

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 703 Early Childhood Music Education Incentive Program

**SPONSOR(S):** Choice & Innovation Subcommittee, Garcia

**TIED BILLS:** None. **IDEN./SIM. BILLS:** CS/SB 478

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee	17 Y, 0 N, As CS	McDaniel	Sleap
2) PreK-12 Appropriations Subcommittee	14 Y, 0 N	Bailey	Potvin
3) Education & Employment Committee	19 Y, 0 N	McDaniel	Hassell

### SUMMARY ANALYSIS

The Legislature established the Early Childhood Music Education Incentive Pilot Program in 2017 to assist selected school districts in implementing a comprehensive music education program for students in kindergarten through grade 2. As of March 2023, a total of 2,422 students are participating across ten schools in three districts.

To expand access to the program, the bill converts the Early Childhood Music Education Incentive Pilot Program into a permanent program. The bill shifts the responsibility for administering the program from the Commissioner of Education to the Department of Education (DOE).

Subject to an appropriation in the General Appropriations Act, a school district will annually receive a maximum of \$150 per full-time equivalent student in kindergarten through grade 2 who is enrolled in a comprehensive music education program.

The bill revises eligibility for the program, authorizing the DOE to approve school district participation and proximity to the University of Florida is no longer a factor in determining eligibility. The bill removes the evaluation responsibilities assigned to University of Florida and Florida International University.

The bill does not have a fiscal impact. See Fiscal Comments, *infra*.

The bill takes effect upon becoming law.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Early Childhood Music Education Incentive Pilot Program

The Legislature established the Early Childhood Music Education Incentive Pilot Program in 2017 to assist selected school districts in implementing a comprehensive music education program for students in kindergarten through grade 2. The program began in the 2017-2018 school year and was authorized for an initial period of three years.<sup>1</sup>

The Legislature updated the guidelines of and extended the expiration for the Early Childhood Music Education Incentive Pilot Program in 2020 to June 30, 2022. The updated guidelines created flexibility for school districts seeking to participate in the program by allowing specified elementary schools in the district, rather than all elementary schools, to implement a comprehensive music education program.<sup>2</sup> In 2022, the Legislature extended the expiration of the program to June 30, 2023.<sup>3</sup>

For a school district to be eligible to participate in the pilot program, the district superintendent must certify to the Commissioner of Education (commissioner) that specified elementary schools within the district have established a comprehensive music education program that:<sup>4</sup>

- includes all students at the school enrolled 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 the class size requirements under the law;<sup>5</sup> and
- complies with the Department of Education's (DOE) standards for early childhood music education programs for students in kindergarten through grade 2.

Subject to a legislative appropriation, the commissioner must select school districts for participation in the pilot program based on the school district's proximity to the University of Florida (UF) and needs-based criteria established by the State Board of Education (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.<sup>6</sup>

To maintain eligibility in the pilot program, a school district must annually certify to the commissioner, in a format prescribed by the DOE, that each specified elementary school within the district provides a comprehensive music education program that meets all requirements. If a school district fails to provide the annual certification for a fiscal year, the school district must return all funds received through the pilot program for that fiscal year.<sup>7</sup>

The University of Florida's College of Education must collaborate with Florida International University's (FIU) School of Music to evaluate the effectiveness of the pilot program.<sup>8</sup> Upon completion, the results

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<sup>1</sup> Section 69, ch. 2017-116, L.O.F.

<sup>2</sup> Section 1, ch. 2020-72, L.O.F.

<sup>3</sup> Section 1003.481(6), F.S.

<sup>4</sup> Section 1003.481(2)(a)-(e), F.S.

<sup>5</sup> Section 1003.03(1)(a), F.S. The maximum number of students assigned to each teacher who is teaching core-curriculum courses in public school classrooms for prekindergarten through grade 3 may not exceed 18 students.

<sup>6</sup> Section 1003.481(3)(a), F.S.

<sup>7</sup> Section 1003.481(3)(b), F.S.

<sup>8</sup> The 2021-2022 report only provides formative findings on the evaluation of Year 1 (2021-2022 academic year), during full implementation. The evaluation team is expected to provide the summative evaluation report on Year 1 and Year 2 (2022-2023 academic year) by July 2023. Email from Keenan Vernon, Deputy Legislative Affairs Director, Florida Department of Education, RE: Reports on Music Education Program (Mar. 17, 2023).

of the evaluation must be shared with the Florida Center for Partnerships for Arts-Integrated Teaching.<sup>9</sup> The SBE is authorized to adopt rules to administer the pilot program.<sup>10</sup>

### Implementation

Currently, ten schools have been selected to participate in the program from three different school districts:<sup>11</sup>

- Alachua County: Joseph Williams Elementary School (192 students), Irby Elementary School (357 students), Lake Forest Elementary School (155 students), and Metcalfe Elementary School (252 students).
- Marion County: Fort McCoy School (272 students), Ocala Springs Elementary School (331 students), and Reddick-Collier Elementary School (159 students).
- Miami-Dade County: Fulford Elementary School (211 students), Whispering Pines Elementary School (225 students), and Comstock Elementary School (268 students).

Between the three districts, six of the schools serve primarily economically disadvantaged students. One certified music teacher is assigned to each school. A total of 2,422 students are participating across all three districts as of March 2023.<sup>12</sup>

### Assessment

In order to access the effectiveness of the program, all schools provide nine-week grade reports, attendance records, and disciplinary reports for students. Furthermore, the school districts provide standardized test score information to access changes in proficiency in both reading and math.<sup>13</sup>

To provide a qualitative evaluation of participating students, music classroom observations are conducted once in each participating school and cover kindergarten through grade 2.<sup>14</sup> Music teacher interviews are also conducted with each participating school. Additionally, stakeholders such as district administrators, principals, and classroom teachers are surveyed on the program at least once per year.<sup>15</sup>

### Funding

The Legislature appropriated \$400,000 for the pilot program in each of the fiscal years from 2020 through 2023.<sup>16</sup> Additionally, each year since Fiscal Year 2021-2022, the Legislature has reverted any unexpended balance of funds and appropriated the funds for the subsequent fiscal year for the same purpose.<sup>17</sup> As of October 2022, the following distributions have been made:<sup>18</sup>

School District	Amount Allocated	Amount Remaining
Alachua County	\$102,347	\$25,586
Marion County	\$79,319	\$19,829

<sup>9</sup> Section 1003.481(4), F.S.

<sup>10</sup> Section 1003.481(5), F.S.

<sup>11</sup> Email from Keenan Vernon, Deputy Legislative Affairs Director, Florida Department of Education, RE: Early Childhood Music Education Initiative (Mar. 8, 2023).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Ch. 2020-111, s. 2, Specific Appropriation 114, Laws of Fla.; Ch. 2021-36, s. 2, Specific Appropriation 110, Laws of Fla.; and Ch. 2022-156, s. 2, Specific Appropriation 104, Laws of Fla.

<sup>17</sup> Transparency Florida, *2022-23 Back of the Bill – Reversions/Reappropriations*, <http://www.transparencyflorida.gov/Info/OtherTrans.aspx?FY=22&EogTransDate=07%2f21%2f2021&BE=48250400&AC=104052&Fund=1000&FundType=&EogCode=0005&LI=+110&OB=Y&SC=F> (last visited Mar. 15, 2023).

<sup>18</sup> Email from Keenan Vernon, Deputy Legislative Affairs Director, Florida Department of Education, RE: Early Childhood Music Education Initiative (Mar. 8, 2023).

Miami-Dade County	\$74,202	\$18,550
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The DOE also authorized \$141,004 to UF and FIU to evaluate the effectiveness of the pilot program.<sup>19</sup>

### Effect of Proposed Changes

The bill converts the Early Childhood Music Education Incentive Pilot Program into a permanent program. The bill shifts the responsibility for administering the program from the commissioner to the DOE. The bill revises eligibility for the program, authorizing the DOE to approve district participation, and proximity to UF is no longer a factor in determining eligibility.

Subject to an appropriation in the General Appropriations Act, a school district will annually receive a maximum of \$150 per FTE student in kindergarten through grade 2 who is enrolled in a comprehensive music education program.

The bill removes the evaluation responsibilities assigned to UF and FIU.

The bill takes effect upon becoming law.

### B. SECTION DIRECTORY:

**Section 1.** Amending s. 1003.481, F.S., renaming the Early Childhood Music Education Incentive Pilot Program as the Early Music Education Incentive Program; transferring certain duties regarding the program’s administration from the Commissioner of Education to the Department of Education; providing that program funds are subject to legislative appropriation; providing the maximum amount of funding school districts may annually receive per student in the program; revising criteria for a school district’s eligibility to participate in the program; deleting an obsolete provision requiring the University of Florida’s College of Education to conduct a specified evaluation; abrogating the scheduled expiration of provisions governing the program.

**Section 2.** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None. See Fiscal Comments.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

<sup>19</sup> *Id.*

None.

**D. FISCAL COMMENTS:**

Since Fiscal Year 2020-2021, the Early Childhood Music Education Incentive Pilot Program has been appropriated \$400,000 in recurring funds from the General Revenue Fund. Additionally, each year since Fiscal Year 2021-2022, the Legislature has reverted any unexpended balance of funds and appropriated the funds for the subsequent fiscal year for the same purpose. As a result, in addition to the \$400,000 appropriated for Fiscal Year 2022-2023, over \$200,000 in unexpended funds from Fiscal Year 2021-2022 reverted and was appropriated for Fiscal Year 2022-2023. As of March 7, 2023, the total reported expenditures for Fiscal Year 2022-23 is just under \$300,000. Since it is unclear if the program will be expanded beyond the school districts currently participating, the current level of appropriation appears sufficient and there is no fiscal impact to state government expenditures.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On March 21, 2023, the Choice & Innovation Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment clarifies that a school district participating in the program will annually receive, subject to an appropriation in the General Appropriations Act, a maximum of \$150 per FTE student participating in the program.

The bill analysis is drafted to the committee substitute adopted by the Choice & Innovation Subcommittee.