

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/CS/HB 537 Student Achievement

SPONSOR(S): Education & Employment Committee and Education Quality Subcommittee, Valdés and others

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 590

FINAL HOUSE FLOOR ACTION: 111 Y's 0 N's **GOVERNOR'S ACTION:** Approved

SUMMARY ANALYSIS

CS/CS/HB 537 passed the House on February 29, 2024. The bill was amended in the Senate on March 6, 2024, and returned to the House. The House concurred in the Senate amendment and subsequently passed the bill as amended on March 7, 2024.

The bill establishes a two-year Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program within the Department of Education (DOE). The pilot program assists school districts in adopting music-based supplemental materials that support STEM courses for middle school students. The bill provides that the DOE is responsible for the implementation of the mSCALES pilot program, subject to an appropriation by the Legislature.

The bill does not have a fiscal impact. See Fiscal Analysis.

The bill was approved by the Governor on April 15, 2024, ch. 2024-94, L.O.F., and will become effective on July 1, 2024.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program

Some studies have indicated a positive correlation between instruction in music and math.¹ Additionally, a variety of aspects of cognitive development have been shown to be positively linked with music instruction in school, including spatial-temporal abilities, selective attention, and memory for verbal stimuli.² Some research has even identified a positive association between music education and increases in student self-esteem, academic success, and discipline.³

Early Childhood Music Education Incentive Program

The Legislature established the Early Childhood Music Education Incentive Pilot Program in 2017 to assist certain school districts in implementing comprehensive music education programs in kindergarten through grade 2, beginning with the 2017-2018 school year.⁴ Based on an evaluation of the program following the 2021-2022 school year, students participating in the program showed significant growth in reading and math, as measured by progress monitoring scores; however, the analysis noted that the lack of a control group during the program made it unclear the extent to which academic growth was attributable to the program.⁵ In 2023, the Early Childhood Music Education Incentive Pilot Program was converted into a permanent program administered by the Department of Education (DOE).⁶

For a school district to be eligible for participation in the program, the district school superintendent must certify to the DOE that specified elementary schools within the district have established a comprehensive music education program that:

- includes all students enrolled at the school in kindergarten through grade 2;
- is staffed by certified music educators;
- provides music instruction for at least 30 consecutive minutes two days a week;
- complies with class size requirements under the law; and
- complies with the DOE's standards for early childhood music education programs for students in kindergarten through grade 2.

The DOE is required to approve school districts to participate in the program, subject to legislative appropriation, according to a needs-based criteria established by the SBE. Selected school districts must annually receive \$150 per full-time equivalent (FTE) student in kindergarten through grade 2 who is enrolled in a comprehensive music education program.

¹ J.D. Walsh and B.K. Coleman, *Using Music to Teach Math in Middle School*, 2 South Carolina Association for Middle Level Education Journal 144-151 (2023), available at <https://scholarcommons.sc.edu/cgi/viewcontent.cgi?article=1028&context=scamle>; see also M.F. Gardiner, et al, *Learning Improved by Arts Training*, 381 Nature 284 (1996) (last visited Mar. 12, 2024).

² See, e.g., Lois Hetland, *Learning to Make Music Enhances Spatial Reasoning*, 34 J. Aesthetic Ed. 179 (2000); J. Goopy, 'Extra-musical effects' and Benefits of Programs Founded on the Kodaly Philosophy, 2 AUSTRALIAN JOURNAL OF MUSIC EDUCATION 71-78 (2013); Yim-Chi Ho, et al, *Music Training Improves Verbal but Not Visual Memory: Cross-Sectional and Longitudinal Explorations in Children*, 17 NEUROPSYCHOLOGY 439 (2003).

³ See e.g., Cecil Adderley, et al, "A home away from home": The world of the high school music classroom, 51 J. MUSIC RES. 190 (2003).

⁴ Chapter 2017-116, L.O.F.

⁵ Serephine, Anne, and Miller, David, University of Florida, College of Education, *Evaluation Report Early Childhood Education Incentive Pilot Program 2021-2022*, at 92, on file with the Education Quality Subcommittee.

⁶ Chapter 2023-168, L.O.F.

The SBE is authorized to adopt rules to administer the program.⁷

The Legislature appropriated \$400,000 in recurring funds and \$10 million in nonrecurring funds for the DOE to implement the Early Childhood Music Education Program in the 2023-2024 fiscal year.⁸ Based on applications received, the DOE anticipates that the program will serve 19,346 students in 78 schools across 13 school districts in the 2023-2024 fiscal year. The DOE projects expenditures of \$3,205,248 for the 2023-2024 fiscal year.⁹

Middle Grades Mathematics Teachers

Specialization requirements for teacher certification as a middle grades mathematics instructor require a bachelor's or higher degree with a mathematics or middle grades mathematics major, or at least 18 semester hours in mathematics, including:

- calculus, precalculus, or trigonometry;
- geometry; and
- probability or statistics.¹⁰

As of the 2021-2022 school year, there were 17,786 mathematics teacher certifications in Florida.¹¹ The maximum number of students assigned to each teacher who is teaching middle school mathematics may not exceed 22 students.¹²

The Florida Center for Partnerships in Arts-Integrated Teaching

The Florida Center for Partnerships in Arts-Integrated Teaching, commonly referred to as PAInT, is a state-wide resource in arts-integrated pedagogy. The Center for PAInT is an essential part of the collaborative strategic planning for the arts in Florida.¹³ The goals of the center include research in arts-integrated teaching, technical assistance and support, professional development, and examination of arts integrated teaching in Science, Technology, Engineering, and Math (STEM) educational courses.¹⁴

Effect of the Bill

This bill establishes a two-year Music-based Supplemental Content to Accelerate Learner Engagement and Success (mSCALES) Pilot Program within the DOE. The program is intended to assist school districts that participated in the Early Childhood Music Education Incentive Program in adopting music-based supplemental materials to support STEM courses for middle school students.

The bill requires the use of music-based supplemental materials at least twice per week to supplement mathematics instruction by teachers who are certified to teach mathematics. Participating districts are required to annually certify to the DOE that they are complying with this requirement and also class size requirements. Subject to legislative appropriation, participating school districts receive \$6 per FTE student participating in the pilot program. Participating middle schools must be in the same attendance zone as an elementary school that participated in the Early Childhood Music Education Incentive Program.

⁷ Section 1003.481, F.S.

⁸ Specific Appropriation 96, s. 2, ch. 2023-239, L.O.F.

⁹ Email, Florida Department of Education (January 2, 2024), with attachment, on file with the Education Quality Subcommittee.

¹⁰ Rule 6A-4.0261, F.A.C.

¹¹ Florida Department of Education, *Identification of High Demand Teacher Needs for 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/20562/urlt/16-2.pdf>, at 4 (last visited Mar. 12, 2024).

¹² Section 1003.03(1), F.S.

¹³ University of South Florida, Center for PAInT, *Mission, Belief Statement, and Definition of Arts Integration*, <https://www.sarasotamanatee.usf.edu/academics/center-for-paint/#:~:text=The%20Florida%20Center%20for%20Partnerships.for%20the%20Arts%20in%20Florida>

(last visited Mar. 12, 2024).

¹⁴ Section 1004.344, F.S.

The bill authorizes the school districts in Alachua, Marion, and Miami-Dade counties to participate in the pilot program. To participate, the school district superintendent must contact the DOE.

The bill authorizes the DOE to select school districts for participation in the pilot program if sufficient funding is available as appropriated by the Legislature. The DOE is required to prescribe application forms and forms for districts to certify they are meeting the requirements of the pilot program.

The bill requires the College of Education at the University of Florida (UF) to continuously evaluate the program's effectiveness and annually share findings of its evaluations with the DOE and the Legislature. UF's College of Education must prepare a comprehensive report of the program's overall effectiveness. The report must be presented, no later than October 1, 2026, to the DOE, the Legislature, and the University of South Florida Center for Partnerships in Art-Integrated Teaching (PAInT).

The mSCALES pilot program expires June 30, 2026.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The pilot program created by the bill is subject to appropriation. The General Appropriation Act for the 2024-2025 Fiscal Year (HB 5001) includes \$400,000 for the implementation of the mSCALES pilot program.