

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Education

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BILL: SB 318

INTRODUCER: Senator Rouson

SUBJECT: Florida Seal of Fine Arts Program

DATE: November 2, 2021

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sagues	Bouck	ED	<b>Favorable</b>
2.			AED	
3.			AP	

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**I. Summary:**

SB 318 establishes the Florida Seal of Fine Arts Program to recognize high school graduates who have attained a high level of skill in fine arts coursework. The bill specifies that beginning in the 2022-2023 school year, the Florida Seal of Fine Arts must be awarded to a high school graduate who completes at least three year-long courses or earns three sequential course credits in dance, music, theater, or the visual arts with a grade of “A” or higher in each course and meets a minimum of two of the following:

- Successfully completes a fine arts International Baccalaureate, Advanced Placement, dual enrollment, or honors course in dance, music, theater, or the visual arts with a grade of “B” or higher.
- Participates in a district or statewide organization juried event as a selected student participant for two or more years.
- Records at least 25 volunteer hours of arts-related community service and presents a comprehensive presentation on his or her experience.
- Meets the requirements of a portfolio-based program identifying the student as an exemplary practitioner of the fine arts.
- Receives district, state, or national recognition for the creation and submission on an original work of art or performance.

The bill also authorizes the State Board of Education to establish additional criteria for the award of the Seal of Fine Arts and adopt rules, and specifies requirements for the Commissioner of Education and school districts to implement the program.

The fiscal impact of the bill is indeterminate. See Section V.

The bill takes effect on July 1, 2022.

## II. Present Situation:

Art education refers to learning, instruction and programming based upon the visual and tangible arts. Art education includes performing arts like dance, music, theater, and visual arts like drawing, painting, sculpture, and design works. Design works include design in jewelry, pottery, weaving and fabrics. Art education can also include commercial graphics, photography, video, film, and design. Art education instruction is provided through a standards-based, sequential approach by a qualified instructor as part of the core curriculum.<sup>1</sup>

### The Arts Industry

Nationally, the nonprofit arts industry generated \$166.3 billion of economic activity during fiscal year 2015:

- \$63.8 billion by the nation's nonprofit arts and culture organizations; and
- \$102.5 billion in event-related expenditures by their audiences.<sup>2</sup>

This economic activity supported 4.6 million full-time jobs and generated \$27.5 billion in revenue to local, state, and federal governments.<sup>3</sup>

Florida's arts and cultural industry generated \$4.68 billion total economic activity during fiscal year 2015. This includes \$2.29 billion by nonprofit arts and culture organizations and an additional \$2.39 billion in event-related spending by their audiences. This economic activity supports 132,366 full-time jobs, generates \$3.35 billion in household income to local residents, and delivers \$492.3 million in local and state government revenue.<sup>4</sup>

### The Arts and Florida Students

Florida brings the arts to students in a variety of ways; from promoting nationally recognized Arts Education Month<sup>5</sup> to enacting arts-related legislation such as:

- Requiring each school board to provide courses and instruction in the arts for all students, and requiring students to take one credit in fine or performing arts, speech and debate, or practical arts to meet graduation requirements.<sup>6</sup>
- Establishing the annual art in the capitol competition as a statewide visual arts competition for all public, private, and home education students in grades six through eight.<sup>7</sup>
- Requiring the Commissioner of Education to annually prepare and post a fine arts report that includes:
  - Students access to and participation in fine arts courses, including visual arts, music, dance, and theatre courses;

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<sup>1</sup> US Legal, *Art Education Law and Legal Definition*, <https://definitions.uslegal.com/a/art-education/> (last visited Oct. 25, 2022).

<sup>2</sup> Florida Department of State, *Arts and Economic Prosperity 5* (2017), available at <https://ia800603.us.archive.org/13/items/ArtsEconomicProsperityFL/ArtsEconomicProsperityFL.pdf>, at 1.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 3.

<sup>5</sup> Florida Department of Education (FDOE), *Memorandum, Arts Education Month* (2021), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-9079/dps-2021-13.pdf>

<sup>6</sup> See ss. 1003.42(1) and 1003.4282(3)(e), F.S.

<sup>7</sup> Section 1003.49965(1) and (2), F.S.

- The number and certification status of educators providing instruction in fine arts courses;
- Educational facilities designed and classroom space equipped for fine arts instruction; and
- The manner in which schools are providing the core curricular content for fine arts established in the Sunshine State Standards.<sup>8</sup>

During the 2020-2021 school year, as included in the fine arts report, all school districts offered courses and 54.3 percent of students enrolled in arts courses, with:

- Visual arts comprising 42.3 percent of overall arts enrollment;
- Music comprising 41.6 percent of overall arts enrollment;
- Theatre comprising 2.2 percent of overall arts enrollment; and
- Dance comprising 1.9 percent of overall arts enrollment.<sup>9</sup>

### **Diploma Designations and Seals**

Students meeting specific requirements for graduation and demonstrating exemplary performance may be awarded recognition upon graduation. One way this is accomplished is through special diploma designations and seal programs established at the state or local level. For example, Arizona<sup>10</sup> offers diploma seals in the areas of biliteracy, civic literacy, personal finance, and arts proficiency.<sup>11</sup> Ohio<sup>12</sup> and Georgia<sup>13</sup> also offer diploma seal recognitions for students excelling in the arts.

Florida currently offers three diploma recognitions: the Scholar Diploma Designation; the Merit Diploma Designation;<sup>14</sup> and the Seal of Biliteracy.<sup>15</sup>

#### ***Florida Scholar Diploma Designation***

In addition to meeting the 24-credit standard high school diploma requirements, a student must meet all of the following requirements to earn the Scholar Diploma Designation:

- Earn one credit in Algebra 2 or an equally rigorous course.
- Pass the Geometry End of Course Exam (EOC).
- Earn one credit in Statistics or an equally rigorous mathematics course.
- Pass the Biology 1 EOC.

<sup>8</sup> Section 1003.4995, F.S.

<sup>9</sup> FDOE, *Florida Fine Arts Report, Florida PK-20 Education Information Portal (EDStats)*, <http://www.fldoe.org/academics/standards/subject-areas/fine-arts/> (last visited Oct. 25, 2021).

<sup>10</sup> Arizona Department of Education, *Diploma Seals*, <https://www.azed.gov/standards-practices/welcome-diploma-seals> (last visited Oct. 25, 2021).

<sup>11</sup> Arizona Department of Education, *Arizona State Seal of Arts Proficiency* <https://www.azed.gov/artseducation/arizona-state-seal-of-arts-proficiency/> (last visited Oct. 25, 2021).

<sup>12</sup> Ohio Department of Education, *Arts Honors Diploma* <http://education.ohio.gov/Topics/Ohio-s-Graduation-Requirements/Honors-Diplomas/Arts-Honors-Diploma> (last visited Oct. 25, 2021).

<sup>13</sup> Georgia Department of Education, *Fine Arts* <https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Pages/Fine-Arts.aspx> (last visited Oct. 25, 2021).

<sup>14</sup> Section 1003.4285(a) and (b), F.S.

<sup>15</sup> Section 1003.432, F.S. Currently, 44 states and Washington D.C. have approved a biliteracy program. Seal of Biliteracy, *Frequently Asked Questions*, <https://sealofbiliteracy.org/faq/> (last visited Oct. 25, 2021).

- Earn one credit in Chemistry or Physics.
- Earn one credit in a course equally rigorous to Chemistry or Physics.
- Pass the U.S. History EOC.
- Earn two credits in the same (foreign) World Language.
- Earn at least one credit in an Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or a dual enrollment course.<sup>16</sup>

### ***Florida Merit Diploma Designation***

In addition to meeting the 24-credit standard high school diploma requirements, a student must attain one or more qualified industry certifications to earn the Merit Diploma Designation.<sup>17</sup>

During the 2019-2020 school year 20,002 students earned the Scholar Diploma Designation, 20,307 earned the Merit Diploma Designation and 13,710 earned both the Scholar and Merit Diploma Designation.<sup>18</sup>

### ***Florida Seal of Biliteracy Program***

The Florida Legislature authorized the Florida Seal of Biliteracy Program (biliteracy program) in 2016. The biliteracy program recognizes high school graduates who attain a high level of competency in listening, speaking, reading, and writing in one or more foreign languages in addition to English, and offers two seals: gold and silver.<sup>19</sup>

To earn the gold or silver seal of biliteracy, a Florida high school student who has earned a standard high school diploma must:<sup>20</sup>

- Earn four foreign language course credits in the same foreign language with a cumulative 3.0 GPA or higher;
- Achieve a qualifying scores on a foreign language assessment with the gold seal requiring higher qualifying scores; or
- Satisfy alternative requirements as determined by the State Board of Education.<sup>21</sup>

During the 2019-2020 school year 7,806 students earned the Gold Seal of Biliteracy, 1,720 students earned the Silver Seal of Biliteracy, and 2,824 students earned both the Gold Seal and Silver Seal of Biliteracy.<sup>22</sup>

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<sup>16</sup> FDOE, *Standard Diploma Requirements* (2020), available at

<https://www.fldoe.org/core/fileparse.php/7764/urlt/StandardDiplomaRequirements.pdf>.

<sup>17</sup> *Id.*

<sup>18</sup> Email from Jessica Fowler, Deputy Legislative Affairs Director, FDOE (March 25, 2021) (on file with Senate Committee on Education).

<sup>19</sup> FDOE, *World Language (Foreign Languages)* <http://www.fldoe.org/academics/eng-language-learners/world-languages-foreign-languages.stml> (last visited Oct. 25, 2021).

<sup>20</sup> Section 1003.432(4), F.S.

<sup>21</sup> Rule 6A-1.09951, F.A.C.

<sup>22</sup> Email from Jessica Fowler, Deputy Legislative Affairs Director, FDOE (March 25, 2021) (on file with Senate Committee on Education).

### **III. Effect of Proposed Changes:**

The bill creates s. 1003.4321, F.S., to establish the Florida Seal of Fine Arts Program (Seal of Fine Arts) to recognize high school graduates who have attained a high level of skill in fine arts coursework. The purpose of the Seal of Fine Arts is to encourage students to develop expertise in the performing or visual arts.

The bill specifies that beginning in the 2022-2023 school year, the Seal of Fine Arts must be awarded to a high school graduate who completes three year-long courses or earns three sequential course credits in dance, music, theater, or the visual arts with a grade of “A” or higher in each course and meets a minimum of two of the following:

- Successfully completes a fine arts International Baccalaureate, Advanced Placement, dual enrollment, or honors course in dance, music, theater, or the visual arts with a grade of “B” or higher.
- Participates in a district or statewide organization juried event as a selected student participant for two or more years.
- Records at least 25 volunteer hours of arts-related community service and presents a comprehensive presentation on his or her experience.
- Meets the requirements of a portfolio-based program identifying the student as an exemplary practitioner of the fine arts.
- Receives district, state, or national recognition for the creation and submission on an original work of art or performance.

The bill also includes a number of provisions required to implement the program, including:

- Requiring the Commissioner of Education (commissioner) to prepare and provide to each school district the Seal of Fine Arts and provide appropriate benchmarks in rubric form necessary for a school district to implement the program.
- Requiring each school district to maintain appropriate records, provide the commissioner with required information, affix the appropriate insignia to the student’s diploma and indicate on the student’s transcript that the student has earned the Seal of Fine Arts.
- Authorizing the State Board of Education to establish additional criteria for the award of the Seal of Fine Arts and adopt rules to implement the program.

The bill specifies that neither the school district nor the Department of Education may charge a fee for the Seal of Fine Arts.

The establishment of the Seal of Fine Arts may encourage more high school students to build expertise in the arts, earn recognition, and follow art-related career paths.

The bill takes effect on July 1, 2022.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Department of Education may incur costs associated with creating the seal for the Seal of Fine Arts Program. Because the number of students who will qualify for a Seal of Fine Arts cannot be determined, the fiscal impact of the bill is indeterminate, but likely insignificant.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 1003.4321 of the Florida Statutes.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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