

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 523 Florida Seal of Fine Arts Program

SPONSOR(S): Canady

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 694

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee	17 Y, 0 N	Blalock	Sleap
2) Education & Employment Committee	19 Y, 0 N	Blalock	Hassell

SUMMARY ANALYSIS

The bill establishes the Florida Seal of Fine Arts Program to recognize high school graduates who have met exemplary benchmarks in fine arts coursework. The bill specifies that beginning in the 2024-2025 school year, the Seal of Fine Arts must be awarded to a high school student who has earned a standard high school diploma and successfully completed at least three year-long courses or earned three sequential course credits in dance, music, theatre, or the visual arts with a grade of “A” or higher in each course and meets a minimum of two of the following requirements:

- successfully completes a fine arts International Baccalaureate, Advanced Placement, dual enrollment, or honors course in dance, music, theatre, or the visual arts with a grade of “B” or higher;
- participates in a district or statewide organization’s 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 experiences;
- meets the requirements of a portfolio-based program identifying the student as an exemplary practitioner of the fine arts; or
- receives district, state, or national recognition for the creation and submission of an original work of art.

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

The bill has an indeterminate fiscal impact. See Fiscal Analysis.

The bill takes effect July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Art education refers to learning, instruction, and programming based upon the visual and tangible arts. Art education includes performing arts like dance, music, and theatre 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 photography, video, film, and graphic design. Art education is provided through a standards-based, sequential approach by a qualified instructor.¹

Present Situation

The Arts Industry

In 2022, nonprofit arts and culture organizations and their audiences generated \$151.7 billion in economic activity nationally, made up of \$73.3 billion in spending by the organizations and \$78.4 billion in event-related spending by their audiences. This economic activity supported 2.6 million jobs, generated \$29.1 billion in tax revenue, and provided \$101 billion in personal income.²

In fiscal year 2022, Florida's nonprofit arts and culture industry generated \$5.8 billion of economic activity. This includes \$2.9 billion by nonprofit arts and culture organizations and an additional \$2.9 billion in event-related spending by their audiences. This economic activity supports 91,270 full-time jobs, generates \$3.8 billion in resident household income, and delivers \$694.7 million in local and state government revenue.³

The Arts and Florida Students

Florida brings the arts to students in a variety of ways; from promoting nationally recognized Arts Education Month⁴ 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 career and technical education.⁵
- establishing the annual Art in the Capitol Competition as a statewide visual arts competition for all public, private, and home education students in grades 6 through 8.⁶
- requiring the Commissioner of Education (commissioner) 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;
 - 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

¹ US Legal, *Art Education Law and Legal Definition*, <https://definitions.uslegal.com/a/art-education/> (last visited Jan. 8, 2024).

² Americans for the Arts, *Arts and Economic Prosperity 6* (2023), available at https://aep6.americansforthearts.org/resources/media/user/1696872109-Arts_EconomicProsperity6_brochure_web.pdf.

³ Americans for the Arts, *State of Florida Arts & Economic Prosperity One-Page Summary*, https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Ffiles.floridados.gov%2Fmedia%2F707193%2Ffl_stateofflorida_aep6_onepagesummaryoffindings-ss-edits.docx&wdOrigin=BROWSELINK (last visited Jan. 8, 2024).

⁴ Florida Department of Education (DOE), Memorandum, *Arts Education Month* (2023), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-9800/dps-2023-17.pdf>.

⁵ See ss. 1003.42(1) and 1003.4282(3)(e), F.S. A practical arts course identified in the Course Code Directory that incorporates artistic content and techniques of creativity, interpretation, and imagination satisfies the required one credit in fine or performing arts.

⁶ Section 1003.49965(1) and (2), F.S.

- the manner in which schools are providing the core curricular content for fine arts established in the state academic standards.⁷

During the 2021-2022 school year, as included in the fine arts report, all school districts offered courses and 1.7 million or 61 percent of students enrolled in fine arts courses, with:

- Music comprising 47 percent of overall arts enrollment;
- Visual arts comprising 47 percent of overall arts enrollment;
- Theatre comprising 4 percent of overall arts enrollment; and
- Dance comprising 2 percent of overall arts enrollment.⁸

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. Florida currently offers three diploma recognitions: Scholar Designation;⁹ Industry Scholar Designation;¹⁰ and the Seal of Biliteracy.¹¹

Scholar Diploma Designation

In addition to meeting the 24-credit standard high school diploma requirements,¹² a student must meet all of the following requirements to earn the Scholar Diploma Designation:

- Mathematics
 - Earn one credit in Algebra 2 and statistics, or equally rigorous courses.
 - Pass the Geometry end of course (EOC) assessment.
- Science
 - Pass the Biology 1 EOC or earn the minimum score necessary to earn college credit on the respective Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) assessment for a Biology course.
 - Earn one credit in Chemistry or Physics.
 - Earn one credit in a course equally rigorous to Chemistry or Physics.
- Social Studies
 - Pass the U.S. History EOC or earn the minimum score necessary to earn college credit on the respective AP, IB, or AICE assessment for a course that includes United States History topics.
- Foreign Language
 - Earn two credits in the same foreign language.
- Electives
 - Earn at least one credit in an AP, IB, AICE, or a dual enrollment course.¹³

Industry Scholar Diploma Designation

In addition to meeting the 24-credit standard high school diploma requirements,¹⁴ a student must attain one or more industry certifications on the state's Master Credentials List¹⁵ to earn the Industry Scholar Diploma Designation.¹⁶

⁷ Section 1003.4995, F.S.

⁸ DOE, *2021-2022 Florida Fine Arts Report*, <https://www.fldoe.org/academics/standards/subject-areas/fine-arts/> (last visited Jan. 8, 2024).

⁹ Section 1003.4285(1)(a), F.S.

¹⁰ Section 1003.4285(1)(b), F.S.

¹¹ Section 1003.432, F.S.

¹² Section 1003.4282, F.S.

¹³ Section 1003.4285(1)(a)1.-5., F.S.

¹⁴ Section 1003.4282, F.S.

¹⁵ Section 445.004(4)(h), F.S. The Master Credentials List identifies nondegree credentials and degree programs for purposes of the CAPE Industry Certification funding list under s. 1008.44, F.S.

¹⁶ Section 1003.4285(1)(b), F.S.

Scholar Student Participation

During the 2021-2022 school year, 9,673 students earned the Scholar Diploma Designation, 22,759 students earned the Industry Scholar Diploma Designation, and 8,853 students earned both the Scholar and Industry Scholar Diploma Designation.¹⁷

Florida Seal of Biliteracy Program

The Florida Legislature authorized the Florida Seal of Biliteracy Program in 2016.¹⁸ 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.¹⁹

To earn the Gold or Silver Seal of Biliteracy, a high school student who has earned a standard high school diploma²⁰ must:²¹

- Earn four foreign language course credits in the same foreign language with a cumulative 3.0 GPA or higher on a 4.0 scale;
- Earn a qualifying score or performance level on a qualifying examination, with the Gold seal requiring higher qualifying scores; or
- For languages not tested on nationally recognized examinations, demonstrate language proficiency through a performance portfolio assessed at a State Board of Education (SBE) identified level based on American Council on the Teaching of Foreign Languages proficiency guidelines.

During the 2021-2022 school year, 5,845 students earned the Gold Seal of Biliteracy, 1,100 students earned the Silver Seal of Biliteracy, and 3,812 students earned both the Gold Seal and Silver Seal of Biliteracy.²²

Effect of Proposed Changes

The bill establishes the Florida Seal of Fine Arts Program within the Department of Education (DOE) to recognize high school graduates who have met exemplary benchmarks in fine arts coursework. The purpose of the program is to encourage students to develop expertise in the performing or visual arts.

The bill specifies that beginning in the 2024-2025 school year, the Seal of Fine Arts must be awarded to a high school student who has earned a standard high school diploma and successfully completed at least three year-long courses or earned three sequential course credits in dance, music, theatre, or the visual arts with a grade of “A” or higher in each course and meets a minimum of two of the following requirements:

- successfully completes a fine arts IB, AP, dual enrollment, or honors course in dance, music, theatre, or the visual arts with a grade of “B” or higher;
- participates in a district or statewide organization’s 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 experiences;
- meets the requirements of a portfolio-based program identifying the student as an exemplary practitioner of the fine arts; or
- receives district, state, or national recognition for the creation and submission of an original work of art, which is defined as a musical or theatrical composition, visual artwork, or choreographed routine or performance.

¹⁷ Email, DOE, Office of Legislative Affairs (Jan. 8, 2024). On file with the House Education & Employment Committee.

¹⁸ Section 40, ch. 2016-237, *codified at* s. 1003.432, F.S.

¹⁹ Section 1003.432(1)-(2), F.S.

²⁰ Section 1003.4282, F.S.

²¹ Section 1003.432(4), F.S. and Rule 6A-1.09951, F.A.C.

²² Email, DOE, Office of Legislative Affairs (Jan. 8, 2024). On file with the House Education & Employment Committee.

The bill requires the SBE to adopt rules to administer the program, including a process to confirm a student's successful completion of the requirements and any additional requirements, as established by the SBE, a student must meet to be awarded the Seal of Fine Arts.

The bill also specifies requirements for the commissioner and school districts to implement the program. The commissioner must prepare for and provide to each school district an appropriate Seal of Fine Arts to be affixed to a student's diploma and provide appropriate benchmarks in rubric form for a school district to successfully implement the program.

Each school district must maintain appropriate records to identify students who have earned a Seal of Fine Arts, provide the commissioner with the number of students who have met the requirements to receive a seal, and affix the appropriate insignia to the student's diploma and indicate on the student's transcript that he or she has earned a Seal of Fine Arts.

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

B. SECTION DIRECTORY:

Section 1: Creates s. 1003.4321, F.S.; establishing the Florida Seal of Fine Arts Program within the DOE; providing the purpose of the program; specifying eligibility requirements for the seal; defining the term "work of art"; authorizing the SBE to adopt additional criteria for the award of a seal; requiring the commissioner and school districts to perform specified duties to administer the program; prohibiting a school district or the DOE from charging a fee for the seal; requiring the state board to adopt rules.

Section 2: Providing an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The Department of Education may incur costs associated with creating the seal for the 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.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill requires the State Board of Education to adopt rules to administer the program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.