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# AFTA Public Policy Update for Florida Alliance for Arts Education

June 16th, 2026

# Agenda

1. **Elementary and Secondary Education Act of 1965**
2. **Every Student Succeeds Act**  
Title I-A, Title II-A, Title IV-A, Title IV-B,  
and Assistance for Arts Education
3. **Arts Education Funding Charts**
4. **OBBBA "Do No Harm" Provision**

# Elementary and Secondary Education Act of 1965

The Elementary and Secondary Education Act of 1965 (ESEA) included an eligibility requirement where schools that were not either actively desegregating or following court-ordered or voluntary desegregation plans were ineligible to receive federal grants and funding.

ESEA intertwined civil rights with elementary and secondary education. ESEA set a precedent where every child deserves to receive equal treatment in their education. This has persisted through to the Every Student Succeeds Act.

When the Every Student Succeeds Act both reauthorized ESEA and included "well-rounded education," it made access to arts education a civil right every child deserves.

# Every Student Succeeds Act (ESSA)

- Every Student Succeeds Act (ESSA) was signed into law in 2015.
- ESSA reauthorized the Elementary and Secondary Education Act of 1965 (ESEA) and replaced the No Child Left Behind Act (NCLB) of 2002.
- ESSA established that states could use funding toward "well-rounded educational experiences" including "activities and programs in music and the arts" (*ESSA, Sec. 4104(b)(3)(A)(i)(II)*).
- Well-rounded education includes "programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution" (*ESSA, Sec. 4107(a)(3)(B)*).
- ESSA encouraged arts integration in STEM and other disciplines.

# Arts Education Titles and Programs

Title or Program	Description
Title I-A – Education of Disadvantaged Students	Title I, Part A of ESSA allows for funding elementary and secondary students who are economically disadvantaged and otherwise would not receive an arts education.
Title II-A – Professional Development	Title II, Part A of ESSA provides for funding of arts educators, teachers, and principals.
Title IV-A – Student Support and Academic Enrichment	Title IV, Part A of ESSA provides for academic enrichment for a well-rounded education and safe and healthy schools.
Title IV-B – 21st Century Community Learning Centers	Title IV, Part B of ESSA includes funding for out-of-school arts education opportunities.
Assistance for Arts Education	Assistance for Arts Education establishes grants for equal access to arts education.

# Assistance for Arts Education

ESSA established "Assistance for Arts Education," which promotes arts education for students, including disadvantaged students and students who are children with disabilities.

The Assistance for Arts Education program provides the following:

1. professional development for arts educators, teachers, and principals;
2. development and dissemination of accessible instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and
3. community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or centers for the arts, including national centers for the arts.

# Funding Chart

Key Federally Funded Arts Programs & Agencies	Final Enacted <b>FY26</b> Funding 10/1/26 - 9/30/26 (full year CR*)	President Trump's <b>FY27</b> Budget	House's <b>FY27</b> Budget	U.S. House and Senate <b>FY27</b> Approved Appropriations in Sub/Full Committee	Advocate Ask!
Assistance for Arts Education	\$36.5 million	<b>\$0</b>	<b>\$0</b>	<b>May-July</b>	<b>\$40 million</b>
Education Title I-A (educ. for disadvantaged kids)	\$18.43 billion	<b>\$18.43 billion</b>	<b>\$16.53 billion</b>	<b>May-July</b>	<b>\$18.63 billion</b>
Education Title II-A (professional development)	\$2.19 billion	<b>\$0</b>	<b>\$0</b>	<b>May-July</b>	<b>\$3 billion</b>
Education Title IV-A (student support)	\$1.38 billion	<b>\$0</b>	<b>\$1.385 billion</b>	<b>May-July</b>	<b>\$1.6 billion</b>
Education Title IV-B (21st Century Learning Centers)	\$1.33 billion	<b>\$0</b>	<b>\$1.33 billion</b>	<b>May-July</b>	<b>\$2.09 billion</b>

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National Endowment for the Arts (NEA)	\$207 million	<b>\$29 million</b>	<b>\$135 million</b>	May-July	<b>\$213 million</b>
National Endowment for Humanities (NEH)	\$207 million	<b>\$38 million</b>	<b>\$135 million</b>	May-July	<b>\$213 million</b>
Institute of Museum and Library Services (IMLS)	\$291.8 million	<b>\$6 million</b>	<b>\$42.8 m OMS</b> <b>\$212.5 m LSTA</b>	May-July	<b>\$55.5 m OMS</b> <b>\$232 m LSTA</b>

# Do No Harm Provision

## Overview

The One Big Beautiful Bill Act (OBBBA) included a "Do No Harm" provision, designating higher education programs with graduates that do not earn an income above what a non-college-educated adult would earn

(or, in the case of graduate programs, above what an undergraduate degree holder in the same field would earn)

**as failing.**

These programs become ineligible for all Title IV funding, including Pell Grants and Student Loans.

## Effect on the Arts

- Many levels of higher education in the arts **are considered failing.**
- **FAILING PROGRAMS:**
- Two-year degrees:
  - **30%** in arts and design
  - **39%** in music
  - **47%** in visual and performing arts
  - **74%** in fine and studio arts
  - **79%** in film/video and photographic arts
- Master's degrees:
  - **44%** in fine and studio arts
  - **41%** in music

# Do No Harm Provision

**5/20/26: Americans for the Arts submitted a public comment (*right*) to the U.S. Department of Education Office of Postsecondary Education. This public comment letter included 19 arts organizations as signatories and disapproved of the Department of Education's implementation of the "Do No Harm" provision.**

Public Comment to the U.S. Department of Education Office of Postsecondary Education  
May 19, 2026

Thank you to the U.S. Department of Education Office of Postsecondary Education for the opportunity to comment on the Notice of Proposed Rulemaking (NPRM) for Accountability in Higher Education and Access through Demand-driven Workforce Pell: Student Tuition and Transparency System (STATS) and Earnings Accountability [Docket ID ED-2026-OPE-0100].

The signatories below represent national, state, and local arts and cultural organizations that are writing in opposition to the rule proposed. The provisions outlined within the proposed rule raise concerns regarding the implementation by the Department of Education.

While we recognize that these public comments are intended to focus on the rulemaking itself, we would be remiss if we did not express concern on the about the broader framework underpinning "Do No Harm" provision passed by Congress and the challenges associated with its implementation.

Early career earnings are often the floor, not the ceiling, of what an individual makes over the course of their professional life. Sometimes, these early earnings can be unstable, especially for artists and graduates of arts programs. Beyond challenges to maintain their livelihoods on early career earnings, new and recent graduates are facing a highly competitive job market. According to a May 2026 report from the Federal Reserve Bank of New York, the unemployment rate for college graduates ages 22 to 27 soared to 5.6 percent in December 2025 and remained at or above that level as late as March 2026. This rate is higher than those from 2021 through 2024 amidst the throes of the COVID-19 pandemic and is above the overall rate of unemployment at 4.2 percent.

The Department of Education's enforcement of the rule will lead to loss of access to arts in higher education. The Department of Education reported that of two-year degrees, 30 percent of arts and design programs, 39 percent of music programs, 47 percent of visual and performing arts programs, 74 percent of fine and studio arts programs, and 79 percent of film/video and photographic arts programs are considered failing under the "Do No Harm" standard. Additionally, 44 percent of master's degrees in fine and studio arts and 41 percent of master's degrees in music would fail under this new rule. Yet, these programs contribute to a creative economy that, according to the U.S. Bureau of Economic Analysis, produces \$1.17 trillion of economic activity, accounts for 4.2 percent of U.S. GDP, provides 5.4 million arts and cultural jobs nationwide.

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# Do No Harm Provision

## Ways to Get Involved

- **Suggestions for arts advocates:**
  - Building coalitions with advocates across other programs that are also increasingly likely to fail, such as healthcare services and assisting programs, religion programs, and cosmetology programs.
  - Sharing and creating grassroots advocacy campaigns to spread awareness on the issue.
  - Reach out to Members of Congress and ask them to support a Congressional Review Act and to make it bipartisan.
- **Advocates request the following Congressional action:**
  - Encourage colleagues across the aisle to be supportive of the Congressional Review Act (CRA) resolution of disapproval.
  - Introducing legislation that alters the age ranges of the earning accountability metric.

**Thank You**

