

Right for Every Child and the Right of Every Child

by Richard Lawton CMEA General Music Representative

n California, music education in public elementary schools is something that every child is entitled to. Since I joined CMEA, I have heard this: that we should be pursuing a goal of quality music education for every public school student not only because it is the right thing to do, but because it is mandated by the California State Education Code.

Recently, I decided to look up the relevant ed code section to see what the actual language was. I had some apprehension that it would not be explicit, that music education advocates were reaching a bit when they spoke or wrote of music being a mandated part of the core curriculum. Not so. California Education Code Section 51210 states:

"The adopted course of study for grades 1 to 6, inclusive, *shall include* instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:

(5) Visual and performing arts, including instruction in the subjects of dance, *music*, theatre, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression." (*Italics* added.)

In other words, music is every bit as much a legal instructional requirement in California elementary schools as language arts and math, science, social sciences, and physical education (in grades 7–12, music is required to be made available as an elective). Section 51210 even explains how complaints can be filed in the event that schools fail to comply. This is what happened in 2013 when parent Marc Babin and the advocacy group Cal200, relying on precisely this ed code section, filed a lawsuit in San Francisco Superior Court to compel 37 California school districts to pro-

vide adequate P.E, which is defined in the code as 200 minutes a week.²

If you've noticed your classroom colleagues logging their P.E. minutes this year, it is one way public school districts are attempting to demonstrate ed code compliance with regard to P.E. And while we are a long way from counting music minutes (although I like to fantasize that there is some music-loving public school parent out there with a law degree and time on their hands,) it's clear that many districts are also trying to make good on the promise of music education for all. Employment opportunities for music teachers are up across the state, and many large districts report that they are providing music programs in all or nearly all of their elementary schools. At this year's California All-State Music Education Conference (CASMEC), CMEA unveiled a one-day mini-conference for classroom teachers to provide them with strategies for adding music to their instruction (it is elementary classroom teachers who are ultimately responsible for instruction in all areas of the core curriculum). The mini-conference was highly successful and will become a regular feature of CASMEC going forward.

As school districts bring themselves into compliance with 51210, however, it is important for CMEA to monitor and evaluate what direction the effort is taking and how effective it is in reaching every child. For example, during CAS-MEC 2016s "Setting A Better Table" panel discussion, we learned that in many districts, "music in every elementary school" consists of one day a week instruction provided by a rotating music specialist. Since this translates to six to eight classes per school per week, an applied music ensemble in

chorus or orchestra for selected fourth, fifth and sixth graders is invariably the instructional option adminstrators choose. This arrangement makes good economic sense for districts, but it also means the visiting music specialist has little time for students in grades 1–3 (Ed Code 51210 does not address the instructional needs for kindergarten).

As mentioned, in the absence of a dedicated music teacher the instructional responsibility for music falls on the classroom teacher. Theoretically, teachers should find the time to teach music alongside language arts and math, just like they teach science and social studies. Unlike those subject areas, however, there are very few resources that explain to non-musicians how music should best be integrated into daily instruction. There is no music equivalent of the Foss science kit. Grade levels do not meet to develop appropriate music strategies, and music specialists don't usually attend school site staff meetings. California content standards for music, naturally, are written for musicians.

Moreover, whatever our K–3 students are getting in terms of music, it is likely that students of color from low socio-economic status schools are receiving the least of it. In 2014, Paul Miksza and Brent Gault analyzed data that had been collected in an earlier longitudinal study that followed students from several states between 1998 and 2006 from kindergarten to their eighth grade year. They found a persistent and substantial equity gap between low poverty and high poverty schools with regard to music and arts education.⁴

What can be and should be done? There are three things CMEA ought to be doing or doing more of that will enhance the efforts of schools to improve their elementary music programs and advance the cause of universal music education.

Develop a Model: The ed code is silent on the subject of what constitutes an adequate level of music instruction. It would be useful for CMEA to begin to develop its own idea of what the minimum requirements for music education are. I'm not talking about a summary of the content standards here, but something broader and more practical – a simple set of guidelines that all schools have a chance to be successful following. The best programs from around the state and from outside California should be evalu-

ated to find what they are doing that works, that is efficient and that is transferable.

Many California schools have entered into partnership with third party providers of music instruction that are funded in a variety of ways, including by the districts themselves. A list of these providers and ways of doing business should also be complied, so that schools interested in developing their own programs can be pointed in the direction of resources.

Advocate: Once CMEA develops a clear picture of what an elementary music program should look like, the next step is to pitch it to districts and individual administrators. As we know from trying to get our students to do anything challenging, demanding that they "do it because it is the law" is rarely sufficient. Instead, we need to persuade them that music classes provide just the sort of creative problem solving opportunities that today's academic standards require. Specifically, elementary music has been shown to be an excellent vehicle for reinforcing Common Core ELA and Math standards. 5 Other studies show that the development of music skills in young children parallels (and, therefore, enhances) the development of language acquisition skills.6 Principals at Title 1 schools should be reminded that music is part of the core curriculum and, therefore, one of the areas in which they can spend their federal discretionary funds.

An appreciation for the importance of advocacy needs to be accompanied by the realization that persuasion will take more than a single conversation. It needs to be part of an ongoing effort that music education advocates must engage in regularly.

Change our own thinking: Elementary school music programs that act as feeder programs for middle school and high school ensembles have obvious appeal to school districts that see vertically integrated instruction as an ideal. The problem is that too many music educators conceive of elementary music as an elective exercise as well. As we all know, students who sign up for orchestra or chorus are often kids who are successful in school in general. While there is nothing wrong with developing the music potential of exceptional students, we have an obligation as teachers to reach out to the ones who are not accustomed to thinking of themselves as talented or whose parents don't know how to take advantage of resources

or who simply need a little more coaxing. Of all the arguments that favor a general music approach over applied music in elementary schools, this one is the most powerful – no program can be considered universal if kids have to opt in.

In making the case for every child's right to music education in California public elementary schools we must be persuasive and persistent...but also patient. Students, parents, and administrators move on and are replaced by new groups of stakeholders who need to be convinced all over again that music education is right for every child. Studies overwhelmingly suggest that people want music in the schools, but in the face of increased instructional demands, testing requirements, and tight budgets, it is inevitable that some may lose track of the fact that music education is something our children are entitled to.7 The important thing is that we in CMEA do not lose track of it.

Footnotes

- 1. State of California Education Code 51210: http://www.leginfo.ca.gov/cgibin/displaycode?section=edc&group=5100 1-52000&file=51210-51212
- 2. Hayden, S. (2014, July 27) "California schools face lawsuit over physical education is schools." Los Angeles Times. http://www.latimes.com/local/education/la-me-pe-lawsuit-20140728-story.html
- 3. Lawton, R. (2016) "What We Learned at CASMEC 2016: a Report of the State of General Music Education in California." Prepared for CMEA.
- 4. Miksza, P. & Gault, B. (2014) 'Class-room Music Experiences of U.S. Elementary School Children: An Analysis of Early Childhood Longitudinal Study 1998–1999." Journal of Research in Music Education. 62(1). 4–17
- 5. Cardany, A.B. (2013) "General Music and the Common Core; A Brief Discussion." General Music Today. 27(1). 35–39
- 6. Scott, L. K. (2004). "Early Childhood Brain Development and Elementary Music Curricula: Are They In Tune?" General Music Today. Fall, 2004. 20–27
- 7. Abril, C. & Gault, B. (2006) "The State of Music in the Elementary School: a Principal's Perspective." **Journal of Research in Music Education**, 54 (1), 6–20.