 panel and as defined in the Elementary and Secondary Education Act (ESEA), as amended. The federal program that supports integrating arts in the schools at the K-12 level is the Arts in Education program, authorized under the ESEA, as amended, and administered by the Department of Education (ED). This program provides grants for model projects that integrate the arts into school curricula. It has, in the past, given two major grants: one to the John F. Kennedy Center for the Performing Arts and one to the Very Special Arts (now VSA ARTS) program for children with disabilities. P.L. 106-554 increased funding from \$11.5 million to \$28.0 million for additional arts education grants in FY2001.

In the 107<sup>th</sup> Congress, the Arts in Education program was considered under the No Child Left Behind Act (NCLBA) (P.L. 107-110) as part of the reauthorization of the ESEA, and it remains a separate program under ESEA, Title V, Part D, Subpart 15. The 110<sup>th</sup> Congress is likely to actively consider reauthorization to amend and extend the ESEA, including any amendments to the Arts in Education program.

The FY2006 appropriation for the Arts in Education program was \$35.3 million. Both in FY2006 and FY2007, the Bush Administration proposed to eliminate funding for the Arts in Education program. The FY2007 Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) Appropriations bill (H.R. 5647, H.Rept. 109-515), as reported by the House Appropriations Committee during the 109<sup>th</sup> Congress, would have provided no specific funding for the Arts in Education program. In contrast, the Senate Appropriations Committee-reported bill would have provided \$36.5 million for Arts in Education for FY2007. This would have included \$6.369 million for the Kennedy Center for the Performing Arts program, \$7.44 million for VSA ARTS, and \$7.936 million for professional development for music, dance, drama, and visual arts educators, a program to be administered by ED. It would also have included \$13.755 million for the competitive art education model grants program and \$1 million to continue evaluations and national dissemination of information regarding model programs and professional development.

The third continuing appropriations resolution (CR) for FY2007 (P.L. 109-383) carried funding for the Arts in Education program through February 15, 2007, at the lower of the House-passed, Senate-passed, or FY2006 level. In this instance, the FY2006 funding level (\$35.3 million ) will be provided.

This report provides background and legislative history on arts in education. It will be updated as legislative activity occurs.

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# Arts in Education: Background and Legislation

## Introduction

According to the Goals 2000 panel<sup>1</sup> and the Elementary and Secondary Education Act (ESEA), as amended, the “arts” are considered a core academic subject and part of the core curriculum for K-12 education. This report explores the Arts in Education program, the federal program that supports integrating arts in the schools at the K-12 level, authorized under the Elementary and Secondary Education Act, as amended, and administered by the Department of Education (ED). Arts in Education provides grants for model projects that integrate the arts into school curricula. In the past, the Arts in Education program has given two major grants: one to the John F. Kennedy Center for the Performing Arts and one to the Very Special Arts (now VSA ARTS) program for children with disabilities. P.L. 106-554 increased funding from \$11.5 million to \$28.0 million for additional model arts education grants in FY2001.

In the 107<sup>th</sup> Congress, the Arts in Education program was considered under the No Child Left Behind Act (NCLBA, P.L. 107-110) as part of the reauthorization of the ESEA, and it remains a separate program under ESEA, Title V, Part D, Subpart 15. The 110<sup>th</sup> Congress will likely consider reauthorization legislation to amend and extend the ESEA, including any amendments to the Arts in Education program.

The final appropriation for FY2006 for the Arts in Education program was \$35.3 million. Both the FY2006 and FY2007 Bush Administration budgets proposed to eliminate funding for the Arts in Education program.

## Recent Developments

The FY2007 Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) Appropriations bill (H.R. 5647, H.Rept. 109-515), as reported by the House Appropriations Committee during the 109<sup>th</sup> Congress, would have provided no specific funding for the Arts in Education program. In contrast, the Senate Appropriations Committee-reported bill (S. 3708, S.Rept. 109-287) would have provided \$36.5 million for Arts in Education for FY2007. The third continuing resolution (CR) for FY2007 (P.L.109-383) carried

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<sup>1</sup> The Goals 2000 panel was established by the Educate America Act (P.L. 103-277) to determine what goals were to be established. The Goals panel enumerated, as one of its goals, an objective to make the arts (music, dance, theater, and visual arts) core subjects in the elementary and secondary education curriculum.

funding for the Arts in Education program through February 15, 2007, at the lower of the House-passed, Senate-passed, or FY2006 level. In this case, the FY2006 funding level (\$35.3 million) will be provided.

## Background

The Goals 2000: Educate America Act (P.L. 103-227) designated the arts (music, dance, theater and visual arts) as core subjects to be taught in the nation's schools, grades K-12. In response to Goals 2000, voluntary national standards<sup>2</sup> were developed by a consortium of the National Arts Education Association and the National Committee for Standards in the Arts, under a joint grant from ED, the National Endowment for the Arts (NEA), and the National Endowment for the Humanities (NEH). The purpose of these standards was to provide explicit detail about what American students should know and be able to do in the arts.<sup>3</sup> The importance of arts in education was reinforced by the NCLBA (P.L. 107-110), in which the arts were included as core academic curricula in tandem with such subjects as language arts, mathematics, science, foreign languages, and history (ESEA, Section 9101 (11)).

The *Arts Report Card* released by the National Assessment of Educational Progress (NAEP),<sup>4</sup> reported on the first national assessment of participation and achievement levels in arts education programs in K-12 schools.<sup>5</sup> NAEP is a "nationally representative and continuing assessment of what America's students know and can do in subject areas."<sup>6</sup> The NAEP arts assessment was conducted with students in grade 8 in 1997. It looked at music, visual arts, and special samples for dance and theater. Most students attended schools in which instruction, following district or state curricula, was offered in the subjects of music and visual arts, but not in theater or dance. Seventy-two percent of the students attended schools that

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<sup>2</sup> See Music Educators National Conference, *National Standards for Arts Education: Education Reform, Standards, and the Arts*, 1994.

<sup>3</sup> Within each grade-level cluster, (K-4, 5-8, and 9-12) the standards are organized by arts discipline: dance, music, theater, and visual arts. Within each of the disciplines are the specific competencies considered essential for every student. Each standard has two components: content and achievement level. Standards specify the level of competency that students are expected to achieve in each of the arts at the completion of grades 4, 8, and 12. According to the Music Educators National Conference, 49 states and the District of Columbia have adopted some kind of state music education standards similar to, but not necessarily identical to the national standards. Iowa has content and performance standards adopted at the local level, *not* at the state level. There was no requirement under Goals 2000 or the No Child Left Behind Act that states and localities must adopt the national standards.

<sup>4</sup> National Center for Education Statistics, *Arts Report Card: Eighth-Grade Findings from the National Assessment of Educational Progress* (Washington, DC: 1999).

<sup>5</sup> NAEP's assessment was designed independent of, and has no direct relation to, the National Standards for Arts Education.

<sup>6</sup> *Ibid.* NAEP is a congressionally mandated project of the National Center for Education Statistics at the U.S. Department of Education.

followed a district or state curriculum in music, and 64% attended schools that followed a district or state curriculum in visual arts. Only 15% of students attended schools with a district or state curriculum for theater, and 10% attended schools with a district or state dance curriculum. Achievement levels varied by art component. For example, in the music “responding” category, 79% of students could identify Brahms’s “Lullaby” as being suitable for putting a child to sleep and, in addition, justified their answer. In visual arts, 55% of students could identify which works of art in a sample were examples of contemporary Western art. Female students consistently outperformed male students on “creating, performing, and responding” in the total arts assessment. Higher levels of parental education were associated with higher levels of student performance in the arts assessment. Another such assessment is not scheduled until 2008.

A report published in 2002, by the National Center for Education Statistics, *Arts Education in Public Elementary and Secondary Schools, 1999-2000*, indicated that 94% of elementary schools had classroom instruction in music, and that 87% of elementary schools had instruction in the visual arts. Seventy-seven percent of elementary schools sent students to arts performances (concerts, plays, etc.), and 65% of elementary schools provided trips to art galleries and museums. Among secondary schools, 90% of these schools had music instruction, and 93% had visual arts instruction.

## The Arts in Education Program

The federal Arts in Education program administered by ED<sup>7</sup> complements arts education programs administered by the NEA.<sup>8</sup> It was first established by the Elementary and Secondary Education Act of 1965. It authorizes national demonstration and federal leadership activities for local educational agencies (LEAs), state educational agencies (SEAs), institutions of higher education (IHEs), and state and local nonprofit arts organizations, primarily to help integrate the arts into K-12 school curriculum. Activities include the establishment of model arts education programs for K-12 schools throughout the states, development of arts curricula, design of arts assessments, and creation of model professional development programs in the arts for teachers and administrators.

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<sup>7</sup> Other federal programs provide funding for arts education, including the National Endowment for the Arts and the Challenge America Arts Fund, but Arts in Education has been the only federal program singularly focused on arts education for K-12. Arts in Education was previously authorized under Title X (Programs of National Significance), Part D, Subpart 1 of ESEA. The NCLBA, P.L. 107-110, maintained Arts in Education as a separate program, but placed it under Innovation and Improvement, the Fund for the Improvement of Education, for funding authority.

<sup>8</sup> NEA administers arts education programs through direct grants for programs with a national focus and through state arts agencies. It also administers the Challenge America Arts Fund, a program providing matching grants for arts education, outreach and community arts activities for rural and underserved areas. See NEA, *FY2007 Interior Appropriations Request*.

An earlier reauthorization of ESEA, the Improving America's Schools Act of 1994 (P.L. 103-382), extended the Arts in Education program and added a new authority (Title X, ESEA, Part D, Subpart 2) for at-risk youth. The purpose of the Cultural Partnerships for At-Risk Children and Youth program was to provide seed money through demonstration grants to local educational agencies in partnership with communities to improve cultural resources for at-risk children and youth. This program was funded in FY2003, when it provided 19 awards and \$4 million, and in FY2004, when it provided 18 awards and \$3.976 million. FY2004 was the last year of funding for Partnerships for At Risk Youth. There is no mention in the FY2005 Labor-HHS-ED Appropriations Conference Report (H.Rept. 108-792) of separate funding for the "youth at-risk" arts program in FY2005, and the FY2006 Administration budget also stated that FY2004 was the last year for program funding. The Arts in Education program also funded Media Literacy grants; they were last funded in FY2003.<sup>9</sup>

In the 107<sup>th</sup> Congress, provisions to extend and amend authority for the Arts in Education program were included in H.R. 1, the ESEA reauthorization, signed into law on January 8, 2002, as the No Child Left Behind Act (NCLBA, P.L. 107-110). H.R. 1 provided a separate program for Arts in Education (Title V-D, Subpart 15) and included within its "purposes" "support of the national effort for students to demonstrate competence in the arts." Funds were authorized under NCLBA for SEAs, LEAs, IHEs, museums, other cultural institutions, public agencies, and private organizations, for research on arts education; dissemination of information about model school-based arts education programs; development of curricular frameworks for arts education; in-service professional development; and model projects in the arts, including those established by the John F. Kennedy Center for the Performing Arts and VSA ARTS. If the appropriation is \$15 million or less for Arts in Education, then the VSA ARTS program and the Kennedy Center arts education programs are the only programs to be given funding priority. The actual funding authorization is tied to ED's Fund for the Improvement of Education (FIE), (ESEA, Title V, Part D).

Appropriations for Arts in Education (\$35.1 million in FY2004, \$35.6 million in FY2005, \$35.3 million in FY2006), have in the past generally funded two major awards: one to the John F. Kennedy Center for the Performing Arts (\$6.2 million in FY2004, \$6.4 million in FY2005, \$6.3 million in FY2006), and one to VSA ARTS (\$7.2 million in FY2004, \$7.4 million in FY2005, \$7.3 million in FY2006). In addition to these awards, recent appropriations have funded competitive grants for projects that integrate the arts into the core curriculum (\$10.0 million in FY2004, \$13.4 million in FY2005, \$13.3 million in FY2006). The remaining Arts in Education funding for FY2006, included \$494,000 for program evaluations and \$7.8 million for model professional development activities for arts educators in music, dance, theater, and visual arts.

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<sup>9</sup> The Media Literacy program promoted understanding of and use of media to prevent violence. The media literacy program received \$990,000 in FY2000, \$2.0 million in FY2001 and FY2002, and \$1.061 million for FY2003, the last year it was funded.

## John F. Kennedy Center for the Performing Arts

The Arts in Education grant provides funding for several arts education programs at the John F. Kennedy Center for the Performing Arts that annually serve an estimated 5 million people — students, teachers, and audiences. Arts in Education supports the Kennedy Center’s Alliance for Arts Education project, which is a national network of state arts education committees, operating in partnership with the Kennedy Center, and helping to integrate the arts into K-12 school curricula. In addition, Arts in Education funding helps to provide support for the Kennedy Center’s American College Theater Festival, which involves an estimated 30,000 students and 5,600 teachers who participate annually. It includes regional theater festivals as well as a National festival in Washington D.C., and an audience of 600,000 people.<sup>10</sup> The Kennedy Center helps to produce regional theater festivals as well as the national festival in Washington. The Arts in Education program also funds what is called *Imagination Celebration*, a performing arts festival conducted both at the Kennedy Center and in U.S. cities across the nation. Finally, the grant supports the *Performing Arts Centers and Schools: Partners in Education* program, which brings together staff of regional arts centers and school systems to study model programs. An institute has been formed that fosters partnerships between schools and communities.<sup>11</sup> Workshops focus on teaching the arts or teaching other subject areas through the arts and these workshops serve 2,000 teachers annually.

## VSA ARTS (Formerly Very Special Arts)

Funding for the VSA ARTS program helps “to integrate the arts into the lives of the disabled.” VSA ARTS is an international nonprofit organization, founded in 1974 by Jean Kennedy Smith. The program was created as an affiliate of the John F. Kennedy Center and has established organizations in all 50 states, the District of Columbia, and in 85 countries. Using the arts — creative writing, dance, drama, music, theater, visual arts — VSA ARTS’s goal is to help disabled students develop learning skills and become independent. VSA ARTS introduces art to children with disabilities through a range of programs in elementary and secondary schools, hospitals, and rehabilitation centers. It also supports national programs for physically or mentally challenged adults such as employment training through the arts to enhance skills. One program called *playwright discovery*, is a competition for one-act plays written by and preformed by disabled persons on disabilities themes. The *soloist program* for musicians with disabilities culminates in a Kennedy Center recital.<sup>12</sup> VSA ARTS helps visual artists with disabilities by representing them and showing their work in VSA galleries. VSA ARTS has become an advocate for artists

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<sup>10</sup> Department of Education, *FY2007, Justifications of Appropriations Estimates to the Congress*, vol. 1 (2006), p. E117.

<sup>11</sup> A study by the President’s Committee on the Arts and the Humanities titled *Gaining the Arts Advantage*, examines what makes a successful arts education program. A study of 91 school districts indicated that the first “critical factor in sustaining arts education” is the active involvement of the community that values the arts.

<sup>12</sup> Steve Hendrix and Cameron Davidson, “Accept No Limitations [...],” *American Way*, Apr. 1998.

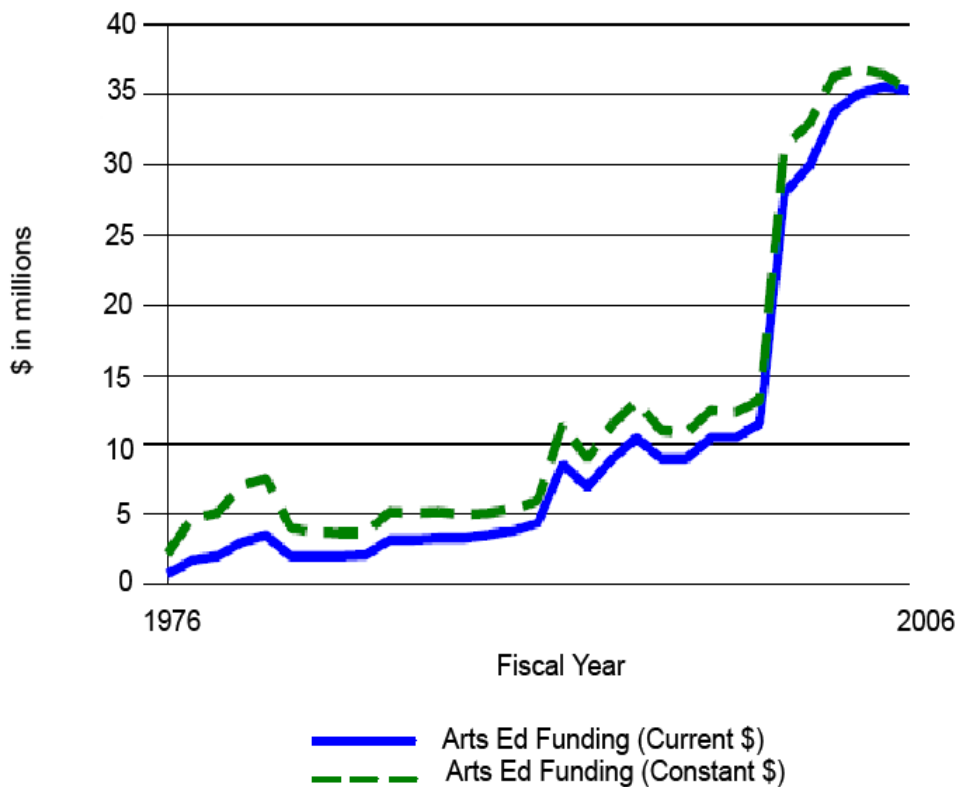


with disabilities, monitoring compliance of institutions, galleries, and related organizations with the Americans with Disabilities Act and other relevant statutes. There were approximately 4.3 million students participating during FY2004 in the VSA ARTS state-initiated and national programs and festivals.<sup>13</sup> According to VSA, one-third of the children with autism who participated in a VSA music program “showed improved social, verbal, and listening skills.”<sup>14</sup>

## Trends in Arts in Education Funding

The Arts in Education program began in FY1976, and was funded at \$750,000. Since the program’s inception, appropriations have generally increased.<sup>15</sup> (See **Figure 1.**)

**Figure 1. Arts in Education Funding, FY1976-FY2006**



<sup>13</sup> Department of Education, *FY2005, Justifications of Appropriations Estimates to the Congress*, 2004, vol. 1, pp. E92-E96. (No comparable figures appear in later *Justifications*.)

<sup>14</sup> Department of Education, *FY2007, Justifications of Appropriations Estimates to the Congress*, 2006, vol. 1, p. E119.

<sup>15</sup> See **Figure 1**, and **Table 1** in Appendix A of this report.

**Source:** Figure prepared by CRS, October 2006, based on data from the *Annual Evaluation Reports* and *Budget Justifications*, U.S. Department of Education.

**Note:** Inflation is calculated based on the GDP deflator as indicated in the OMB FY2007 Historical Tables, Table 10.1, using FY2006 dollars.

## **Appropriations for Arts in Education — FY2006**

The FY2006 Administration budget and the House-passed FY2006 L-HHS-ED Appropriations bill (H.R. 3010) did not provide funding for Arts in Education. However, the Senate-passed bill for FY2006 included Arts in Education funding (\$35.7 million), and the final appropriation for FY2006 was \$35.3 million. (See **Figure 1** and **Table 1** in this report.)

## **Appropriations for Arts in Education — FY2007**

The President's FY2007 budget request proposed no funding for the Arts in Education program because of the Administration's attempt to concentrate on high-priority programs by eliminating funding for smaller categorical programs that have, in the Administration's view, a narrow or limited effect, in favor of broad state grant programs. The FY2007 budget sought to eliminate funding for this and other programs, which receive their funding through the Fund for Improvement of Education (FIE).

The FY2007 L-HHS-ED Appropriations bill as reported by the House Appropriations Committee during the 109<sup>th</sup> Congress would have provided no specific funding for the Arts in Education program. In contrast, the Senate Appropriations Committee-reported bill would have provided \$36.5 million for Arts in Education. This would have included \$6,369,000 for the Kennedy Center for the Performing Arts programs, \$7,440,000 for VSA Arts, \$7,936,000 for professional development for music, dance, drama, and visual arts educators to be administered by the Department of Education. It would also have included \$13,755,000 for the competitive art education model grants program and \$1 million to continue evaluation and national dissemination of information regarding model programs and professional development programs. The third continuing appropriations resolution (P.L.109-383) will carry funding for the Arts in Education program through February 15, 2007 at the lower of the House-passed, Senate-passed or FY2006 level. In this instance, the FY2006 funding level (\$35.3 million) will be provided. (See **Table 1**, in Appendix A, below.)

## Appendix A

**Table 1. Arts in Education Program Funding, FY1976-FY2007**  
(\$ in thousands)

Fiscal year	Appropriations in current dollars	Appropriations in constant FY2006 dollars (rounded)
1976	\$750	\$2,200
1977	1,750	4,700
1978	2,000	5,100
1979	3,000	7,000
1980	3,500	7,600
1981	2,025	4,000
1982	2,025	3,700
1983	2,025	3,600
1984	2,125	3,600
1985	3,157	5,200
1986	3,157	5,100
1987	3,337	5,200
1988	3,315	5,000
1989	3,458	5,100
1990	3,851	5,400
1991	4,392	6,000
1992	8,600	11,400
1993	6,944	9,000
1994	8,944	11,400
1995	10,500	13,100
1996	9,000	11,000
1997	9,000	10,800
1998	10,500	12,400
1999	10,500	12,300
2000	11,500	13,200
2001	28,000	31,400
2002 <sup>a</sup>	30,000 <sup>b</sup>	33,000
2003	33,779	36,400
2004	35,071	36,900
2005	35,633	36,500
2006	35,277	35,277
2007 Budget request	\$0 <sup>c</sup>	—
2007 House committee-reported bill	\$0	—
2007 Senate committee reported bill	\$36,500	—

Fiscal year	Appropriations in current dollars	Appropriations in constant FY2006 dollars (rounded)
2007 continuing resolution through February 15, 2007	\$35,277	—

**Source:** Prepared by CRS in October 2006 using multiple tables from the Labor-HHS-Education Subcommittee of the House Appropriations Committee and the *Annual Evaluation Reports and Budget Justifications*, U.S. Department of Education.

- a. The Arts in Education program is now authorized under Innovation and Improvement Programs (ESEA, Title V, Part D, Subpart 15).
- b. A one-time appropriation of \$1.65 million was provided for the VSA ARTS festival.
- c. The Bush Administration's FY2007 budget request sought to eliminate funding in FY2007 for some of the programs (including Arts in Education) under ESEA, Title V, Part D.