



191037

Ordinance

Amend Arts Education and Access Income Tax Code related to arts education coordination (amend Code Chapter 5.73)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In November 2012, Portland voters passed ballot measure 26-146, establishing the Arts Education and Access Income Tax to restore arts and music education in schools and to fund arts access through an income tax of 35 dollars per year.
2. The Arts Education and Access Income Tax has raised more than \$100 million over the last ten years, ensuring that every elementary school in Portland's six school districts (Centennial, David Douglas, Parkrose, Portland Public, Reynolds, and Riverdale) now has at least one visual art, music, drama, or dance teacher on staff—more than 100 teachers in total. Proceeds have also been used to provide more than \$25 million in grants to help make arts and culture experiences available to underserved communities.
3. One provision of the Arts Education and Access Income Tax, per City Code 5.73.090, is to support Portland school districts by dedicating no more than 3 percent of Net Revenues to ensure that highly qualified persons coordinate and work with the school districts to deliver high quality arts and/or music education. That coordination work is currently assigned to the Regional Arts & Culture Council (RACC).
4. A 2019 reorganization of RACC left with fewer staff resources to coordinate arts education services in Portland school districts.
5. Over the past two years, School Districts have provided additional feedback as to how the City could better support them in the provision of providing high quality arts education in our schools.

Introduced by

[Mayor Ted Wheeler](#);

[Commissioner Carmen Rubio](#)

Bureau

[Management and Finance](#);

[Revenue and Financial Services](#)

Contact

Jeff Hawthorne

City Arts Program Manager

✉ jeff.hawthorne@portlandoregon.gov

📞 [503-865-6685](tel:503-865-6685)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

October 19, 2022

Changes City Code

6. To define clear and consistent data tracking and reporting deadlines for Portland school districts, and to provide a higher level of art education coordination and collaboration between the districts and among arts teachers, it was determined that the City Arts Program should assume management of the arts education coordination responsibilities.

NOW, THEREFORE, The Council directs:

A. City Code Chapter 5.73 is amended as set forth in the attached Exhibit A.

Documents and Exhibits

 [Exhibit A](#) (182.58 Kb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
October 19, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

Purpose of Proposed Legislation and Background Information

Portland's Arts Education & Access Fund (AEAF, commonly referred to as the "Arts Tax") was established by voters in 2012 to restore arts education in Portland's six public school districts, and to expand access to arts and culture for Portland residents. The AEAF is funded through an Income Tax of \$35 for each Portland resident age 18 and older that earns income above the federal poverty level and has \$1,000 or more income.

Portland's six school districts (Centennial, David Douglas, Parkrose, Portland Public, Reynolds and Riverdale) receive AEAF disbursements to pay for one K-5 arts teacher (certified to teach dance, music, theatre, and/or visual art) for every 500 students. RACC receives disbursements to award grants to non-profit arts organizations in Portland. In FY21-22, school districts received \$6.8 million for arts teachers and RACC received almost \$3.4 million.

One lesser-known provision of the AEAF allows RACC to use some of its allocation, and up to 3% of the AEAF's Net Revenues, for "arts education coordination costs," ensuring that "highly qualified persons will coordinate and work with the School Districts in the provision of high quality arts and/or music programs." RACC spent approximately \$125,000 of its \$3.4 million allocation on this function in FY21-22.

An assessment of this “arts education coordination” role in 2022, conducted by OMF and the Office of Commissioner Rubio, revealed that role is not very well defined, and has not been meeting the needs of participating School Districts.

The purpose of the proposed legislation is to define clear and consistent data tracking and reporting deadlines for Portland school districts, and to provide a higher level of art education coordination and collaboration between the School Districts and among arts teachers. Council approval of this ordinance would re-assign the management of the arts education coordination responsibilities to the City Arts Program in OMF.

An Oversight Committee reviews AEAF expenditures, progress, and outcomes, and reports its findings to the City Council annually. In the interest of inclusivity, this amendment deletes the word “Citizen” from the originally-named Citizen Oversight Committee.

Finally, by way of this code amendment, the city will be better supporting the Oversight Committee in carrying out its duties. To date, the city only committed staff time, from Revenue, to note taking duties. It is imperative that the City Arts Program play a role in supporting the Oversight Committee, given the public’s high expectations of these public funds.

Financial and Budgetary Impacts

This amendment does not change budgetary allocations or position authority. City code (both current and as amended) allows up to 3 percent of Net Arts Education & Access Fund (AEAF) Revenues to be spent on education coordination expenses. This amendment would change disbursements from the Revenue Division, such that funds for arts education coordination would be disbursed to the City Arts Program rather than to RACC. The City Arts Program would use its disbursement to create a new position that reports to the City Arts Program Manager. The City’s new AEAF Arts Education Coordinator (a Coordinator III-level position) would perform a number of tasks that are further codified in this amendment.

All budgetary and position authority impacts will be addressed in the fall Supplemental Budget ordinance.

Community Impacts and Community Involvement

Thanks to the Arts Education and Access Fund, every elementary school in Portland’s six school districts now has at least one art, music, drama, or dance teacher on staff— approximately 100 teacher’s total. RACC also uses AEAF proceeds for special projects that expand arts access for communities of color, veterans, and artists and audiences with different abilities. RACC prioritizes underserved Portland neighborhoods when distributing AEAF funds.

In building a new position for arts education coordination, the City Arts Program will interview superintendents, curriculum specialists, and arts educators in each participating school district to ensure that their needs are met, and the performance metrics of this position are clear.

The City Arts Program will also collaborate with the AEAF Oversight Committee to develop the job description of this new position.

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

No fiscal impact. City code (both current and as amended) allows up to 3% of Net Arts Education & Access Fund (AEAF) revenues to be spent on education coordination expenses. This amendment would change disbursements from the Revenue Division, such that funds for arts education coordination would be disbursed to the City Arts Program rather than to RACC. The City Arts Program would use its disbursement to create a new position that reports to the City Arts Program Manager. The City's new AEAF Arts Education Coordinator (a Coordinator III-level position) would perform a number of tasks that are further codified in this amendment.

Agenda Items

853 Regular Agenda in October 12, 2022 Council Agenda

Passed to second reading

Passed to second reading October 19, 2022 at 9:30 a.m.

871 Regular Agenda in October 19, 2022 Council Agenda

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea