



**PROPOSITION 28**  
**REPORT**  
**BOARD OF EDUCATION**  
SEPTEMBER 25, 2024





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Proposition 28 Report  
September 25, 2024**

This report includes the background, district planning and proposal update, challenges and recommendations related to the Proposition 28 funding. The report includes the planning and implementation process developed by the Hayward USD to ensure the district and each school has the tools to develop a rich and student centered proposal that includes engagement from their educational partners, students, staff and families.

### **Proposition 28 Background**

Proposition 28, also known as the Arts and Music in Schools (AMS) Funding Guarantee and Accountability Act, is an ongoing program that provides funding for California's public schools for the foreseeable future. The program was approved by voters on November 8, 2022 in an effort to provide additional funding for Arts and Music Education. Proposition 28 provides additional funding for arts and music education in all K-12 public schools (including charter schools) by annually allocating from the state General Fund an amount equaling 1% of required state and local funding for public schools. Proposition 28 allocates a greater proportion of the funds to schools serving more economically disadvantaged students. Schools with 500 or more students must spend at least 80% of funding to employ teachers and the remainder on training, supplies, and education partnerships. Requires audits and limits administrative costs to 1% of funding. The funding is required to be used on new arts programming. The district followed the requirements to avoid audit findings and possible lawsuits, [LAUSD Sued for Misuse of Prop 28 Funds.](#)

### **Initial Planning Year**

As responsible, accountable stewards of the Proposition 28 funding, HUSD intentionally used the school year 2023-24 to plan and develop documents and support procedures for implementation. The district used the school year to be thoughtful and thorough in their understanding of the use of the new funding and district accountability annual reporting. The HUSD VAPA team used a collaborative approach to design the HUSD proposal and input process. The team, including classroom teachers, attended informational sessions to learn of the many restrictions on the use of the funding. During the 2023-24 school year our VAPA District Team (Mina Mangewala, VAPA TOSA, Heather Figueroa, VAPA AOSA, Craig McKinley, STEAM AOSA, Dr. Davies, Asst. Supt Ed. Services) participated in multiple information gathering sessions at the state and county levels.



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**CASMEC CMEA Sacramento Session**

**Prop 28 Bootcamp**

**CCSESA Prop 28 Teacher Pipeline**

**Proposition 28 Preparation and Understanding**

After gathering information, the HUSD VAPA Team developed processes, planning and accountability tools, which were continuously monitored and updated as information from the state changed frequently. The Proposition 28 funding requirements were shared with Human Resources, Labor Partners, VAPA subject matter, Curriculum Councils and staff throughout the planning year. The District VAPA Team met with individual site leaders regularly, attended SCC, ECC, VAPA Subject Matter, and Principal Network Meetings to answer questions and give guidance as needed. The current requirements are that funds are allocated with 80% toward personnel and 20% toward materials and supplies. This funding can be allocated to each site or centralized and spent by the district. The District VAPA Team provided sites control over spending choices within their allocations funding. Initial allocations can be found [here](#). Each site received the planning document, FAQs, VAPA Resource List, checklist used to assess proposals, and were informed as to their specific allocation amounts.

**PROP 28 OVERVIEW**  
There are still some unknowns, but here is what we do know:

- Allocations are issued annually, indefinitely (resource code 6770)
- 1% of the K-12 portion of Prop 98
- Arts and Music in Schools (AMS) funding is calculated based on prior year pupil enrollment and prior year enrollment of pupils eligible for free or reduced-price meals (FRPM)
- There may be some shifting of allocations if the enrollment at your site shifts OR if the Prop 98 funds shift.
- The amount of funding available for each fiscal year will be determined prior to the beginning of the fiscal year by the Department of Finance as part of the May Revision of the Governor's Budget. This total appropriation amount is final
- Remember that while your first three year's allocations accumulate, you should base your FTE on only one year's allocation

**SUPPLEMENT OR SUPPLANT?**

**SUPPLEMENT NOT SUPPLANT**

For the purpose of this program, "supplement" means that the funds appropriated by this chapter shall be used by sites to **increase** funding of arts education programs and not to supplant existing funding for those programs (Education Code (EC) Section 8071(d))

- 01.** We have better facilities at our site that is paid for through site funds, in order to have the course covered through Prop 28 funds, we are now going to cancel the course, then attempt to cover the new course.  
Not a teacher
- 02.** We don't have any multicultural music opportunities at our site. We're planning to offer more cultural music assemblies and maybe even an all-school listening party.  
Not a teacher
- 03.** We would like to integrate art at all grade levels, but we need someone to oversee that process. We are thinking of hiring a specialist or an arts teacher for our site.  
Not a teacher

**"POOLING" OPPORTUNITIES**

In general, 80% of site allocations will not be enough to cover a 1.0 FTE. One solution is for sites to "pool" their funding to hire a shared FTE. This can be done by grade level (primary or secondary) or by teacher partners.

**EXAMPLES**

- A rotation of 10 FTE Theater teacher who produces plays/musicals at the three pooling schools. Each site would have the teacher for a third of the year and the play would be a culminating feature of the position.
- A district wide, high school or middle school Harbich program. Each site contributes a portion of their 80% to fund a Harbich instructor. The remaining space would rotate through the sites all year and students from each of the sites would attend at networks.
- A rotation of a dance teacher that works with different grade levels at various times during the year, is tasked grade in the fall at two schools, and 4th-6th in the spring at two schools.

**Site Funding Allocation and Transparency**

The district received \$3,070,725 in district allocation. The district has led a transparent process in sharing the site allocations and budgets. The information has been shared at multiple meetings, including at the Community Proposition 28 event, Staff messages, Principal Network and in the proposal documents. The Proposition 28 funding was determined by the state and allocated by school site. The district did not receive their initial 2023-24 school year Proposition 28 funding until February 2024, considered Year 1 by the state. The state only distributed \$600,000 of the \$3,000,000 to HUSD at that time.



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The remaining funds were distributed in late spring. This [CDE funding sheet](#) shows the amounts of Proposition 28 funding. There were no Proposition funds used in the school year 2023-24. Current school year, (2024-25) spending will be taken from the 2023-24 allocations, labeled as “Year 1”, as year one spending needs to begin or it will be reclaimed by the state.

The district VAPA team hosted a Proposition 28 staff and community Awareness event on March 14, 2024-presentation slides are [linked here](#). The district will continue to show transparency and accountability for use of the funding through the annual CDE reporting.



**HUSD Funding Allocations**

School Site	Plan Submitted	Date Approved	23-24 Site Allocation Actuals	24-25 Advanced Allocation Estimates
<b>Brenkwitz</b>			31,623	<b>22,847</b>
<a href="#">Bret Harte</a>	Yes	May 29, 2024	88,066	<b>78,999</b>
<b>Burbank</b>			136,363	<b>128,534</b>
<b>Cesar Chavez</b>			79,222	<b>77,218</b>
<a href="#">Cherryland</a>	Yes	May 29, 2024	153,271	<b>143,571</b>
<a href="#">East Avenue</a>	Yes	July 1, 2024	66,197	<b>69,647</b>
<b>Eden Gardens</b>	Yes		75,725	<b>76,244</b>
<b>Eldridge</b>			47,299	<b>47,088</b>
<b>Fairview</b>			95,345	<b>88,867</b>





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<b>Faith Ringgold</b>			17,991	<b>18,685</b>
<b>Glassbrook</b>			79,984	<b>79,013</b>
<b>Harder</b>			115,685	<b>111,846</b>
<u><b>Hayward High</b></u>	Yes	July 10, 2024	273,255	<b>265,616</b>
<b>Longwood</b>			89,687	<b>84,909</b>
<b>Lorin Eden</b>			59,181	<b>58,674</b>
<u><b>Martin Luther King, Jr.</b></u>	Yes	June 12, 2024	118,643	<b>120,459</b>
<u><b>Mount Eden</b></u>	Yes	June 10, 2024	320,163	<b>314,220</b>
<b>Ochoa</b>			69,600	<b>63,484</b>
<u><b>Palma Ceia</b></u>	Yes	May 29, 2024	82,340	<b>78,850</b>
<u><b>Park</b></u>	Yes	June 12, 2024	85,723	<b>88,113</b>
<b>Ruus</b>			64,185	<b>65,762</b>
<u><b>Schafer Park</b></u>	Yes	May 29, 2024	109,764	<b>103,255</b>
<b>Southgate</b>			100,613	<b>93,729</b>
<b>Stonebrae</b>			92,571	<b>89,550</b>
<u><b>Tennyson</b></u>	Yes	August 7, 2024	250,130	<b>264,134</b>
<u><b>Treeview</b></u>	Yes	June 10, 2024	73,856	<b>75,675</b>
<b>Tyrell</b>			102,524	<b>100,058</b>
<u><b>Winton</b></u>	Yes	May 29, 2024	87,577	<b>90,672</b>

### **School Proposals**

The district drafted a proposal process for administrators to use with their site teams to develop their site plan for spending their Proposition 28 allocation. The proposals included the requirement for engaging educational partners and VAPA staff and families. The proposal drafts were revised based on administrator, VAPA teacher and staff feedback. In the spring of 2023-24 the district shared the final proposal process with all district schools. Guidance and [resource](#) documents were also developed, including standardized materials for MPR equipment (sound, lighting) for schools to use in their planning. The district spent the spring working with schools to develop their proposals, ensuring there was voice from their site VAPA team and finalizing their plans in time to



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add new courses in preparation for the 2024-25 school year. The HUSD plan proposal documents have been recognized by the ACOE Arts Team as model documents.

## Proposal Documents

Made in Hayward	Made in Hayward	Made in Hayward	Made in Hayward																																																						
<b>Proposition 28 Site Planning Guidelines</b> <b>Process:</b> <ul style="list-style-type: none"><li>Use the guidelines below to create your site committee, or choose from an existing one.</li><li>Meet to determine:<ul style="list-style-type: none"><li>What is your approximate current VAPA spending? (including CAs)</li><li>Develop Prop 28 spending goals that are finalized through consensus.</li><li>Draft Proposition 28 plan on planning template below.</li><li>Present the plan to SSC and have it included in notes as informational.</li><li>Submit the Proposition 28 plan to the district VAPA team.</li></ul></li><li>The district VAPA team will review proposals and report back on approval or necessary revisions.</li></ul> <b>Proposition 28 Committee Composition:</b> <ul style="list-style-type: none"><li>The Proposition 28 committee is a voluntary and optional committee that includes teachers, staff, students, families and community members.</li><li>The Proposition 28 school site committee should have representation of the following groups: site administrators, VAPA teachers, teachers, staff, students, and families.</li><li>If the site wants to use an existing committee to develop the Proposition 28 plan, SSC may be an option only if there is VAPA representation on the committee and in the planning process.</li><li>There must be a VAPA department representation in the planning process.</li></ul> <b>Planning meetings include the following:</b> <ul style="list-style-type: none"><li>Proposition 28 committee</li><li>Brainstorming and Prioritization</li><li>Finalizing decisions through consensus</li><li>Drafting the proposal and SPFA goals</li><li>HSA Unit requires serving on the committee will be compensated at their per diem rate for attending and participating in the plan development</li></ul> <b>Arts and Standards Important Notes:</b> <ul style="list-style-type: none"><li>Please use the <a href="#">CA Arts Standards</a> as a guide for new courses.</li><li>Any courses must use curriculum that follows the <a href="#">CA Arts Standards</a> in the CA Arts Standards in order to be covered through Proposition 28 funds.</li></ul>	<b>Proposition 28 Planning Template 2024-2025</b> <b>This is for planning purposes only</b> <table border="1"><thead><tr><th>School Site</th><th></th></tr></thead><tbody><tr><td>Total Estimated Allocation</td><td>20% (Salary + Statutory Benefits)</td></tr><tr><td>Proposed Expenditures</td><td>20%</td></tr><tr><td>Include any hours, planning time, benefits, any staff and existing staff</td><td></td></tr><tr><td>Site Details and Description</td><td></td></tr><tr><td>Strategic Priority</td><td></td></tr><tr><td>Who are your site level Prop 28 strategists (teachers, staff, administrators, families and students)?</td><td></td></tr><tr><td>What are your site level Prop 28 strategies (teachers, staff, administrators, families and students)?</td><td></td></tr><tr><td>How will this plan include families and students?</td><td></td></tr></tbody></table> <div>Site Administrator Signature _____ Date _____ VAPA Team Member _____ Date _____</div>	School Site		Total Estimated Allocation	20% (Salary + Statutory Benefits)	Proposed Expenditures	20%	Include any hours, planning time, benefits, any staff and existing staff		Site Details and Description		Strategic Priority		Who are your site level Prop 28 strategists (teachers, staff, administrators, families and students)?		What are your site level Prop 28 strategies (teachers, staff, administrators, families and students)?		How will this plan include families and students?		<b>Frequently Asked Questions</b> <p>Do we need to create an independent contract if we use funding for artists in residency? Yes, contracts are required with independent programming, instruction and services.</p> <p>Can we use for substitutes to cover for visits, specific professional development? Yes, only the 20% planning availability, not be used on high impact days, before and after holidays and on Fridays.</p> <p>Can a teacher who is CTE understaffed be funded from the 20%? Yes, a CTE understaffed teacher can be funded through the 20% to the 20%, depending upon what and when they are working.</p> <p>Can I create a public master grant? Yes, if it is arts based and follows the <a href="#">CA public master grant</a>.</p> <p>What categories does a dance teacher need to have a category who do I ask? You can use any PFA category for guidance.</p> <p>Can we share an art teacher between two schools? Yes, with approval from your school district to determine if it will include scheduling.</p> <p>Can we offer an art class at lunch? No, lunch is a common time for all students during the school day.</p> <p>What categories are required for being fully funded? Dance, and Creative Content, Information.</p> <p>Can we use the funds for a Coding Course? No, however, funds can be used for a technology arts course that includes coding.</p> <p>Does the plan need to be included in the SPFA? On this plan, you will have one goal, your VAPA goal and your Prop 28 goal. For the Prop 28 goal, you will need to submit what if you are using the coming year to plan, or if you have developed a plan.</p> <p>Can we spend all 20% on personnel? Yes, you can spend all 20% on personnel and you will need to cover material and supplies which may need to be covered through other funds.</p> <p>Must increasing sections of an existing course be covered in Prop 28 funds? Yes, but only if the existing sections.</p> <p>Are there specific options for families, teachers, and students so that we have a way to include multiple perspectives? Yes. <a href="#">Prop 28 Student Survey</a> <a href="#">Prop 28 Teacher Survey</a> <a href="#">Prop 28 Parent Survey</a></p>	<b>HUSD PROP 28 PROPOSAL CHECKLISTS</b> <table border="1"><thead><tr><th>SCHOOL</th><th>DATE</th><th>STATUS</th></tr></thead><tbody><tr><td>1. Title &amp; School Allocation</td><td>Site Committee</td><td>Site Committee and Family</td></tr><tr><td>2. Proposed Expenditures</td><td>Does proposed expenditures = Total estimated allocation?</td><td></td></tr><tr><td>3. Site Goals and Description</td><td>Are goals clearly, measurable?</td><td></td></tr><tr><td>4. 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## Current Proposal Status

As of September 2, HUSD has 13 of the 29 schools with an approved plan. Schools continue to work with their site teams to revise and complete their plans. The VAPA Team continues to work directly with school administrators to complete their proposals in an effort to use their Year 1 funding. The Proposition 28 approved proposals are using funding for various projects across the district including the following:

- Added Art Integration teachers positions at multiple schools
- Music-Increased music sections, added Acapella course, Guitar sections
- Launched new Stagecraft course
- School Musical, increasing VAPA art and music sections for the project
- Dance-MS dance residencies through PE classes, added HS dance section
- Creation of Art Lab and Makerspace-areas for the arts and visiting artists
- Extra hours to increase number of participants/grade levels
- Materials for art/crafts/ceramics supplies, costumes, theater props
- Enhancing MPR spaces with sound and lighting equipment, microphones, speakers, shades
- Purchasing equipment to improve the showcasing of students' VAPA work, display cases, mobil display boards
- Registration for Art Conferences to build staff capacity for the Arts
- 1%-assigned to VAPA AOSA position



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**New Class at Hayward High School:  
Stagecraft**

**Engaging VAPA Classes:  
Art Integration & Choir**





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**New Class:  
Guitar**

**School space being used for programming**

- Schools are using site spaces, including Multi Purpose Rooms, Cafeterias, Gyms, Outdoor classroom spaces and Site Classrooms.

**Challenges with Proposition 28 funding**

- Both elementary and secondary schools have limited space for program expansion and lack the physical space to host new programs.
  - The hiring of new teachers with the 80% would mean that new programs and new staff need space to teach in, where space is already limited and stretched beyond capacity.
- Proposition 28 funds, which are meant to increase VAPA opportunities for students, are restricted 80%/20% to spending in specific ways that do not meet the school needs.
- The 80% site personnel funding formula allows for hiring of .20-.40 positions, which are very difficult to fill.





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- The larger 80% of site allocations must be spent on certificated personnel and very specific certificated personnel, (can include AME CTE), which is not aligned with VAPA needs of the sites. There is a teacher shortage and school leaders have shared that they would be able to host more VAPA opportunities for students without this parameter.
- Adding additional VAPA electives causes greater competition and strain on master scheduling as students select their electives.
- In preparation for state budget shortfalls, schools may be facing reductions in staffing allocations that are not in alignment with Proposition 28's intention to create new positions.
  - Prop 28 funds cannot be used to cover the cost of section reductions. This may create loss of established programs and creation of new programming.

**Waiver Process**

All funds must be used to provide expanded arts education programs, as described in California *Education Code (EC)* Section 8820(g)(1) and requires that local educational agencies (LEAs) with an enrollment of 500 or more pupils ensure that at least 80 percent of expended funds will be used to employ certificated or classified employees to provide arts education program instruction. Up to 20 percent of the expended Arts and Music in Schools (AMS) funds may be used for “training, supplies and materials, and arts educational partnership programs,” which includes outside contractors. HUSD will continue to consider and plan for submitting a funding waiver to be released from the percentage requirement in an effort to increase flexibility for schools and the district to allow central use of unspent funding to avoid returning the funding to the state.

**Proposition 28 Recommendations**

- Continue to work with individual schools to complete their site proposals
- Continue to support the expansion of elementary arts integration and secondary expansion of VAPA programming through Proposition 28 funding
- Submit the Proposition 28 waiver to increase opportunities and flexibility for sites and the district to use the funding to enhance student learning in the Arts
- Continue to build capacity of teachers supporting the implementation of culturally responsive teaching through the arts standards using Proposition 28 funding source
- Continue to highlight and opportunities for students to be able to showcase their



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proficiency in the arts through performances

- Continue to implement VAPA targeted course recruitment
- Continue our work with the facilities refresh team and VAPA teachers to ensure safe, inclusive and appropriate art spaces
- Continue our communication plan with regular staff, district and community updates on the use of the Proposition 28 funding

For more information about Proposition 28-click [here](#) for the HUSD Prop 28 website.