

**Lisa Cataldi**

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**From:** Scott Shuler <shulernafme@gmail.com>  
**Sent:** Monday, January 22, 2024 4:52 PM  
**To:** House Education Committee  
**Subject:** Please support H-7020, the Transparency in Arts Access and Proficiency Act  
**Attachments:** 24 01-22 Support RI Arts Transparency Access Proficiency Act.pdf; Core Subjects include arts - Students' Civil Right - S Shuler June 2012 MEJ column.pdf

A copy of my testimony is attached, and also appears below:

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Dear House Education Committee Members:

I am writing to each of you as a retired teacher, central office administrator, and Connecticut State Department of Education curriculum specialist, to urge you to support H-7020, the Transparency in Arts Access and Proficiency Act.

*The arts are indisputably a core subject.* You will find factual support for this assertion in the attached article, which includes a table demonstrating that every major policy document at the national level has included the arts within the core. Any student deprived of a high-quality education in any “core” area suffers a lifelong void. The fact that students in less affluent districts are more likely to experience such voids in their education makes study of the entire core a critical civil rights issue. Every student must receive a high-quality education in the arts, or lead a life that is less fulfilling... with a hole in his/her soul.

One of my duties in Connecticut’s DOE was to co-lead the state’s secondary school reform efforts, so I had an opportunity to review a broad array of research and policy documents pertaining to school improvement and reform. (By the way, few if any high schools in CT have less than a seven-period school day, and some offer as many as nine, which means that CT students can complete at least 7 or more credits of coursework each year or 28 credits prior to graduation. Rhode Island’s students need the same opportunity.)

Shortly after Rhode Island’s education agency issued its draft high school graduation document for public comment, I discussed the document and the policy issues it presented with a very young and understandably overwhelmed RI DOE staff member who was leading Rhode Island’s efforts in this area. The issues RI faced were identical to those we had faced in CT, but the draft RI proposals contained problematic rigidity that we had debated and (mostly) avoided in CT. CT legislation built in greater flexibility so students could elect sequences of courses that deepened their learning in areas of interest, including the arts. The comparative rigidity of Rhode Island’s graduation requirements inadvertently fell victim to the “Law of Unintended Consequences” by severely restricting student choice, which caused collateral damage to students’ arts study. One example is the fact that it is almost impossible for students interested in CTE to maintain their arts study, a huge obstacle to their success in our 21<sup>st</sup> century society wherein technology provides the delivery system and the arts provide so much of the content. In such cases, and in vocational schools that

fail to offer a complete core curriculum, students will suffer a lifelong void that is arguably a civil rights issue.

H 7020 offers a path for the legislature to rectify many of the Unintended Consequences of current RI education legislation, by:

1. increasing access and strengthening opportunity in the arts,
2. addressing the need for citizens to have access to key already existing data about their children's arts opportunity, and
3. providing a staff person in the DOE to assist schools in improving their students' arts education.

As someone who served as arts consultant in the CT DOE for more than two decades, I can tell you that with certainty that having a full-time arts specialist in a state's education agency makes a huge difference, and that Rhode Island has long been one of the few states in the U.S. lacking such a staff person. This bill provides an opportunity for the legislature to correct past oversights and ensure a higher-quality, more complete core education for every Rhode Island student.

Sincerely,

*Scott*

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## Music Education for Life : Core Music Education: Students' Civil Right

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What is This?

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## Core Music Education: Students' Civil Right

by Scott C. Shuler, NAFME President



Photo by Jenna Wedge

As educators, we are obligated to stand up for children—to point out when the self-declared local “education emperor” (or mayor or governor) has no clothes. The so-called reform movement has turned some local districts into a Wild West where schools share no common or sequential curriculum and all that matters is test scores. It is high time for policymakers to heed the words of John Lubbock, who said, “Reading and writing, arithmetic and grammar do not constitute education any more than a knife, fork and spoon constitute a dinner.”

Music educators must join hands with others who are concerned about the direction of public education, to convince legislators and school leaders that all students

in publicly funded schools must receive a balanced education. It should not matter whether children attend a science magnet middle school, a for-profit elementary charter school, or a technical high school specializing in left-handed pipefitters: **every child has a right to master the core curriculum.** This right is THE most important non-negotiable in education. Furthermore, students' learning in each core area should progress sequentially across grade levels and schools.

I have therefore chosen to focus my final presidential column on children's right to study music, a core subject. Children simply cannot achieve success, much less lead full lives, without a balanced education that includes music and the other arts.

- How have education “reform” policies affected student' access to high-quality music education?
- What does it mean for a subject to be “core”?
- Which subjects are “core”?
- Do students have a civil right to an arts education?
- What can caring adults do to support that right?

### Closing the Gap, or Widening the Chasm?

Have you been following the nationwide conversation about “The Achievement Gap”? Certain populations of students—particularly children of poverty, a group that includes many minority children—are not receiving the education they need and deserve. As a result, their academic performance falls well below that of children in more affluent communities.

Closing this gap was a primary motivator behind the federal education legislation known as No Child Left Behind (NCLB) that was enacted early in President George W. Bush's administration, and it continues to be a recurring theme during the Obama administration. The debate continues as to whether NCLB has reduced the achievement gap in the 3Rs of reading, writing, and arithmetic, but it clearly has not improved students' arts education.<sup>1</sup> On the contrary, recently released data confirm that a decade of obsessive emphasis on standardized test scores has *widened* the opportunity-to-learn gap in music and the other arts.

On April 2, 2012, the U.S. Department of Education released the report *Arts Education in Public Elementary and Secondary Schools: 2009–10*.<sup>2</sup> This report is based on a comprehensive nationwide survey and provides the single best available summary of the condition of arts programs. Because the survey is repeated periodically, it also enables us to track changes and trends.<sup>3</sup>

The good news is that 91 percent of America's schools provide music education taught by a licensed music teacher. Some 57 percent of high schools require their students to fulfill arts requirements for graduation.

The bad news is that students in the lowest socioeconomic quartile (25 percent) are far less likely to receive a music education. Research shows that these are the very students who benefit most from study of music and the other arts.<sup>4</sup> Worse still, their opportunities for music study have decreased significantly since the last federal survey in 1999–2000. As Education Secretary Duncan remarked during the public release of the survey,

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In the last decade, high poverty secondary schools suffered a big drop in music instruction. A decade ago, 100 percent of high-poverty secondary schools offered music instruction. Only about 80 percent do so today.

And even when high-poverty secondary schools do offer music, their students have far fewer opportunities to learn music than middle-class and affluent students.<sup>5</sup>

Why has poor children's access to arts education actually *decreased* over the past decade of school reform? Although some erosion of arts programs can be blamed on our recent economic recession, the seeds of neglect have been sown and nurtured by policymakers. Narrow priorities outlined in federal education legislation and grant and waiver guidelines have created a coercive environment in which school leaders feel compelled to sacrifice music and other nontested programs to increase instructional time and staffing for 3Rs test preparation.

Thus, in a classic example of the law of unintended consequences, well-intentioned efforts to close the 3Rs gap have inadvertently caused a *chasm* in arts opportunity. While policymakers pay lip service to balanced education, they continue to enact legislation that effectively narrows curriculum. Collateral damage from such legislation has unbalanced students' education. Unless we change course, at some point in the future historians may refer to this as the era of American education *deform*.

One of the saddest ironies of America's so-called school reform movement is that so many of its most vociferous proponents—while claiming to improve America's twenty-first century competitiveness—promote a curriculum whose narrowness is reminiscent of the nineteenth-century, one-room schoolhouse. Music education is not the only area of the curriculum that has suffered as a result. Learning opportunities in social studies, world languages, and physical education have also been among the casualties.

Policymakers have failed to consider several critical questions, among them the following:

- Do current reform initiatives recognize that *the definition of "literacy" is evolving* in the twenty-first century? Perhaps acknowledge that we live in a multimedia society, where communication occurs in a wide variety of forms? That the arts are essential communications media? Alas, policymakers continue to push what was referred to during the time of Abraham Lincoln as "readin', writin', and cipherin'". Worse yet, states continue to measure mastery of the traditional 3Rs via standardized tests that promote convergent, rather than creative, thinking.
- *Why continue to push STEM* (science, technology, engineering, and mathematics), when 65 percent of all engineering and science graduates from American universities fail to find employment in those fields?<sup>6</sup> Meanwhile, future-minded visionaries, such as Daniel Pink and Thomas Friedman, insist that students need the creativity and skills cultivated by arts education to achieve economic success.<sup>7</sup> Forward thinkers therefore suggest that policymakers add *A for arts* to STEM, to create STEAM.<sup>8</sup>
- Have schools increased students' study of history and civics, to *prepare engaged citizens* who value thoughtful public discourse and disdain the bitter partisanship that has hamstringed Congress? On the contrary, schools have increasingly left social studies behind in favor of test preparation.
- *Why promote charter schools?* Although originally intended to provide laboratories for innovation that could be implemented in regular public schools, somewhere along the way, charter schools have become the darlings of ideologically driven school reformers. The charter movement persists, with significant support from privately funded advocacy groups, in spite of repeated metastudies indicating that such schools do not outperform regular public schools.<sup>9</sup> Worse yet, with the exception of arts-themed schools, charters are notoriously unlikely to offer a balanced curriculum that provides students with a quality arts education (see Figure 1).<sup>10</sup>

Because charter schools are disproportionately likely to enroll poor children in urban districts, their narrow curricula further contribute to the arts opportunity chasm.

We live during a time when an increasing number of adults experience multiple career shifts. Preparation for success requires students to cultivate a wide variety of personal interests and talents that they will be able to assemble and reassemble over time, to meet the demands of unpredictable future employment needs and opportunities. Only a rich and balanced curriculum can prepare our children for the decathlon of life in the twenty-first century.

Unfortunately, even as the world becomes more complex, our state and national leaders continue to grasp at simplistic solutions that fail to serve students' needs. In some states, it does not matter whether a school's teachers are properly trained and certified or merely hold online bachelor degrees. Schools are considered successful as long as their standardized test scores are high, even if they subject their students to an impoverished curriculum of mind-numbing drills and rote memorization. In some districts, the staff of such a lifeless school might even be rewarded with performance bonuses. Such child-hostile approaches to raising test scores have deservedly come to be referred to as "scorched earth education policy."<sup>11</sup>

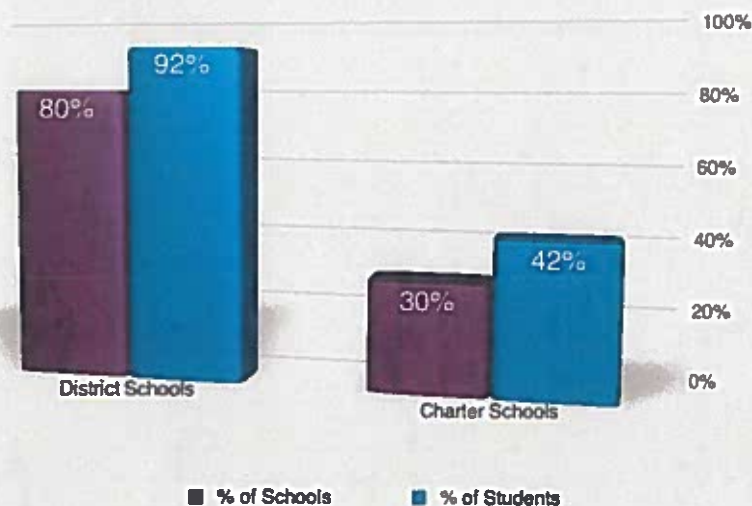
Thankfully, an increasing number of educators and other citizens are speaking out against this devastation of our schools, notably including former Bush administration education official Diane Ravitch. Decrying the damage that has been done to public education by reform strategies based on ideology, Ravitch has urged a more reasoned, research-based approach that also respects the experience and expertise of educators. She speaks often about children's need to study the arts.<sup>12</sup>

## Consensus "Core" Subjects

My WordWeb dictionary defines *core* as "a small group of indispensable persons or things." Core subjects are those that every student needs to learn.

**FIGURE 1**

**% of Schools with Highly Qualified Music or Visual Arts Teachers**



Source: Arts Education in Arizona Public Schools: The Highlights from the Arizona Arts Education Census Project (2010)

Missing out on the study of a core subject undermines a student's potential to achieve success as a future citizen, as a participant in the workforce, and as a human being. Schools must therefore keep all core subjects on their priority list as they hire expert staff, allocate funding, distribute instructional time during the regular day, design professional development, and otherwise provide an infrastructure that ensures a quality education for all students.<sup>13</sup>

Which subjects are "core" subjects? We music educators would certainly contend that study of the arts/music fits the above definition of *core*. Happily, just about everybody else who matters shares our point of view. In fact, there is surprising consensus among policymakers about which subjects are "core."

Table 1 summarizes lists of core subjects published in several of the most important educational policy documents of our time. Because the arts are core, and music is one of the four art forms defined in state and national standards, *music is core*.

### Arts Education: A Civil Right

Before we examine the civil rights issue, let me summarize what we have established thus far:

1. Core subjects are those that are essential for *all* students to learn, regardless of their current career plans or life aspirations.
2. The arts are core subjects.
3. Music is an art form, so music is a core subject.
4. Many students lack access to music/arts education.
5. There is a *pattern* among students who lack access: poor and minority students are far less likely to receive *any* arts education, much less a high-quality arts education.

Harvard education professor and occasional *Education Week* blogger Meira Levinson identifies an emerging broad consensus that education is a civil rights issue:

I've been struck by the astounding bipartisan resonance of this phrase, that education is the "civil rights issue of our time." President Barack Obama and Secretary of Education Arne Duncan have both invoked the phrase from the left, as have President George W. Bush, Abigail and Stephen Thernstrom, and Rod Paige on the right.<sup>14</sup>

If arts education is a core subject, and poor students are being systematically denied the opportunity for arts learning, then those students' civil rights are being violated. I have made this assertion often while traveling around our country, representing you as NAFME president. I was therefore thrilled to hear Secretary of Education Duncan support this stance in impassioned remarks at the April 2 release of federal arts survey results: "Unfortunately, the arts opportunity gap is widest for children in high-poverty schools. This is absolutely an equity issue and a civil rights issue."<sup>15</sup>

Kentucky's Supreme Court, when confronted with extreme inequities in access to curricular content among its children, ruled that all public schools should be held accountable for teaching all core subjects, including the arts.<sup>16</sup>

How will we remedy similar injustice on a nationwide scale?

### Turn Moral Outrage into Positive Change

How does any society right a fundamental wrong? Change always begins with a few passionate, well-organized individuals who reach out to one another and inspire others to join them. As professionals trained to teach and motivate, as members of communities interested in the well-being of children, and as articulate voters we each have the power not only to help, but to lead. Together we can persuade policymakers to enact laws and regulations that make a balanced, high-quality curriculum a non-negotiable expectation in every publicly funded school.

First and foremost, we must teach our students well. With care for the needs and interests of each individual, we must help

**TABLE 1**

**Core Subjects All Students Should Study According to Leading Educational Organizations**

College Board: The Basic Academic Subjects for College Preparation <sup>a</sup>	National Education Goal 3: Core Subject Matter <sup>b</sup>	Federal "No Child Left Behind (NCLB)" Act: Core Academic Subjects <sup>c</sup>	NASSP: Essential Learnings for High School Graduation <sup>d</sup>	U.S. Department of Education: High School Courses Recommended for College <sup>e</sup>
English	English	English and Reading	Literature	English
<i>The Arts</i>	<i>The Arts</i>	<i>The Arts</i>	<i>The Arts</i>	<i>Visual and Performing Arts</i>
Mathematics	Mathematics	Mathematics	Mathematics	Mathematics
Science	Science	Science	Science	Laboratory Science
Social studies	History, Geography, Economics, Civics and Government	History, Geography, Economics, Civics and Government	Social studies	History and Geography
Foreign Language	Foreign Languages	Foreign Languages	Language	Foreign Languages

- a. The College Board, *Academic Preparation for College: What Students Need to Know and Be Able to Do* (New York: The College Board, 1983).
- b. U.S. Congress, GOALS 2000: Educate America Act. Signed into law on March 31, 1994.
- c. U.S. Congress, No Child Left Behind Act (ESEA). Signed into law on January 9, 2002.
- d. National Association of Secondary School Principals and the Carnegie Foundation for the Advancement of Teaching, *Breaking Ranks: Changing an American Institution* (Reston, VA: National Association of Secondary School Principals, 1996).
- e. U.S. Department of Education, *Getting Ready for College Early* (Washington, DC: U.S. Department of Education, 1998).

them both understand and feel the power of music.

Challenging as it is to be an inspiring teacher, we owe our children, our profession, and our art form far more even than that. Advocacy is an essential, continuing part of our professional responsibilities. Music educators and others who understand the importance of the arts to our nation's children must constantly remind those less enlightened of that need. Frustrating as the ignorance of other adults can be, music educators need to kindle a flame to brighten their darkness, just as we do daily for our students. To aid in that process, members and music supporters can use the powerful advocacy resources available on the NAFME website.

Because we are stronger together, we must build partnerships with our colleagues in other content areas, with our communities, and with school leaders who care about children's needs.<sup>17</sup> Your National Association for Music Education provides a model of this kind of partnership building, as it has successfully brought other music education organizations into the Music Education Advocacy

Roundtable and organized professional associations in other nontested subject areas to lobby Congress.

Does your state MEA reach out to other statewide arts organizations? Perhaps to sister organizations in social studies, world language, and physical education? If not, offer to help your state MEA executive board build a coalition that can affect legislation in your state. Work with others to articulate a clear agenda on behalf of students, then make it happen. For example, do your state's statutes require that every student receive an education that includes all core subjects? If not, find legislators who are willing to sponsor balanced-curriculum legislation. Polls suggest that this is a popular idea—voters want a well-rounded education, for their own children and for others.<sup>18</sup>

To increase the power of our voices, we need to organize and communicate effectively. To become part of that network, sign up for NAFME Groundswell. Find out how by doing an online search for "NAFME Groundswell," and encourage interested colleagues and parents to do the same.

Thank you for the privilege of serving as your president. As a result of the dedicated efforts of many over the past few years, NAFME is now prepared to lead and support our advocacy efforts as never before. The rest is up to each of us . . . and our millions of students and friends, whose lives have been forever changed by music.







**NOTES**

1. Sara D. Sparks, "Panel Finds Few Learning Benefits in High-Stakes Exams," *Education Week* 30, no. 33 (June 8, 2011): 1, 14.
2. *Arts Education in Public Elementary and Secondary Schools: 1999-2000 and 2009-10*. Visit <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2012014> to learn more.
3. See <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2012014>
4. James S. Catterall, Susan A. Dumais, and Gillian Hampden-Thompson, *The Arts and Achievement in At-Risk Youth: Findings from Four Longitudinal Studies* (Washington, DC: National Endowment for the Arts, 2012), <http://www.nea.gov/research/Arts-At-Risk-Youth.pdf>.

5. Prepared remarks of U.S. Secretary of Education Arne Duncan on the report "Arts Education in Public Elementary and Secondary Schools: 2009-10," <http://www.ed.gov/news/speeches> (accessed April 9, 2012).
6. Gerald W. Bracey, "Research: On the Shortage of Scientists and Engineers," *Phi Delta Kappan* 89, no. 7 (March 2008): 536-38.
7. Daniel Pink, *A Whole New Mind: Why Right-Brainers Will Rule the Future* (New York: Penguin Group, 2006); and Thomas L. Friedman, *The World Is Flat: A Brief History of the Twenty-First Century* (New York: Picador, 2007).
8. Joseph Piro, "From STEM to STEAM: The Arts Have a Role in America's Future, Too," *Education Week* 29, no. 24 (March 10, 2010): 28-29.
9. Nirvi Shah, "Study Shows Charter Networks Give No Clear Edge on Results," *Education Week* 31, no. 11 (November 9, 2011): 19; and Jaclyn Zubrzycki, "Studies Find Charters Vary in Quality, Creativity," *Education Week* 31, no. 23 (March 23, 2012): s7, s8, s9.
10. *Engaging Students, Supporting Schools, Accessing Arts Education: Highlights from the Arizona Arts Education Census*. Arizona Arts Education Research Institute (July 2010); Rick Hess, "Straight Up: Charter Schooling and Citizenship," *Education Week* (blog), May 20, 2011, [http://blogs.edweek.org/edweek/rick\\_hess\\_straight\\_up/2011/05/charter\\_schooling\\_citizenship.html?qs=charter+school+arts+curriculum](http://blogs.edweek.org/edweek/rick_hess_straight_up/2011/05/charter_schooling_citizenship.html?qs=charter+school+arts+curriculum).
11. Richard Kessler, "More Scorched Earth Education Policy: San Diego to Cut All Elementary Arts Teachers," *Dewey21C* (blog), March 7 2011, [http://www.artsjournal.com/dewey21c/2011/03/more\\_scorched\\_earth\\_education.html](http://www.artsjournal.com/dewey21c/2011/03/more_scorched_earth_education.html).
12. Diane Ravitch, *The Death and Life of the Great American School System: How Testing and Choice Are Undermining Education* (New York: Basic Books, 2010).
13. Scott C. Shuler, "When No Curriculum Is Left Balanced the Needs of Children Are Left Behind," *Connecticut Journal of Educational Leadership* 1 (Fall 2003): 45-52.
14. Meira Levinson, "Why Education Is Not 'the Civil Rights Issue of Our Time,'" *Education Week* (blog), January 20, 2011, [http://blogs.edweek.org/edweek/rick\\_hess\\_straight\\_up/2011/01/](http://blogs.edweek.org/edweek/rick_hess_straight_up/2011/01/)

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15. Prepared remarks of U.S. Secretary of Education Arne Duncan on the report "Arts Education in Public Elementary and Secondary Schools: 2009-10," <http://www.ed.gov/news/speeches> (accessed April 9, 2012).
  16. *Rose v. Council for Better Education*, 790 S.W.2d 186. Further information at

- [http://www.schoolfunding.info/states/ky/lit\\_ky.php3](http://www.schoolfunding.info/states/ky/lit_ky.php3).
17. Scott C. Shuler, "Music for Life: Banding Together to Weather Tough Times," *Music Educators Journal* 97, no. 2 (2010): 6.
  18. Lowell C. Rose and Alec M. Gallup, "PDK/2005 Gallup Poll of the Public's Attitudes toward the Public Schools" (2005), <http://www.pdkintl.org>.