

Proposition 28: Arts and Music in Schools (AMS)



Local Educational Agencies and Governing Board Reference Guide

California Department of Education, February 2024

Funding Restrictions



All funds must be used to supplement funding for arts education programs. For the purpose of this program, “supplement” means that local educational agencies (LEAs) increase funding of arts education programs and not to supplant existing funding for those programs (California *Education Code (EC)* Section 8821[e]).

Unless a waiver is granted from the California Department of Education, LEAs with more than 500 pupils must expend at least 80 percent of the funds to employ certificated or classified employees to provide arts education instruction and the remaining funds for training supplies, curriculum, professional learning, materials, and arts educational partnership programs. Additionally, no more than 1 percent of funds received may be used for an LEA’s administrative expenses, including indirect costs, to implement this program.

Annual Reporting Requirements

The following reports are annual (plus a final expenditure report):



- **Expenditure plan-** This is completed at the school site. It is not mandated to be publicly posted or submitted to the state.
- **Annual report-** This is completed by the LEA. It must be board approved and submitted to the state.
- **Annual certification-** This is completed by the LEA. It is not mandated to be publicly posted, but records of the certification need to be kept for the annual audit.

Waiver

The state may grant a waiver from the funding requirements of *EC* Chapter 5.1, Section 8820, subsection (g)(1) for good cause shown.

LEAs will submit a written waiver once for each allocation year within the three-year expenditure period.

Audit Procedure

AMS funds are subject to annual audits starting in the 2023-24 fiscal year.

The audit guide is under development and will be available spring of 2024.

How to Support Schools



Provide Legal Advice

Provide local guidance based on specific needs and history.



Professional Learning For New Hires

As schools hire new employees, provide training opportunities.



Involve Schools in Report Template Development

To expediate annual data gathering, include schools in template production.



Create Spaces to Share Implementation Across the LEA

As programs develop and overcome barriers, allow for sharing of best practices.

Additional Resources

Proposition 28—Arts and Music in Schools Funding

<https://www.cde.ca.gov/eo/in/prop28artsandmusicedfunding.asp>

Proposition 28—Arts and Music in Schools FAQs

<https://www.cde.ca.gov/eo/in/prop28artsandmusicedfundingfaq.asp>

Proposition 28—Arts and Music in Schools Statute

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=1.&chapter=5.1.&part=6.&lawCode=EDC&title=1

