



**Advocacy  
Toolkit**

## **Arts Education Advocacy**

### **Section 1: How Arts Education Decisions Are Made in Kentucky's Public Schools**

There are a good number of steps that take place prior to implementation of arts instruction in public school classrooms in Kentucky. Many of these steps define what that instruction will look like for students. It is important for arts advocates to know how this takes place and how individuals or organizations can influence decisions that are made that define arts instruction in Kentucky classrooms. Below are descriptions of the different decision-making levels that ultimately determine what will occur in arts classrooms. Each of these levels represents a point for advocacy.

#### **It's the Law: Capacities and What Students Are Entitled To**

Ultimately, the Kentucky General Assembly determines what students in the Commonwealth are entitled to in education, including arts education. Statutes governing education have been in place since the Kentucky Education Reform Act of 1990 that determine what common schools do in Kentucky. These statutes are modified at the discretion of the general assembly during legislative sessions. A complete listing of all Kentucky Revised Statutes that impact education, as of 2020, can be found here: <https://law.justia.com/codes/kentucky/2020/chapter-158/>

Kentucky Revised Statutes (KRS) that impact arts education include KRS 158.645, which defines capacities required of students in the public education system. Among those capacities is **“(6) a sufficient grounding in the arts to enable each student to appreciate his or her cultural and historical heritage.”** In order to meet this required capacity, students must be provided that “grounding” in the arts.

KRS 158.6451 defines goals for Commonwealth schools - Model curriculum framework. In this statute it is stated that **“Schools “shall” develop their students’ ability to:”** and then lists seven specific goals “required” of schools. Goal number seven is: **“(7) Express their creative talents and interests in visual arts, music, dance, and dramatic arts.”** This clearly is a mandate that schools provide opportunities for students to pursue their interests in the arts.

Arts education advocates work with legislators and Senate and House leadership to influence laws that directly impact arts education. An example of that influence is the addition of the above-mentioned seventh goal in 2009 after arts education advocates worked with legislators to strengthen goals to meet student needs in the arts.

## It's in Regulation: How Statutes Are Implemented

Once statutes on education are established, the Kentucky Board of Education (KBE) is responsible for determining how they will be implemented in schools. The KBE then approves a Kentucky Administrative Regulation (KAR) to give local school districts direction as to how the related law(s) will be implemented in schools. Each regulation goes through a process of multiple readings by the KBE, a public hearing and a final vote, then it is sent to a legislative committee for approval before it finally becomes regulation. A complete listing of Kentucky Administrative Regulations for the Department of Education can be found here: <https://apps.legislature.ky.gov/law/kar/TITLE704.HTM>

704 KAR 3:303. Establishes required academic standards. This regulation addresses multiple statutes, as do most regulations. This regulation relates to all of the following statutes:

*KRS 156.070, 156.160, 158.6451, 158.6453, 160.290, STATUTORY AUTHORITY: KRS 156.070, 156.160, 158.6453, 160.290, NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board of Education to establish courses of study for the different grades and kinds of common schools, with the courses of study to comply with the expected goals, outcomes, and assessment strategies developed under KRS 158.645 and 158.6451. KRS 158.6453 requires the revision of academic content standards. KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common schools and all programs operated in the schools.*

*Title 704, Chapter 8.*

*Section 1. Before graduating from a Kentucky public high school, a student shall meet the minimum content requirements established in the required academic standards.*

Simply put, the regulation is designed based on laws that have been passed through the general assembly pertaining to education, including arts education.

The Kentucky Department of Education (KDE) serves as an executive branch of government responsible for providing leadership and assistance to schools and districts in the implementation of approved administrative regulations passed through the KBE and assistance toward compliance with state and national law. On a much broader scale, the Commissioner of Education serves in a similar role as local district superintendents, to providing leadership and direction for the KBE and schools and districts across the state.

Arts advocates have opportunities for input into regulations at KBE meetings and the public hearings and through contact with KDE and state board of education members. An example of that input is reflected in the change from the previous Arts and Humanities Standards to the Visual and Performing Arts Standards in the last revision in 2015.

## It's a Local Decision: How to Enact Regulations at Schools

School districts are responsible for implementing Kentucky Administrative Regulations. Local boards of education must determine how schools in their district will enact regulation and remain in compliance with the laws governing education. While many decisions are made at the local board of education level, a number of them are in the hands of school-based decision making councils (SBDM) at the school level.

There still remains a certain amount of flexibility at the local level as to how to implement administrative regulations. This is intentional on the part of the KBE in consideration of the various sizes and configurations of school districts across the state.

Districts and schools must create policies which are specific to the district and school that remain in compliance with the Kentucky Revised Statutes and Administrative Regulations of Kentucky, while retaining some decisions based on those mandates. For example, SBDM councils are responsible for making decisions on the curriculum that will be offered at their school and the schedule the school will use. While the district determines the school year calendar, the SBDM council determines the daily schedule. This authority is given to them based on statutes and regulations.

KRS 160.345, which defines the responsibilities of school districts and SBDM councils, can be found here: <https://education.ky.gov/districts/SBDM/Pages/default.aspx>

Arts education advocates have opportunities for input at several local levels. The local board of education will establish policies for the operation of the district and schools. Advocates can contact the Superintendent and school board members and/or attend meetings to provide input in for adoption/revision policies. For decisions made at the school level, contact with the school Principal and SBDM council members and attendance at SBDM meetings are all ways to influence school level policy.