

Date of Hearing: April 25, 2018

ASSEMBLY COMMITTEE ON ARTS, ENTERTAINMENT, SPORTS, TOURISM, AND  
INTERNET MEDIA

Kansen Chu, Chair

AB 2456 (Bloom) – As Amended March 22, 2018

**SUBJECT:** Arts Council: paid peer review groups.

**SUMMARY:** This bill would authorize the California Arts Council (CAC) to appoint peer review panels and would authorize members of those panels to receive compensation, as specified. Specifically, **this bill:**

- 1) Provides that the California Arts Council shall have the authority to appoint peer review panels whenever necessary.
- 2) Further provides that each member of a peer review panel may, at the discretion of the council, receive a per diem and honorarium for each day of service and be reimbursed for necessary travel and other expenses incurred in the performance of official duties.

**EXISTING LAW:**

- 1) Creates the CAC, consisting of 11-members who serve four-year, staggered terms. Nine members are appointed by the Governor, subject to Senate confirmation, and the Speaker of the Assembly and the Senate Committee on Rules appoint one member each.
- 2) Directs CAC to encourage artistic awareness, participation, and expression; to help independent local groups develop their own arts programs; to promote employment of artists and those skilled in crafts in the public and private sector; to provide for exhibition of artistic works in public buildings; and, to enlist the aid of all state agencies in the task of ensuring the fullest expression of artistic potential.
- 3) Authorizes CAC to hold hearings, execute agreements, and perform any acts necessary and proper to carry out their designated purposes.
- 4) Permits the CAC to appoint advisory committees whenever necessary.
- 5) Specifies that members of an advisory committee shall serve without compensation, but each may be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.

**FISCAL EFFECT:** Unknown. This measure has been keyed fiscal by the Legislative Counsel.

**COMMENTS:**

- 1) *Author's statement in support: Meeting quality and diversity goals in peer review panelists requires financial support.* According to the author, "Current law does not definitively speak about 'peer review panelists,' as these panelists were not likely used when the current enabling legislation was created. Presently, the Arts Council uses peer review panelists for every grant panel, however, the CAC does not have the authority to compensate grant program peer review panelists, who are experts in their artistic fields, for the time-consuming

but important work of reviewing and making recommendations on grant program applications. These peer review panels serve as the core of all that the California Arts Council does. They ensure that the Council's application review process is fair and representative of California's diverse geography and population; its wealth of organizations; and its racial, ethnic and gender identities."

The author recognizes that current law allows the CAC to appoint unpaid advisory panels, but believes the differences in duration and function of their tasks requires peer reviewers to be treated differently. Key distinctions the author draws include:

a) *Advisory panels:* The Arts Council has occasionally used advisory panels to help direct the Council on how a program's guidelines are functioning and advisory panels may recommend changes to programs or the need to for staff to provide technical assistance to the arts field. Advisory panels are policy advisors, typically serving to direct the Council in a broad manner, providing guidance, rather than the specific task of evaluation and detailed ranking of numerous applications.

b) *Grant program peer review:* Grant program peer review panels are not policy advisors, but rather, experts in their fields who commit significant time to review and assign a rank to applications for Arts Council funding. Peer review panels are convened annually in Sacramento for each grant program. Panelists are required to read an average of 60 applications as assigned, review all work samples, and establish themselves as fully prepared to discuss the applications with the other panel members to ensure that programmatic guidelines and standards of program merit and artistic evaluation are maintained. This year the Arts Council expects the need for the services of 80 Grant Program Peer Review Panelists.

According to information supplied by the author, "Peer review panelists have greater in-depth experience in various art practices and disciplines, including arts-learning for PreK-12 students, cultural development, juvenile and social justice, nonprofit management, working with veteran populations and people with disabilities, and related fields. Compensating via honoraria, review panelists has become increasingly accepted as a best practice, adopted by other States' arts agencies and local arts agencies, as well as other grant making institutions. The CA Arts Council has discovered that the time and financial burden are the most significant barriers for panelists to serve." The CA Arts Council is committed to ensuring diversity on peer review panels and overcoming financial barriers to their members' service and believes that AB 2456 will help them achieve this goal.

## 2) *Background:*

a) *California Arts Council:* The California Arts Council was created in 1975 under then Governor Jerry Brown to increase access to the arts for all Californians. Over the course of 25+ years, the CAC's impact has grown, especially through efforts that brought arts programming to underserved communities and populations across the state (such as rural communities, inner city neighborhoods, prisons and schools).

Examples of programs the CAC has offered over the years include:

- Artists in Schools – Support for arts organizations that partner with schools and/or school districts to facilitate artists-in-residence activities in the classroom and afterschool programs.

- Creating Public Value – Support for arts organizations in rural or underserved areas to implement projects making a positive contribution to their communities.
- Statewide Service Networks – Support for discipline-based arts service organizations and statewide arts networks to strengthen their constituencies and promote the public value of the arts in their communities.
- State-Local Partnerships– Support for local arts agencies designated by county boards of supervisors to provide arts in local communities.
- My California Story Slam – Encourages educators to explore creative writing in their high school classrooms and to draw upon the expressive skills of their students.
- Poetry Out Loud – National recitation contest that encourages high school students to experience poetry through memorization, performance, and competition. Poetry Out Loud is an initiative of the National Endowment for the Arts (NEA).
- California Music Project – To help restore music education in public schools, K-12.
- Convenings – Annual statewide arts conference, professional development sessions, with the multicultural infrastructure and statewide service network organizations.
- Poet Laureate – Overview, nomination process, eligibility and criteria for two-year gubernatorial appointment to the position of Poet Laureate and related literary tour.
- Marketing: Public Awareness – Using social change models, marketing & advocacy to reframe the arts as a public value--essential to a healthy society, as critical as free speech.
- Cultural District Programs – Marketing program for local cultural districts which are well-recognized, labeled areas of a city and in which a high concentration of cultural facilities and programs serve as the main anchor of attraction and business development.

**REGISTERED SUPPORT / OPPOSITION:****Support**

There is no support on file.

**Opposition**

There is no opposition on file.

**Analysis Prepared by:** Dana Mitchell / A.,E.,S.,T., & I.M. / (916) 319-3450