



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY
12234
Office of P-12 Education

Office of Accountability
Title I, School and Community Services
Room 365 EBA
Tel. (518) 473-0295 / Fax (518) 486-1762

NYS Field Memo
#01 – 2013

To: District Superintendents
Superintendents of Public Schools
Title I Coordinators

From: Roberto Reyes

Subject: Arts in Education Field Guidance: Strategies for use of Arts Instructional Programs in Support of Title I, Part A Program Requirements

Introduction

Increasingly, the State Education Department is being asked how or if Title I, Part A program funds can be used to support Arts Education. In response to these requests, the Department has consulted with other State Educational Agencies and staff at the United States Department of Education (USDE). This field guidance is being provided to assist Local Educational Agencies (LEAs) with implementation of supplemental activities through the arts that are allowable under Title I to promote student progress in developing the knowledge and skills necessary to meet accountability standards for core subject areas such as ELA, Math, and Science. These supplemental activities may take place in grade levels in which state tests are not administered in core subjects, provided that the knowledge and skills gained by students participating in Title I programs will lead to increased academic achievement.

The first test of whether Title I funds may be used for a particular activity is how that activity fits within the context of Title I regulations. The purpose of Title I is to improve the academic achievement of low-income students who are failing, or most at risk of failing, to meet State academic content and achievement standards. Accordingly, an activity supported with Title I funds must be designed to further this purpose consistent with Title I's other requirements.

To determine whether Title I funds may support the arts, an LEA must analyze such use in the context of its Title I program and the learning needs of its students. Depending on those needs, an LEA may use Title I funds to support the arts provided those activities are part of an instructional strategy that is designed to improve the academic achievement of eligible at-risk students so they can meet the State's academic standards in tested subjects. By using Title I funds for the arts, the activities supported must focus on the identified needs of eligible at-risk children and supplement and not replace services that the LEA would provide to these children in the absence of Title I funds. An LEA may not use Title I funds to

support the LEA's basic arts program that has been or is currently being supported with State and local funds.

The following Q&A is intended to provide examples of how Title I, Part A funds may be used to support the integration of Arts Education into the core content instructional program in a **supplemental** context. In general, if a particular service/activity meets the scientifically-based research requirements in ESEA and is not part of the required academic coursework that results in credit being awarded, then the service/activity may be allowable under Title I.

NOTE: Title I funds to supplement arts education can be used to serve ALL students only in a Title I Schoolwide Program school. Title I funds to supplement arts education in a Targeted Assistance school are restricted to serve only Title I-eligible students.

Question #1:

Can an LEA use Title I funds to pay for a full-time dance teacher?

Answer #1:

It depends. If the LEA can demonstrate that the dance teacher is working with eligible students (in a Targeted Assistance School) to provide supplemental instruction leading to success in state-tested core content using dance and related techniques to illustrate key points, then such an expense could potentially be allowable. Examples include: incorporating science standards by learning interdisciplinary problem solving that relates childhood obesity to exercise or by investigating human organ systems and their interactions through exercise, or ELA and/or social studies standards by investigating complex text related to the history of forms of dance, or creating an evidence-based biography on the life of an individual dancer, or interpreting informational text that outlines the choreography of a famous ballet routine. The proposed activity must not be a required part of a course that results in the awarding of credit or in grade promotion, but can be supported by Title I funds if the activities of the teachers are: a) supplemental to the regular education program and b) directly related to deficiencies in state-tested core academic areas.

Question #2:

Our middle school teachers would like to offer a '3-D Film Production' class to our students. We are a Title I building, and a significant number of our students have expressed interest in creating a 3-D film about our high school athletics program. We feel that this class fits within each of the seven "Guiding Principles for the Arts" under the Common Core State Standards (CCSS). Can a Title I, Targeted Assistance school use Title I, Part A funds to hire a full-time film teacher in our school?

Answer #2:

It depends. As long as the instruction offered is in a supplemental context that ties directly to helping identified students meet State learning standards and is not in itself a requirement to receive credit or for promotion to the next grade, then the proposed activity could be considered allowable. The suggestion that this is a class seems to imply that it is being offered for credit; however, since the school in question is a Targeted Assistance Program, this activity can only be offered to students who are not meeting State learning standards. If a course/activity stands alone as credit-bearing, then Title I funds may not be used to support such activities.

Question #3:

As an early education (kindergarten, pre-first, first, second grade) teacher, I gather the children around daily for read-aloud story time and provide information about the authors. I expose the children to many different authors, including Eric Carle (born in Syracuse, New York - most noted for *The Very Hungry Caterpillar*), Maurice Sendak (born and lives in Brooklyn, New York - most noted for *Where the Wild Things Are*, and Theodor Seuss Geisel (a.k.a. Dr. Seuss - born in Springfield, MA and noted for *The Cat in the Hat*). These authors offer prime examples of quality use of vocabulary, illustrations, word play, etc.

Many of the daily stories shared with the students are now movies and plays, and the authors and illustrators are featured in museums. I would like to expose my students to the use of language and the adaptations of text through these other venues. For example, instruction and assessment will reflect the "Integration of Knowledge and Ideas" CCSS reading standards as students increase proficiency in analyzing how primary text differs from movies or plays (using movies and plays as supplements to the text). May I use Title I dollars to share with them these experiences in a variety of mediums (e.g. field trips, hiring an artist-in-residence, purchasing films, etc.)?

Answer #3:

Again, it depends, with the following caveats: 1) the experiences MUST BE supplemental to the content prioritized during classroom instruction, and 2) Title I funds can be used to fund these experiences for ALL students in a Schoolwide Program school only. In a Targeted Assistance school, Title I funds can only be used for services for eligible at-risk students. If the whole class receives the service, then Title I funds may not be used, even on a pro-rata basis.

Please direct any questions or comments to CONAPPTA@mail.nysed.gov.

cc: Ken Slentz
Ira Schwartz