

ROLES OF **state agencies** AND PUBLIC POLICY

Pennsylvania has adopted numerous state policies aimed at promoting the arts—both in schools and in the Commonwealth at large. But it also has gaps in policy, and, in recent years, some states have found more useful ways to foster the development of arts, culture, creativity, and innovation. In addition, the state has a troubling record of not implementing or enforcing its own policies, essentially rendering moot what might otherwise be effective approaches to promoting the arts and education in Pennsylvania schools and communities. This chapter examines the current roles of state agencies and the current state of arts and education policy in Pennsylvania.

Policies Aimed Primarily at Communities and the State:

❖ The **Pennsylvania Council on the Arts (PCA)** is an agency of state government housed within the Governor’s Office; it was founded in 1966. It is comprised of 19 members, including 15 private citizens selected by the Governor for their knowledge and experience in the arts, and four legislators appointed from the House and Senate by legislative leaders of both parties. Private citizen members of the Council serve three-year terms. Legislative members of the Council serve for three years or until the end of their tenure as members of the General Assembly, whichever comes first.⁴⁸

The Council is required to survey all public and private institutions within the state that are engaged in artistic and cultural activities, determine the cultural and artistic needs and aspirations of Pennsylvania’s citizens, ascertain how the Commonwealth’s cultural and artistic resources can and should be used to serve those needs, and provide assistance to communities within the state seeking to create their own cultural and artistic programs.

The Council is also tasked with reporting regularly to the General Assembly concerning the results of its surveys and studies, as well as recommended changes and additions to state policy.⁴⁹ Due to fiscal constraints and a per-

ceived lack of interest, however, the Council does not produce public reports on the state of the arts in Pennsylvania.

PCA makes grants to encourage, assist, and develop the arts in the Commonwealth and is required to publicize the availability of these grants.⁵⁰ These include grants to individual artists and arts organizations. PCA has established Pennsylvania Partners in the Arts (PPA) to expand access to the arts across the state and encourage local decision-making about arts grants. PPA is managed in conjunction with 13 regional partner organizations⁵¹ (a map showing the location of these partner regions appears in Appendix D). In recent years, total state funding for arts grants has declined 46 percent, from \$15.225 million in 2006-07 to \$8.179 million in 2011-12.

The Council administers the Governor’s Awards for the Arts, an annual event recognizing leading artists, arts organizations, and other supporters of the arts in Pennsylvania. Although the format has varied over the years, these awards date back to 1980.

PCA has supported the efforts of artists with disabilities and efforts to increase access to the arts for citizens with disabilities. As the Council has absorbed budget cuts in recent years, there has been a decline in these endeavors.

The Council also supports arts programs in schools. This is discussed in the next section on policies aimed primarily at education.

The Council is vested with the power to adopt rules and regulations, employ personnel (there are currently 12 staff members), hold hearings, request assistance from other governmental agencies, appoint advisory committees, and accept federal funds and gifts.⁵²

During the past five years, PCA's operating budget has been reduced 26 percent, and it has experienced a reduction in personnel.

- ❖ The **Pennsylvania Historical and Museum Commission (PHMC)** was established in 1945 and consists of 14 members, including the Secretary of Education or the Secretary's designee, nine residents of the Commonwealth appointed by the Governor, and four members of the House and Senate appointed by leaders of both parties. Citizen members serve a term of four years, with legislators serving until their legislative terms expire or new legislative members are appointed.⁵³

PHMC has oversight of the architectural, archaeological, and cultural heritage of the Commonwealth. As such, the Commission is responsible for the conservation of Pennsylvania's historical and natural heritage, the preservation of public records and historical documents, and the restoration and preservation of architecturally and historically significant sites and structures. The Commission has the power and duty to initiate, encourage, support, coordinate, and carry out historical preservation efforts in the Commonwealth. It also has the duty to provide for historical research and interpretation and public access to the state's heritage.⁵⁴ In this regard the Commission operates the State Museum of Pennsylvania and the State Archives and has full or partial responsibility for 40 historic sites around the state.⁵⁵ Some of these have had to close due to declining state support in recent years.

The 2010-11 state budget eliminated (and the 2011-12 budget did not restore) funding for the

Museum Assistance Grant line item that previously provided funding for Pennsylvania's museums and historical organizations.

During the past five years, PHMC's operating budget has been reduced 23 percent (including the Governor's January 2012 rescission of 3 percent of the legislative appropriation), and the agency has experienced a reduction in personnel.

“Arts organizations play an important role in our communities. The arts inspire innovation, promote creativity, and foster collaboration—all qualities that are important in business.”
—John Richels
President and CEO, Devon Energy

- ❖ The **Department of Community and Economic Development (DCED)** is responsible for a range of programs that have increased the ubiquity of the arts in Pennsylvania's diverse communities. Perhaps most significantly, the Community Revitalization Program since 1998 helped support the work of many nonprofits in the arts and cultural sector, but it is no longer funded by the state. The DCED also administers the Film Production Tax Credit that allows producers of films and certain television shows and commercials produced in Pennsylvania to take credits against corporate taxes they would otherwise owe the Commonwealth. The tax credit is designed to attract film production to the state, and the current version was enacted in 2007.⁵⁶ The maximum amount allowed in any year is \$75 million, and for 2011-12, the amount authorized is \$55 million.
- ❖ For several years, the General Assembly provided funding directly to nine museums in Pennsylvania.

These so-called **non-preferred appropriations** totaled \$2.744 million in 2006-07. Three years later, they had been cut by 55 percent to \$1.222 million. No such funds were appropriated in 2010-11 or 2011-12.

- ❖ The **Governor’s Travel and Tourism Partnership** advises the Governor on policies, procedures, legislation, and regulations that affect tourism in the state, including cultural tourism. The Partnership was established by a 2002 amendment to the Travel and Tourism Act and consists of gubernatorial appointees who serve at the pleasure of the Governor and relevant legislative committee chairs. Members include a representative from PCA and one from PHMC.⁵⁷
- ❖ Various **municipal laws** contain statutory language describing mandated and permissive actions related to the arts for which municipalities are responsible. For Philadelphia, this includes the establishment of an Art Jury, which has the power to control disposition of all art owned by the city, and weigh in on all proposed new and renovation construction projects to ensure that they meet a minimum aesthetic threshold that is in harmony with existing urban public planning.⁵⁸ The mayor of Pittsburgh is required to appoint an Art Commission that has duties very much like those of the Art Jury in Philadelphia.⁵⁹ Smaller cities and other municipalities (counties, townships, and boroughs) are authorized to give financial support to non-profit arts organizations and museums within their jurisdictions.⁶⁰ These municipalities also have the power to create historic districts to protect the rich architectural and historical heritage of Pennsylvania and make them a source of inspiration to Pennsylvanians by encouraging interest in the historic past, promoting the general welfare, education, and culture of the communities in which these historical districts are located.⁶¹
- ❖ Allegheny County has established a **regional asset district** in response to state legislation enacted in 1993.⁶² That act enabled the county commissioners to increase the sales tax by one percent, with half the increase used to reduce other local taxes and half to support regional assets, including arts and cultural organizations. In

2011, the regional asset contributions totaled \$8.1 million, and 10 percent of that went to arts and cultural organizations.⁶³

Policies Aimed Primarily at PK-12 Education:

Pennsylvania has adopted a significant body of state policy regarding academic standards, PK-12 curriculum and instruction, assessment of student learning, high school graduation requirements, teacher preparation and certification, and professional development of educators. Some of these policies are directly enacted by the General Assembly through state statute, but most are the result of regulations promulgated by the State Board of Education or standards adopted by the Pennsylvania Department of Education. The State Board is the regulatory arm of the Department. Established in 1963 and reconstituted in 1988, Pennsylvania’s State Board is the nation’s largest, with 21 voting members, 17 of whom are nominated by the Governor and confirmed by the state Senate for overlapping, six-year terms, and four of whom are the chairs and minority chairs of the House and Senate Education Committees. The Board also includes five non-voting members—the Chair of the Professional Standards and Practices Commission and four students.⁶⁴ It is important to note that the state has delegated significant policy-making authority to the state’s 500 local school districts.

- ❖ The arts are among the core academic subjects for which the State Board of Education has adopted statewide **academic standards**. The arts and humanities standards were first adopted in 2002 (and took effect in January 2003) and include descriptions of what all Pennsylvania students should know and be able to do in art, music,

“The arts represent society’s capacity to integrate human experience with individual creativity.”
—Pennsylvania arts standards

dance, and theatre in grade spans ending at grades 3, 5, 8, and 12. These expectations include production, performance and exhibition in the arts; historical and cultural contexts; critical response to the arts; and aesthetic response to the arts. According to the standards themselves: “The arts represent society’s capacity to integrate human experience with individual creativity. Comprehensive study of the arts provides an opportunity for all students to observe, reflect and participate both in the arts of their culture and the cultures of others. Sequential study in the arts and humanities provides the knowledge and the analytical skills necessary to evaluate and critique a media-saturated culture. An arts education contributes to the development of productive citizens who have gained creative and technological knowledge necessary for employment in the 21st Century.”⁶⁵

- ❖ Since the State Board instituted standards-based reforms beginning in the early 1990s, state policy has not been very prescriptive with respect to **PK-12 curriculum and instruction**. State policy has left in the hands of local school officials decisions about specific courses students are required to pass. There are some reasonably general state requirements:

All instruction must be aimed at helping students achieve the state’s academic standards including those in the arts and humanities.⁶⁶

Public elementary students must receive instruction every year in art, music, dance, and theatre—either in separate courses or integrated into other instruction.⁶⁷

Public middle level students must receive instruction at some point in the arts (including art, music, dance, and theatre)—either in separate courses or integrated into other instruction.⁶⁸

Public high school students must receive instruction at some point in the arts (including art, music, dance, and theatre)—either in separate courses or integrated into other instruction.⁶⁹

All other decisions about course content, separate or integrated instruction, and numbers of courses students must complete are made by local school districts.

Nonpublic religious schools must teach music and art to all their students.⁷⁰

Students who are home-schooled must receive instruction in music and art and must have the equivalent of two years of instruction in the arts between 9th and 12th grades in order to graduate from a home school program.⁷¹

- ❖ State policy on **student assessment** clearly leaves responsibility for assessing student learning in the arts up to local districts. The state assesses students in reading, mathematics, writing, and science at various grade levels and requires that districts develop local assessment plans to determine how well students are meeting state academic standards in all subjects and grades not assessed by the state. The regulatory language governing local assessment systems allows for assessments of works of art or musical, theatrical or dance performances by students; other demonstrations, performances, products, or projects by students; and portfolios of student work.⁷²

Discussions with educators at the AEI Symposium and the Regional Community Forums and feedback from superintendent surveys suggest that few districts have well-developed systems for assessing the arts. Whatever their quality, these local assessment systems are to be incorporated into district strategic plans that are developed locally and submitted to PDE, but that are not subject to state approval.



Bronze Box,
Kyle Piskula. 2011.
Parkland High School.

❖ While state policy on **high school graduation requirements** is evolving, the determination of what courses a student must pass in order to graduate continues to be a local determination. This is true in all subject areas, not just the arts, so while some have urged us to recommend a statewide arts course graduation requirement, it does not make sense to do so unless we also propose required courses in all curricular areas—something that is well beyond the scope of this report. Currently, students must successfully complete required courses specified by their districts and demonstrate proficiency of the state standards on state Pennsylvania System of School Assessment (PSSA) exams in 11th grade or local assessments aligned with the state standards.

They must also complete “a culminating project in one or more areas of concentrated study under the guidance and direction of the high school faculty. The purpose of the project, which may include research, writing, completion of a college application or some other appropriate form of demonstration, is to assure that the student is able to apply, analyze, synthesize and evaluate information and communicate significant knowledge and understanding. Projects may be undertaken by individual students or groups of students.” Authentic, project-based learning that really challenges students to analyze, synthesize, evaluate, and communicate will contribute to developing precisely the skills those students will need for success in the world today and tomorrow. In February 2012, PDE proposed to the State Board that the culminating project requirement be repealed.

Beginning in 2013-14, the assessment requirements will be expanded to include passage of a series of statewide end-of-course exams (known as Keystone Exams), Advanced Placement tests, or International Baccalaureate assessments. Districts choosing to use local assessments will need to have them validated for alignment with state standards and assessments. The state has no plans to develop a Keystone Exam or its equivalent in the arts.⁷³

❖ State policy on **teacher preparation and certification** is set forth in State Board regulations (Chapter 49) and PDE standards. The State Board regulations establish general requirements for anyone wishing to obtain a teaching certificate, regardless of the grade level or subject to be taught.⁷⁴ The more detailed requirements are contained in PDE’s program-specific standards that guide the approval of baccalaureate and post-baccalaureate programs designed to prepare future teachers for their careers. PDE has approved teacher education programs at 93 colleges and universities based upon these standards. Currently 31 of these institutions offer certification to teach art, and 38 offer certification to teach music.⁷⁵

Changes in state requirements in recent years have caused many teacher preparation programs to add



courses to help new teachers better understand the specific developmental needs of children they will teach and prepare them to teach children with disabilities and English language learners. Anecdotal evidence suggests that one result has been a reduction in courses that prepare arts teachers and elementary teachers who teach the arts.

It is significant that Pennsylvania does not offer certification in theatre (theatre is not a common subject in schools, and drama is generally taught by English teachers) or dance (most often taught by health and physical education teachers), although there are academic standards for both areas. There are 24 states with certification in dance and 27 with certification in theatre.⁷⁶ Furthermore, in many elementary schools across the state, the arts are integrated into the curriculum and taught by elementary classroom teachers, whose preparation does not require any specific art or music content (although there is a recommended three-credit course on arts integration for prospective PK-4th grade teachers).⁷⁷

- ❖ In recent years, state policy governing **professional development** for both teachers and administrators has become more explicit. All teachers are required to complete the equivalent of 180 hours of professional development every five years, and administrators are required to complete the Pennsylvania Inspired Leadership (PIL) program. The former is now limited to increasing teacher content knowledge, pedagogical skills, and use of data to improve instruction, and the latter is a prescribed curriculum that is precisely focused on instructional improvement in schools. PDE is required to provide at least 40 hours of no-cost professional development annually,⁷⁸ which it has done online. However, Act 24 of 2011 suspended virtually all professional development requirements for two years.⁷⁹ For many years, PDE provided a series of summer institutes for teachers of various subject areas including the arts, but they were discontinued in 2008.
- ❖ In addition to these specific areas of state policy, the **Department of Education** has provided varying degrees of **leadership** over the years.

In the mid-1970s, PDE had a division of seven professionals devoted to supporting arts and humanities instruction in the schools. That number declined steadily over the years, and for 11 years (until 2010) there was only a single arts advisor on staff at PDE, although two positions were authorized. Since she left the Department in 2010, that position has remained vacant. Some of the arts advisor's duties have been assumed by a part-time consultant under contract to PDE, but no one in the Department has a full-time focus on promoting and supporting arts education in the state.

During the past few years, PDE has worked with educators across the state to develop a continuously evolving online architecture for school improvement known as the Pennsylvania Standards Aligned System (SAS). The portal provides educators with information about and examples of standards, curriculum frameworks, instruction, materials and resources, assessments, and safe and supportive schools.⁸⁰

In 1973, PDE established the Pennsylvania Governor's School for the Arts to provide an intensive, five-week learning experience for high school students from across the state who demonstrated extraordinary interest and talent and showed great promise in the arts. Over the years, the Governor's School provided over 10,000 young people with opportunities to develop their artistic talents, intellects, self-confidence and leadership. Prominent alumni include the composer Aaron Jay Kernis (who won the 1998 Pulitzer Prize for Music), the novelist Alice Sebold, and the actor Kevin Bacon, in addition to many who ultimately distinguished themselves in fields other than the arts. State funding was eliminated, and the school was discontinued in 2009.

- ❖ The **Pennsylvania Council on the Arts** is the state's official arts agency. Among other responsibilities, it provides considerable support to schools across the state through its Arts in Education program.

The Arts in Education program operates through a network of 12 regional AIE partner organizations across the state (a map showing the location of these partner regions appears in Appendix D).


PCA provides funding for arts in education residencies in which professional artists work directly with teachers and their students in school settings.

PCA's regional AIE partners maintain directories of artists who are available and prepared to work in the schools.

PCA offers professional development opportunities to artists and arts educators.

PCA administers Poetry Out Loud in Pennsylvania, in conjunction with the National Endowment for the Arts and the Poetry Foundation. This contest encourages the nation's youth to learn about great poetry through memorization and recitation and helps students master public speaking skills, build self-confidence, and learn about their literary heritage.

- ❖ The Department of Community and Economic Development (DCED) administers the Educational Improvement Tax Credit (EITC) program through which corporations can receive credits against their state taxes for contributions made to private school scholarship programs or to organizations that provide innovative public education programs, including arts education.⁸¹ One-third of the \$75 million annual authorization is reserved for public education innovations, and many arts education organizations are beneficiaries of some of these tax credits.



Despite this array of policies regarding the arts and education, there are some notable gaps. And the state has a troubling record of not implementing or enforcing its own policies, essentially rendering moot what might otherwise be effective approaches to promoting the arts and education in Pennsylvania schools and communities.

