

STATELINE MIDWEST



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A compilation of articles that appeared in the publication *Stateline Midwest* in 2022 on policies related to education and workforce development



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The Council of State Governments | Midwestern Legislative Conference

701 East 22nd Street, Suite 110 | Lombard, Illinois 60148

630.925.1922 | csgm@csg.org | www.csgmidwest.org

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NEED FOR NURSES NEVER HIGHER

States are boosting pay to retain workforce over the short-term; longer-term solutions are also being considered — from laws on working conditions to new scholarship programs

by Tim Anderson (tanderson@csg.org)

Never in the nation's history have there been more registered nurses.

And in 2021, the pool of new nurses entering the profession (as measured by the number of individuals taking the licensure test) reached 184,500 — a 17 percent increase from five years ago, according to the National Council of State Boards of Nursing (see bar graph).

Yet that same year, some states were taking unprecedented steps to lure nurses to fill open positions in their hospitals, nursing homes and other health care settings.

Some examples of recent plans and proposals from the Midwest:

- Kansas created a \$50 million initiative for hospitals to offer premium pay (up to \$13 an hour) or develop other plans to retain their nurses and support personnel.

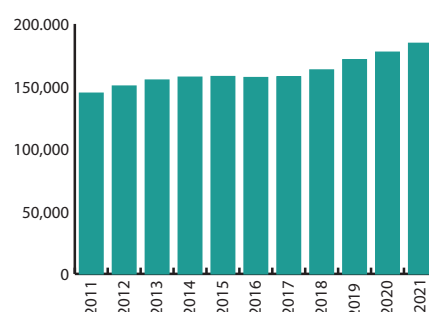
- *The Des Moines Register* reported in December that Iowa would contract with a health care staffing company to bring in out-of-state nurses and respiratory therapists for a temporary period in order to handle a surge in COVID-19-related hospitalizations. The cost was estimated at \$9 million.

- In Michigan, an alliance of hospital, nursing home, community college and nurse associations urged legislators to address what it says is “an emerging crisis of a shortage of health care workers.” Its \$650 million plan would provide payments to nurses and other health professionals while also establishing a new state-funded scholarship program. Late in the year, too, the Michigan House approved HB 5523, which includes creation of a \$300 million Health Care Recruitment, Retention and Training Reserve Fund.

- Bills introduced early this year in Nebraska would provide \$50 million in premium-pay bonuses for frontline nurses (LB 1055) and \$5 million for a new scholarship program (LB 1091).

The COVID-19 pandemic and a winter surge in cases deepened the demand for nurses, while the

OF NEW U.S.-EDUCATED NURSES, BY YEAR
(BASED ON # TAKING LICENSURE TEST FOR FIRST TIME)



Source: National Council of State Boards of Nursing

availability of new federal funds has allowed states to adopt these pay-boost and retention proposals.

“In the short term, when people are in crisis and nurses are in high demand, then competing on wages is certainly one way to attract nurses,” says Karen Lasater, an assistant professor of nursing and a scholar at the University of Pennsylvania Center for Health Outcomes & Policy Research.

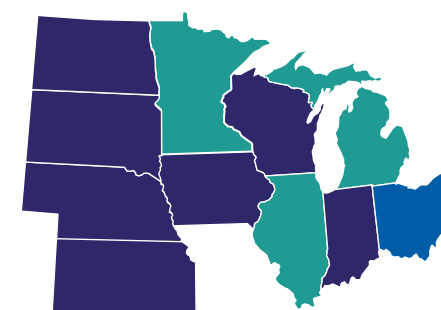
Lasater cautions, though, that it is not a long-term solution to a “chronic issue” that predates the pandemic — not having enough of a state’s existing pool of registered nurses choosing to work in hospitals or other settings due to factors such as stress and burnout.

EXAMPLES OF STATE LAWS IN MIDWEST ON NURSE STAFFING AT HOSPITALS

State	Details of law
Illinois and Ohio	Hospitals must have staffing committees (at least 50 percent of the membership in Ohio must be registered nurses, 55 percent in Illinois) that develop nurse-to-patient ratios, other staffing policies; public disclosure of plans required in Illinois
Minnesota	Hospitals’ chief nursing executives or nursing designees must develop a core staffing plan for each care unit; public disclosure required

Source: American Nurses Association

MIDWEST STATES IN NATIONAL NURSE LICENSURE COMPACT (AS OF LATE 2021)*



- Compact member
- Legislation signed into law to join compact, takes effect in 2023
- Not a compact member

* Member states allow licensed nurses from other compact states to practice without having to obtain additional licenses.

Source: National Council of State Boards of Nursing



IN MIDWEST, NUMEROUS BILLS UNDER CONSIDERATION TO STRENGTHEN NURSING WORKFORCE

» CONTINUED FROM PAGE 1

“It’s a mistake to focus on the pipeline alone without addressing the reasons that the pipeline is leaking,” Lasater says.

Her work has focused on policy levers to improve working conditions, which also is the aim of some recent legislative proposals in the Midwest. Through new bills and programs, too, states are looking to further expand their numbers of people entering the profession.

Here is a closer look at ideas in those two areas: building up the pipeline of registered nurses, and repairing the leaks.

REPAIRING LEAKS IN NURSING PROFESSION PIPELINE

One policy lever of particular interest to Lasater is the implementation of state-level, mandatory nurse-to-patient ratios.

She says lower caseloads result in fewer patient deaths, shorter hospital stays and fewer readmissions — all due to improvements in care. And for nurses, the chance to deliver better care means less burnout.

“[With higher caseloads] there’s a disconnect between what nurses know they should be doing for a patient and what they’re able to because they don’t have enough time,” Lasater adds.

To date, only California has adopted mandatory staffing ratios, and hospital associations have typically opposed these state measures, citing increased costs and less flexibility in other staffing areas.

Still, legislation has been introduced in states such as Illinois, Michigan and Ohio.

Michigan’s proposal is part of a three-bill package dubbed the “Safe Patient Care Act,” which also includes new limits on forced overtime and related protections for nurses.

Rep. Sara Cambensy, a sponsor of the overtime bill, says critics of the legislative package point to already-stretched-thin workforce capacity in hospitals during the pandemic. Her response: nurses are leaving, and will continue to do so, without improvements in working conditions.

“We would get more nurses to stay and attract more if we listen to them and address their concerns,” says Cambensy, the daughter of a nurse.

A bill to limit mandatory overtime passed the Ohio House in 2021 with bipartisan support. With exceptions for public health disasters and emergencies, HB 163 would prevent a nurse from working beyond his or her shift as a condition of continued employment.

Ohio hospitals also would need to incorporate these new overtime rules into their broader nurse-staffing plans. Already required under state law, these evidence-based plans are developed by a staffing committee, at least 50 percent of whose members must be registered nurses. (In the Midwest, Illinois and

“It’s a mistake to focus on the pipeline alone without addressing the reasons that the pipeline is leaking.”

Karen Lasater, University of Pennsylvania Center for Health Outcomes and Policy Research

Minnesota also have related laws on nurse staffing.)

Ohio Rep. Bride Rose Sweeney, a sponsor of HB 163, says similar bills on mandatory overtime have been introduced in multiple legislative sessions, both a reflection of the difficulty in getting such a measure passed (due in part to the opposition of hospitals) and of the fact that concerns about working conditions have been around much longer than COVID-19.

“Like a lot of issues, the pandemic has shone a light on what is a long-standing problem [in health care],” Sweeney says.

In her home state, she adds, some rural areas do lack an adequate supply of registered nurses, but there is no statewide shortage. The more common, persistent problem is keeping enough qualified workers in the profession.

“In Ohio, we already have a plethora of high-quality nursing schools in our public and private colleges and universities,” Sweeney says.

BUILDING THE NURSING PROFESSION PIPELINE

Community colleges across Ohio may soon be added to that list of schools offering bachelor’s degrees in nursing, as the result of language included in last year’s budget bill (HB 110) allowing them to seek such authorization from the Ohio Department of Higher Education.

Requests will be granted if the community college can show that nursing is an in-demand field in its region of the state and that it has an industry partner to provide work-based learning and employment opportunities.

Some Michigan lawmakers are pursuing a similar change in state policy. HB 5556 and 5557, passed out of a House committee in late 2021, would allow community colleges to offer bachelor’s degrees in nursing.

With this change, Rep. John Roth says, people wanting to pursue nursing as a career would have more choices and flexibility, including the opportunity to seek a degree closer to home.

According to Roth, the community-college option is particularly important in areas of Michigan where traditional four-year options are far away and the shortage of available nurses is acute.

“You hear so much about it now

because of the pandemic, but you also heard about it before,” says Roth, whose wife is a registered nurse.

“This is not a temporary workforce problem. It’s a long-term thing, and we have a population in our Grand Traverse [County] area that is aging. We’re going to need more nurses.”

Another question for legislators: Does your state have enough people to teach the next generation of nurses?

“You can’t have nursing students, you can’t have nurses, unless you have the faculty, and right now there’s a shortage of faculty in this country,” says Susan Hassmiller, senior adviser for nursing at the Robert Wood Johnson Foundation and director of its Future of Nursing: Campaign for Action.

“So I would say loans, I would say scholarships and lower payments for nursing faculty [as policy options].”

Illinois lawmakers considered an income tax credit for nurse educators last year, but the final language of SB 2153 did not include such a provision.

However, the enacted bill does authorize the Department of Public Health to award up to \$500,000 a year in scholarships for individuals seeking initial or advanced degrees in nursing.

Under SB 2153, too, Illinois added new requirements to its existing law on hospitals’ nurse staffing committees. For example, the committee must meet at least six times a year, and at least 55 percent of its members must be direct-care nurses (up from 50 percent under the previous law). And if a hospital rejects a committee’s plan for nursing-to-patient ratios, it must provide a written explanation.

Non-compliant hospitals face fines, and that money will go to the scholarship fund. (Dollars also come from hospital licensing fees.)

Across the Midwest, often as part of larger initiatives that target high-demand career sectors, many states already offer scholarships and other financial assistance to help build the nursing pipeline. Examples include a workforce development scholarship in Minnesota and grants in Indiana (known as Next Level Jobs) for individuals to pursue nursing-related degrees or certificates.

Early this year, Iowa Gov. Kim Reynolds announced plans to expand a high school apprenticeship program that introduces students to the nursing profession and allows them to graduate as certified nursing assistants.

Hassmiller also suggests that states look for ways to diversify their nursing workforce.

One recent example from the



Midwest: a new dual-admissions pathway for nursing students between the City Colleges of Chicago and University of Illinois-Chicago. A central goal of this new partnership is to improve access to the profession among historically underrepresented racial and ethnic groups.

OTHER STATE OPTIONS INCLUDE CHANGING RULES ON LICENSING

Along with having a central role in training the next generation of nurses, states also control licensing and regulation.

Both Hassmiller and Lasater suggest that policymakers look at some of their states’ existing rules and statutes. For example, is your state part of the National Nurse Licensure Compact? Under this agreement, member states allow licensed nurses from other compact states to practice without having to obtain additional licenses.

The removal of this kind of regulatory burden has the potential of adding to the pool of available nurses in geographic areas of the state with shortages, Lasater says.

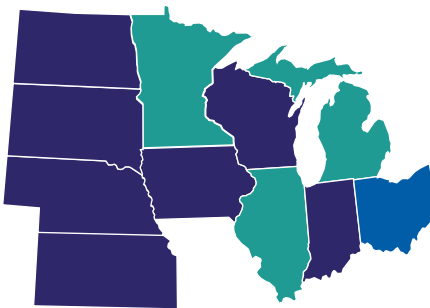
Ohio is set to become the eighth Midwestern state in the compact, as a result of the passage in 2021 of SB 3. (Only Illinois, Michigan and Minnesota are not members.)

For nurses who pursue and obtain advanced degrees, opportunities can vary from state to state because of rules on “scope of practice.”

Currently in the Midwest, Indiana, Iowa, Kansas, Nebraska, North Dakota, South Dakota and Wisconsin give nurse practitioners the authority to prescribe, diagnose and treat patients. Their scope of practice is more limited in other states.

With greater authority, Hassmiller says, nurse practitioners can reduce health costs everywhere and deliver quality care in areas with shortages of doctors and other providers.

SCOPE-OF-PRACTICE AUTHORITY FOR NURSE PRACTITIONERS



- NPs can prescribe, diagnose and treat patients without physician oversight
- Some limits on NPs that reduce practice without physician oversight
- Considered “restrictive” state for NPs due to physician oversight requirements

Source: American Association of Nurse Practitioners



Michigan Rep. Sara Cambensy



Ohio Rep. Bride Rose Sweeney



Michigan Rep. John Roth

FIRST PERSON: HOW AND WHY NORTH DAKOTA IS GIVING ITS SCHOOLS A GREATER CHANCE TO INNOVATE

New state laws allow for personalized, competency-based model of learning



by North Dakota Sen. Don Schaible
(dgschaible@nd.gov)

OVERVIEW OF NORTH DAKOTA'S RECENT CHANGES TO PROMOTE INNOVATION IN K-12 EDUCATION

- ✓ PASSAGE OF SB 2816 IN 2017 — Allow school districts to pursue innovations by seeking waivers in state education law
- ✓ PASSAGE OF SB 2215 IN 2019 — Create the 18-member K-12 Education Coordinating Council (legislators, teachers, and local and state school leaders) to organize and disseminate information about innovative best practices
- ✓ PASSAGE OF SB 2196 IN 2021 — Allow school districts to pursue personalized graduation pathways and alternatives to traditional seat- and instructional-time requirements



North Dakota is a state that has not let COVID-19 slow down the momentum of striving for changes in education for the benefit of students.

In particular, there have been ongoing efforts from several sectors in our education system to move strongly in the direction of a personalized, competency-based model of learning: Students advance based on a demonstrated mastery of content, not on how many hours or months they've been in a class.

Likewise, we're looking to move away from our traditional "one size fits all" path to graduation.

We want to encourage innovation in our local schools, as well as more flexibility and choices for our students.

To implement these changes, we as legislators needed to end the "one-size-fits-all" approach embedded in some of our state laws and regulations — for example, inflexible rules in our North Dakota Century Code regarding the courses that students had to take or the amount of seat time they needed to graduate.

Over the past few years, with broad involvement and support from our education community, we have made the necessary statutory changes, most recently with the passage of SB 2196, a bill that I sponsored in 2021.

Our work has been time-intensive, and grounded in real data, science and thoughtful dialogue about the competencies that our K-12 students need to have mastered upon graduation.

The result is a set of new state policies that help our schools develop their own local frameworks to drive student success. To complement the conventional, credit-hour system in K-12 education, our vision is that students have more-personalized graduation pathways.

As indicated last year by Dr. Cory Steiner, superintendent at Northern Cass Schools in North Dakota, "We are faced with a moral imperative to transform our system."

As a state, we are now positioned to do just that.

HOW WE CREATED NEW PATHWAYS FOR STUDENTS

SB 2196 will bring to fruition innovative ideas in education. These ideas will be developed by local school leaders, get the blessing of local school boards and communities, and align with our new statewide Learning Continuum.

Under this new law, all districts can pursue a waiving of certain instructional- and seat-time requirements in favor of a "master policy framework": a locally driven plan that emphasizes a student's mastery of course content and academic skills.

And with these new mastery/competency pathways in place, our local schools can place a greater value on career and technical education. For some students, this may mean the path to graduation requires less time in the classroom, and more in work-based learning settings. Competency can be shown outside the walls of schools.

As Dr. Steiner told us last year, our state's traditional graduation requirements were built for a society that values postsecondary education "above all else."

But we need to recognize the viability of other pathways, and make these options available to the diverse set of learners in our K-12 system.

"The requirements of graduating high school must change to recognize the values of our current society," Steiner said in his legislative testimony.

"Our current educational system is based on reaction. If a learner struggles, we react as best we can, but this should not be how we operate. Our current system sees learners as interchangeable instead of as individuals. An educational system must be built to be proactive."

Some North Dakota schools already have been experimenting with new approaches. Five years ago, with the signing of SB 2186, the state created a

pilot program in which local districts could seek waivers from existing state rules to pursue innovations in education, including personalized, competency-based learning.

During our 2019 legislative session, we established the K-12 Education Coordinating Council under a bill that I sponsored (SB 2215). This diverse group of stakeholders — teachers, legislators, superintendents and others — tackles big issues in education and moves quickly to make recommendations that could work in practice.

The council will play an important role moving forward, including a review of plans for our new statewide Learning Continuum (ultimately certified by the Board of Education).

The Learning Continuum sets out qualities and competencies that students should master and/or show proficiency in — for example, the demonstration of critical reading skills in English, problem solving in math, "evaluation through investigation" in science, and engaged citizenship in social studies.

The Learning Continuum also identifies seven key attributes in our state's "portrait of graduate": adaptability, collaboration, communication, learner's mindset, critical thinking, empathy and perseverance.

Local school districts then have the flexibility to implement their own "mastery pathways framework" within this broad Learning Continuum. That includes personalized, competency-based learning models and individualized, student-centered routes to high school graduation.

"In schools, we have been tasked to prepare learners to be productive members of society," Dr. Steiner told us last year.

"We have been asked to prepare learners for college, career and military. We are asked to develop 'soft' skills such as collaboration, communication, creativity and critical thinking. We must develop academic, social and

We have school boards, administrators and educators who are ready to jump in.

emotional skills while making sure to develop long-lasting relationships in a safe environment.

"In other words, we must prepare learners to be choice ready for a future which is constantly changing."

SB 2196 passed with near-unanimous legislative support, indicating lawmakers' commitment to local control, innovation and doing what is in the best interest of all learners throughout the state of North Dakota.

We have school boards, administrators and educators who are ready to jump in, innovate and provide authentic learning through a personalized approach.

We are excited to see the fruits of these efforts.

Sen. Donald Schaible serves as chair of the North Dakota Senate Education Committee. He also is a member of The Council of State Governments' Midwestern Legislative Conference Education Committee.

SUBMISSIONS WELCOME

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FIRST PERSON: THE END OF STANDARDIZED TESTING IN EARLY GRADES, AND THE START OF SOMETHING NEW

Illinois law results from rethinking the appropriateness of these assessments, opens new options better tied to needs of children



by Illinois Sen. Cristina Pacione-Zayas

If the ongoing COVID-19 pandemic has taught us anything, it's that many of the "usual" ways we accomplished things were products of tradition and habit, rather than reason. The surge in work-from-home arrangements and telemedicine are just two areas of life and work that stand out.

One of those areas that faced the most scrutiny was early education: now that young children were expected to stay home, how could educational institutions continue to instruct, assess, monitor progress, and ensure the holistic development of each individual child? This caused many of us to question the way things were.

We found a major area of concern was the use of standardized testing in children prior to third grade. Why would we dedicate public resources to subject our youngest learners to this kind of testing in Illinois if research on child development demonstrates that this testing is not developmentally appropriate?

We found no adequate justifications for the practice.

AGE LIMITS FOR TESTING

Through SB 3986, known as the Too Young to Test Act (signed into law in May), we prohibited the Illinois State Board of Education from funding, developing or requiring school districts to administer

standardized assessments. Specifically targeting standardized testing, this policy blazes a new trail so that Illinois can lead the path toward more developmentally appropriate early-education policy.

Standardized testing before the third grade is not mandated federally, so what were we trying to accomplish?

Scratching past the surface, the reasons were not promising. Could these point-in-time tests truly measure educational attainment, potential and/or growth when child development is so fluid during the early years?

The larger debate about standardized testing is compelling, too, and we should not dismiss the need for further conversation on biases and limitations.

But even setting aside this larger debate, research shows the practice of using standardized tests in the early grades is inappropriate. They don't capture the various and holistic ways children learn, and can thus offer inaccurate readings of a child's actual competencies.

ask ourselves if it was worth creating the pathway for a harmful and inappropriate practice, or if we could take advantage of this moment to push for what the experts are already telling us is the path forward.

One promise with our new approach is to free up time, funds and resources in our K-12 education system. We don't want funds being expended on inappropriate assessments. At the same time, as we make this change in state policy, we need to make sure our schools with populations of limited economic resources don't inadvertently lose any resources from the state.

Our focus should be on making sure that school districts can redirect funds they might have received for standardized assessments. Allow them to pursue authentic and meaningful assessments and strategies that better track and support a child's progress.

We should also expand the scope of that funding to incorporate more than strictly educational assessments.

We should not allow tradition to stand in the way of what the latest research tells us is the path forward.

Research also suggests that these assessments don't help prepare students for the standardized testing they might face in later grades.

Despite these flaws, standardized testing can be further misused for accountability purposes, as a method of measuring teacher performance or school-level progress. This extends the potential harm of our basic mistake — a fundamental misunderstanding of the tools to use in early education, as well as what they say or don't say.

Whatever the goals of standardized testing in later grades (monitoring, accountability, etc.), such testing does not work in the early grades.

Given that, we as legislators needed to

For example, let's look at a child's socio-emotional development, and work to identify his or her particular learning strengths. And perhaps some of this freed-up funding can be used to invest in play-based learning and techniques that are more effective in the early years.

The imperatives are clear, particularly building the social and emotional skills among our children. A generation of young minds has endured significant challenges these past two years with sickness, deaths, etc. Principals have shared that many children are struggling with skills such as conflict mediation, turn taking, and the managing of emotions.

Addressing trauma is necessary for multiple reasons. One of the most

KEY PROVISIONS IN ILLINOIS' TOO YOUNG TO TEST ACT

- The State Board of Education may not require, develop or buy a standardized test for students in pre-kindergarten through second grade.
- The State Board of Education may not fund any standardized assessment of students in pre-kindergarten through second grade other than for diagnostic, screening purposes. Additionally, federally mandated bilingual education assessments are exempt.

compelling of all: The part of the brain that registers stress and trauma is also the part responsible for memory and learning.

NEW SET OF PRIORITIES

When we talk to school officials, their priorities don't include funding for standardized tests. Instead, to improve child outcomes, they want more student supports, wrap-around services, teacher mentoring and professional development.

As the pandemic continues, we must continue to harness this moment to reconsider the tried — but not true — practices that shape education outcomes.

We know the early years are the most vital for the human trajectory. Getting those years right is an imperative. Failure is not an option. We should not allow tradition to stand in the way of what the latest research tells us is the path forward.

Let's push beyond methods that don't work and provide more flexible funding so districts aren't required to adopt a one-size-fits-all approach. Let them look into alternative assessment processes and proven support strategies more suitable for their communities and contexts.

This bill is only a first step toward a more equitable system that centers on holistic child development and learning. We must put the habits of old behind and put the needs of young minds first.

Sen. Cristina Pacione-Zayas was first elected to the General Assembly in 2020. She is vice chair of the Illinois Senate's Higher Education Committee and its Subcommittee on Education Appropriations.

TESTING REQUIREMENTS FOR STATES UNDER FEDERAL LAW

- ✓ annual standardized tests in English/language arts and math for students in grades three through eight, and once in high school.
- ✓ annual proficiency tests for learners of English as a second language
- ✓ standardized science tests once in each of these grade spans: grades three to five, grades six to nine, and grades 10 to 12
- ✓ districts must inform parents of opt-out policies and allow them to have their children opt out if state and/or local policies allow it



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FIRST PERSON: OUR STUDENTS DESERVE MORE PRIVACY PROTECTIONS; STATES CAN LEAD THE WAY

A new Minnesota law adds safeguards in contracts between districts and technology vendors, limits surveillance of students on school-issued devices



by Minnesota Rep. Sandra Feist
(rep.sandra.feist@house.mn)

Minnesota's newly passed Student Data Privacy Act was seven years in the making, designed before technology became ubiquitous in classrooms and surveillance software began tracking every keystroke students make on school-issued devices.

The bill was also written long before my own kids began to relentlessly pressure me to buy a paid subscription to in-class tools that increase screen time but not math skills.

By the time I was elected in 2020 and entered the Minnesota House of Representatives, though, these issues and experiences were top of mind as I eyed the legislative landscape to determine where I could make a difference.

I zeroed in on student data privacy because a) it matters, b) the pandemic heightened the urgency around the issue, and c) a bill could pass through a divided legislature in my home state as a rare area of bipartisan consensus.

The Student Data Privacy Act (HF 2353) was the second bill I introduced as a new representative. It would take until the very last days of this legislative term for it to pass and become law.

A MULTIPRONGED PLAN TO PROTECT STUDENT PRIVACY

To paraphrase a decades-old, landmark decision of the U.S. Supreme Court involving the First Amendment, constitutional rights do not “stop at the schoolhouse gate.” The objective of our new law is to protect young people's right to privacy.

Furthermore, the goal is to address

I zeroed in on student data privacy because it matters, the pandemic heightened the urgency around this issue, and a bill could pass through a divided legislature.

what a growing body of data is showing us about the discriminatory and harmful impacts of school surveillance — in areas such as school discipline, the mental health of students, and LGBTQ rights.

Our new Student Data Privacy Act does the following:

- First, contracts between schools and external technology providers must include safeguards on how student data is accessed. Additionally, the data must be destroyed upon the conclusion of these contracts, and any data breaches must be disclosed by the technology provider.
- Second, schools must affirmatively provide parents with information about any contracts that give third-party vendors access to student data. Additionally, parents will be given direction on how to voice concerns and ask questions.
- Third, new limits have been placed on schools' surveillance of student activities via school-issued devices. Notably, the law incorporates numerous exceptions, including when surveillance is necessary to respond to an imminent threat to life or safety.
- Lastly, external technology providers are barred from using student data for a commercial purpose, including, but not limited to, marketing or advertising to a student or parent.

SEVEN YEARS OF FIGHTING STATUS QUO AND BUILDING COALITIONS

The path to passage was challenging.

The bill was originally brought forward almost seven years ago by the American Civil Liberties Union of Minnesota. In ensuing years, the bill was chiefly authored by Republican legislators.

The original version placed significant restrictions and burdens on the technology companies.

These companies negotiated amendments and occasionally tried to replace the entire language of the bill with an industry-approved version that would have protected student data in name only.

In addition to technology companies, schools weighed in with input on how the measure would impact their use of technology and create new obligations.

Parent groups periodically offered

support for the bill, but it remained in the legislative shadows for many terms, evolving over time to address continuing input by stakeholders.

At one point, the bill made it to the House floor but was amended off at the last minute in dramatic fashion.

I took on the role of chief author with agreement by the former Republican chief author. I was the first Democratic chief author of the bill since its inception, and introduced it in March 2021.

I worked closely with Republicans and my fellow members of the Democratic-Farmer-Labor (DFL) party in both the Minnesota House and Senate to gain interest and support.

This was a below-the-radar process involving countless conversations and meetings to make clear the high stakes and meaningful nature of this “wonky” data privacy bill.

Ultimately, the Student Data Privacy Act passed and became law in late May. It was the only enacted measure from our 2022 legislative session with a direct impact on K-12 students.

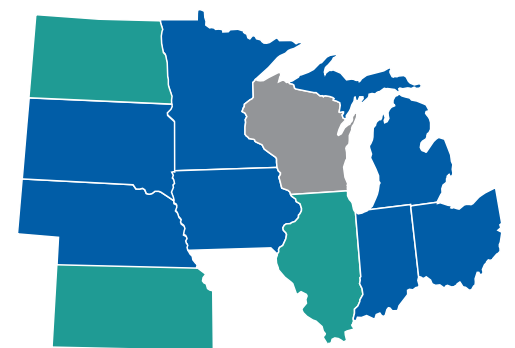
Our legislative success was due to a combination of bipartisan teamwork, community advocacy and thoughtful coalition-building. I was willing to deeply invest my political capital in the bill's passage, and that paid off.

AMONG THE LESSONS LEARNED: A ‘TRUE CHAMPION’ IS NEEDED

Based on my experience, here are some key takeaways for legislators in other states who may be looking to pass similar legislation:

- 1) There will be opponents, including individuals who may be allies and collaborators on other issues and bills. You need to stand firmly by your principles and goals. Get comfortable with the discomfort of this tension.
- 2) Finding the right institutional allies is critical. Build coalitions with stakeholders who have a powerful voice in your legislature.
- 3) Bipartisan collaboration is possible and necessary on the issue of student data privacy, and it has benefits that go beyond any specific bill. More opportunities for cross-party communication and productive negotiations are opened up.

STUDENT DATA PRIVACY LAWS IN MIDWESTERN STATES



- Law in place covering K-12 students
- Law in place covering K-12 and higher education students
- No laws found

Source: Student Privacy Compass

4) The chief author or sponsor needs to be a true champion who will “hustle” the bill. This kind of measure will not pass without that level of intensity because there is too much institutional inertia to keep the status quo.

As a legislator and as a mother, I am incredibly proud of Minnesota's new Student Data Privacy Act.

Based upon the communications I've had with my own children's school district, as well as with other districts and school technology professionals, I have already seen the meaningful step forward that this bill represents for our children's privacy and equity in educational access.

There are definitely further steps that we can take, and I look forward to seeing how other states tackle this issue.

My hope is that the states will be the incubator for myriad approaches and that Congress will then pass the gold standard for student data privacy — hopefully in the not-too-distant future.

Rep. Sandra Feist was elected to the House in 2020. She serves on the Education Finance and Policy committees, as well as two others: Judiciary Finance and Civil Law, and Public Safety and Criminal Justice Reform Finance and Policy.

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PROFILE: IOWA SENATE PRESIDENT AMY SINCLAIR

New presiding officer of the Senate reflects on attributes of effective leadership, and looks ahead to a year focused on school choice and property taxes

by Derek Cantù (dcantu@csg.org)

When she moved several years ago from Missouri to Iowa, Amy Sinclair discovered right away something unique about her adopted home state.

“Politics is a very, very participatory sport in Iowa, if you will,” Sinclair says. “If you haven’t met a president or a presidential candidate, it’s because you’ve been actively avoiding them.”

The reason: As the longtime home of the country’s first-in-the-nation presidential primary caucuses, Iowa has been a place where presidential candidacies have been known to end or ascend.

Sinclair attended her first-ever caucus in 2004, and soon after, a long political career of her own began to take off.

A local Republican party leader approached her about running for office, though the prospects of beating a three-time incumbent on the county Board of Supervisors didn’t sound very promising.

“He said, ‘You know you’ll lose, but nobody should be on the ballot unopposed,’” she recalls.

But to most everyone’s surprise, including herself, Sinclair won the election. She has held public office of some kind ever since.

“I absolutely fell in love with the process of self-governance,” she says. “We get to come together through government to provide our roads, our hospitals, our fire departments, our police protection.

“All of those are things that we don’t pay for on our own, we pay for together.”

Sinclair served two terms as a county supervisor while also working as an educator in her home community, where she taught parenting courses and GED and adult basic education classes.

Ahead of the 2012 elections, Sinclair was again asked by the same local party leader to run for office, this time a seat in the state Senate.

Sinclair is now approaching her 10th anniversary in the Legislature, a tenure marked in part by leadership on education policy (as chair of the Senate Education Committee) and within the Republican Senate caucus.

Regionwide, too, Sinclair is co-chair of the steering committee of Midwestern legislators that oversees the Bowhay Institute for Legislative Leadership Development, a signature program of The Council of State Governments’ Midwestern Legislative Conference. (She is a 2016 BILLD graduate.)

And for the year ahead, Sinclair looks forward to taking on a new challenge — presiding officer of the state’s upper



BIO-SKETCH: IOWA SEN. AMY SINCLAIR

- ✓ elected Senate president in November 2022; also has served as majority whip and Senate Education Committee chair
- ✓ first elected to the Legislature in 2012
- ✓ served two terms on Iowa’s Wayne County Board of Supervisors
- ✓ has worked as an adult education instructor through her local school district and community college
- ✓ is a 2016 graduate of CSG Midwest’s Bowhay Institute for Legislative Leadership Development (BILLD) and serves as co-chair of the Midwestern Legislative Conference BILLD Steering Committee

“Being willing to stand in that position that takes the heat, so that your team doesn’t have to, is the mark of a good leader.”

legislative chamber. She recently was elected Senate president by legislative colleagues in her caucus.

In an interview with CSG Midwest, Sinclair discussed this new role, her views on leadership, and her legislative priorities for 2023. Here are excerpts.

Q How has your previous experience as majority whip prepared you for your new role as Senate president?

A In my role as whip, I didn’t view that as browbeating my colleagues into doing what the leadership thought that they ought to do. I viewed that as a position where I needed to make sure that whatever we were doing, all of my colleagues could be on board. It was more consensus building than arm twisting. That consensus building, that approach that I took to being whip, is an approach that I can take into serving as president.

Q What do you view as the essential elements of an effective leader?

A Without question, listening, which goes back to that whole idea of consensus building — making sure the things that we’re doing make sense for everyone.

But, also, being able to make a tough decision when you can’t find a consensus. Somebody ultimately has to take the heat on whatever decisions are made. And I think being willing to stand in that position that takes the heat, so that your team doesn’t have to, is the mark of a good leader.

Q What are your top policy priorities for the year ahead?

A We’re going to work on property tax reform. When I leave my house and talk to my constituents, the first thing they bring up is property taxes. When you’re throwing increased property values — which cause increased taxes — in with out-of-control inflation, it’s suddenly really become a forefront issue for people to have some more transparency and predictability in their property tax bills.

Number two, from a policy standpoint, I will be focusing on an issue that shouldn’t surprise anybody because it’s something that I’ve worked on the entire time I’ve been in the Legislature. It’s the notion that parents should have a greater degree of control over where and how their kids are educated.

We want to strengthen our public school system, but also give parents a choice in educational alternatives.

Q There was an unsuccessful effort this past year to pass a private-school scholarship bill (SF 2369), a major priority of Gov. Kim Reynolds. Will there be enough support this time around?

A There are a lot of new House members, and the bulk of those new House members are all supportive of the governor’s proposal that parents be given the driver’s seat in their kids’ education — that scholarships for low- and moderate-income kids, or for kids with special needs, be made available to parents. I think there’s support for it.

Q One goal for you and other education leaders in Iowa

has been to have 70 percent of the state’s workforce possess either a college degree or professional license by the year 2025. How is the state progressing on that goal?

A One of the biggest steps we’ve taken is actually ramping up our apprenticeship programs, where people are earning while they’re learning. I would like to believe we now have one of the strongest apprenticeship programs in the nation.

At our high school level, we have a really strong Jobs for America’s Graduates. Our program has expanded leaps and bounds over the last several years because of the results. Some of our most at-risk kids not only graduate from high school, but also seek out those degrees and certificates at levels they would not have attained otherwise. ...

The third thing that we do really well is our dual enrollment programs, so that kids who are in high school can go ahead and start on a [postsecondary] degree while they’re still in high school. Just speaking from a personal level, two of my children were able to complete associate’s degrees while in high school and gain dual credit for that work. I have a third son in high school right now, and he’ll have 12 college credit hours by the end of his sophomore year.

Finally, we have last-dollar scholarships that allow people to achieve degrees or certificates in some very specific areas of study that are necessary for Iowa’s economy. We’ll come in through that last-dollar scholarship program and make sure folks leave a community college with zero debt and a certificate to walk into a high-demand job.

CRIMINAL JUSTICE & PUBLIC SAFETY

Police in the schools: States play central role in the funding and training of resource officers

by Derek Cantù (dcantu@csg.org)

Last November, a teenage gunman opened fire at Oxford High School in Michigan, killing four students. According to local news sources, an on-campus school resource officer (SRO) played a key role in ending the tragedy.

Michigan Rep. Gary Howell, too, credits the SRO for preventing further losses of life at the school, where his own son works as a teacher.

Two days after the shooting, Howell took legislative action: a proposal to increase state support for schools seeking to employ SROs. As originally written, HB 5522 would have provided \$10 million in grants, via a mix of state and federal dollars. Howell's amendment — included in a House-passed version of HB 5522 — hiked that total to \$50 million.

"There are some districts that, for whatever reason, prefer not to have police officers in the schools," he says.

But for districts wanting SROs in their schools, Howell does not want a lack of financial resources standing in the way.

Across the country, the presence of SROs in schools has become more common in recent decades; the availability of state and federal dollars is one reason why.

However, this approach to school safety also has been under increased scrutiny, particularly following the police killing of George Floyd.

In the Midwest, some of the largest school districts have dramatically reduced, if not outright eliminated, the use of SROs.

In Des Moines, Iowa, this decision was made in part based on feedback from town hall events and survey responses. District leaders also had found that Black students were twice as likely to receive referrals to the principal's office compared to White students, and were arrested at a rate of six times their White classmates.

"What we have seen is that we overused the law enforcement when they [were] on campus," says Jake Troja, an administrator in the Des Moines school district.

"In all cases, law enforcement are invited into the situation by the schools. The disproportionality that occurred, is that the responsibility of the school? I think that's why we evaluated that program and wanted to make some changes."

Another factor in shifting away from SROs, Troja adds, was an evaluation of the return from investing in these officers. "Looking at data, we saw that almost always our staff members were the first folks involved [in responding to student-misbehavior incidents]," he says.

Recent national studies have examined the roles and impacts of SROs as well.

In 2021, researchers from the RAND Corp. and State University of New York-Albany found that SROs reduce the number of in-school fights, but don't make a statistically significant difference in preventing other incidents such as school shootings.

Their study, "The Thin Blue Line in Schools: New Evidence on School-Based Policing Across the U.S.," also concluded that the presence of SROs can increase schools' use of suspensions, expulsions and arrests, all of which disproportionately

affect students who are Black, are male or who have a disability.

'PROACTIVE' AND 'VERSATILE'

D.J. Schoeff, president of the National Association of School Resource Officers, says some of the data on SROs doesn't necessarily reflect their true impact in schools. For example, serious incidents preemptively thwarted by an SRO are hard to measure.

During the school shooting at Oxford High School, Howell says, the quick response time of an on-campus SRO proved to be invaluable.

According to Schoeff, who is a police sergeant in the Indianapolis suburb of Carmel, the job of an SRO is to foster safe school environments through supportive student interactions.

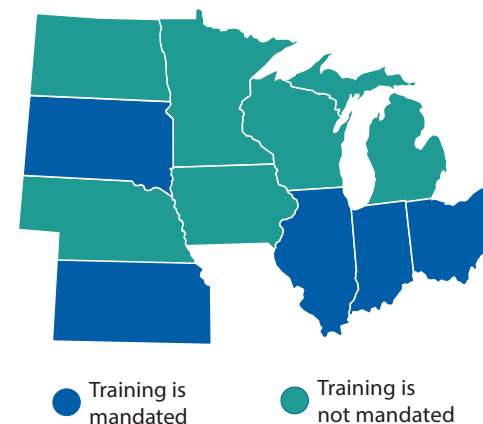
"Our role is proactive. ... We're about being a positive adult influence in the lives of kids who need [it]," he says.

"It is a very versatile position," he adds. "You have to understand the teen brain, you have to understand special education."

The National Association of School Resource Officers offers its members a 40-hour training course on those topics, as well as on de-escalation tactics, cultural awareness, and how to effectively address behavioral problems in adolescents.

As of 2019, five states in the Midwest required SROs to take part in training of some kind (see map). Early in 2022, Indiana lawmakers were advancing a bill (HB 1093) to tighten statutory language defining

SCHOOL RESOURCE OFFICER TRAINING REQUIREMENTS IN MIDWEST, AS OF 2019



Source: Education Commission of the States

SROs and related training requirements.

Rep. Howell says he supports training SROs on adolescent behavior, but cautions that some smaller communities in Michigan may not have the capacity to devote a single officer to work in schools.

"Some of these [officers] may end up being very part-time people, and if you're in a small town with, say, a three- or four-person police force, it's harder to specialize," Howell says.

North Dakota Rep. Shannon Roers Jones and Illinois Sen. Robert Peters serve as co-chairs of the Midwestern Legislative Conference Criminal Justice & Public Safety Committee. Nebraska Sen. John McCollister is the vice chair. Derek Cantù is CSG Midwest's staff liaison to the committee.

AGRICULTURE & NATURAL RESOURCES

Fruits of a Nebraska 2021 law: More statewide coordination to get locally grown food in school cafeterias

by Carolyn Orr (carolyn@strawridgefarm.us)

Since he joined the Legislature, Nebraska Sen. Tom Brandt has been eager to find ways of providing Nebraska children with more opportunities to access and enjoy the foods grown right in their home-state communities.

A good place to start, he says, was the nation's largest "restaurant chain" — K-12 school lunch programs.

And Brandt's vision for a more robust farm-to-school program in his home state appears to be becoming a reality.

One year after the passage of LB 396 (it received unanimous legislative approval), local producers were being offered state-led training sessions on the process of selling to schools. Likewise, leaders from select Nebraska schools had participated in virtual Farm To School institutes, where plans were developed on how to bring locally grown foods to their cafeterias.

"The economic benefits of farm-to-school percolate throughout our local communities," says Brandt, whose background includes work as a food system engineer and farmer. "By providing a stable, reliable market for local produce, it enables Nebraska communities to start recapturing a portion of the 90 percent of our school food dollars that are currently leaving the state."

Previously, he adds, one missing piece in state policy was a full-time farm-

to-school coordinator — someone to connect farmers and schools and to raise awareness about the program.

Hiring such a coordinator was recommended by an interim legislative task force in 2020 and subsequently included in LB 396, which established the statewide Farm to School program.

"It's a win for our farmers, it's a win for our communities, and it's a win for our students at our schools," Sarah Smith, who was hired by the Nebraska Department of Education as the farm-to-school coordinator, says about local procurement.



Nebraska Sen.
Tom Brandt

Through the Farm to School Institute, eight school teams were connected with coaches and developed action plans for implementing programs this school year. (The institute gets funding from the U.S. Department of Agriculture and assistance from Nebraska Extension.)

Along with the institutes for school leaders on local procurement and training for producers on selling

locally, other new or growing initiatives in Nebraska include:

- the launch of a local version of MarketMaker, a database that connects producers of food directly with consumers of food (one finding of the legislative task force was that local procurement was being limited by school districts' lack of knowledge about producers in their area);

- "Nebraska Thursdays," a partnership between the state and the Center for Rural Affairs that strives to have locally

sourced menus in school cafeterias on the first Thursday of the month;

- a "Harvest of the Month" program that introduces a new fruit or vegetable into participating schools and encourages taste-testing among students;

- a "Beef in Schools" partnership between schools and the Nebraska Cattlemen association that gets locally produced beef on lunch menus (more than one-third of the state's schools are participating).

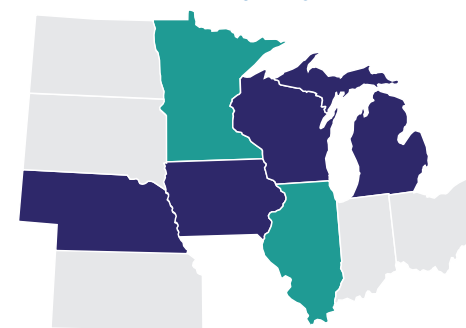
Brandt also believes that by raising awareness among young people about Nebraska agriculture and how food is made, LB 396 can help build the state's future workforce in this sector of the state's economy. One provision in the new law, for example, says the farm-to-school program "may include activities that provide students with hands-on learning opportunities, including, but not limited to, farm visits, cooking demonstrations, and school gardening and composting programs."

"If [it] encourages some young people to get involved in agriculture and food, and provides an opening for those young people to farm, it's a winning proposition," says Brandt, who this year has proposed expanding to include early-childhood education programs (LB 758).

Across the Midwest, there is a great deal of variability in terms of the scope and reach of farm-to-school programs, as well as how they are formalized in state law.

Nebraska has now joined Iowa, Michigan and Wisconsin with a comprehensive program that includes

SUPPORT OF FARM-TO-SCHOOL PROGRAMS: CSG MIDWEST REVIEW OF STATE LAWS AND FUNDING



- Laws found providing for a statewide farm-to-school coordinator, appropriating money in state budget, and directing schools to buy local
- Laws found appropriating money in state budget and directing schools to buy local

a statewide coordinator, budget appropriations, and resolutions or laws directing schools to buy local.

Recently, too, Michigan and Minnesota legislators appropriated additional funds for schools to increase their purchase of locally sourced foods. In Michigan, schools are incentivized with matching funds: 10-cents-per-meal for purchasing and serving foods grown in the state.

Minnesota Rep. Paul Anderson and Illinois Rep. Norine Hammond serve as co-chairs of the Midwestern Legislative Conference Agriculture & Natural Resources Committee. The co-vice chairs are Saskatchewan MLA Steven Bonk and Kansas Sen. Marci Francisco. Carolyn Orr is CSG Midwest staff liaison to the committee.

EDUCATION

One federal aid application holds key to college financial aid; states try to get more students to complete it

by Tim Anderson (tanderson@csg.org)

Even as a longtime member of the Indiana Senate Education Committee, Jean Leising discovered a few years ago that she had a lot to learn about the value of filling out a Free Application for Federal Student Aid.

The lesson came from her oldest granddaughter, who was nearing college age at the time.

“When her mom told me they were going to fill out the FAFSA, I said, ‘Oh, you guys won’t qualify for anything because you and your husband both work [and make a decent living],’” Leising recalls.

As it turns out, completing the application opened a world of financial assistance — a Presidential Scholarship to attend Purdue University, and another scholarship because of her granddaughter’s involvement in 4-H.

“After that experience, my thought was, What can I do about this as a legislator?” Leising says. “Because I knew there were probably a whole lot of my constituents that also didn’t know about how important [FAFSA completion] can be.”

For Indiana’s high school class of 2021, a total of \$65 million in federal Pell

Grants was left on the table due to a lack of FAFSA completion, according to the National College Attainment Network.

In recent years, Leising has sponsored various FAFSA-related bills, including a proposal from 2021 to provide monetary incentives for school districts to boost completion rates (SB 54) and legislation from 2022 (SB 223) that would have made FAFSA completion a high school graduation requirement (with opt-out provisions for students and their families).

Neither of those measures passed, though this year’s SB 82 was signed into law. It requires high schools to share FAFSA information prepared by the Indiana Commission for Higher Education with high school seniors.

According to Leising, much of the opposition to her “universal FAFSA” proposal — tying high school graduation to the completion of an application — came from local education groups.

Minus this kind of requirement, states have other options for increasing the number of students completing the FAFSA, says Bill DeBaun, senior director of data and strategic initiatives for the National College Attainment Network.

One common approach is data sharing:

states get information on which students have or have not completed a FAFSA and make it available to schools.

School- and district-wide data also can be used to create friendly competitions — for example, “FAFSA completion challenges” in states such as Kansas and Michigan.

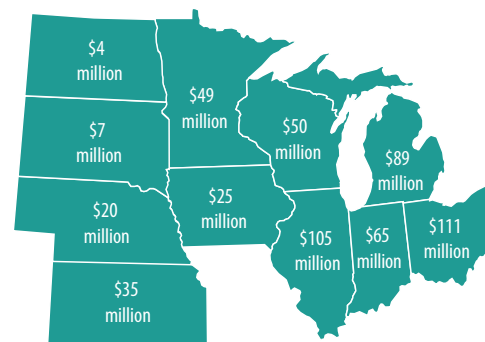
Two years ago, Minnesota legislators directed the state’s Office of Higher Education to set a statewide FAFSA goal. The office is now working to increase FAFSA filings by 5 percentage points every year for five years. (The state’s completion rate was 48 percent for the class of 2021.)

In Ohio, state grants are awarded to groups that promote FAFSA completion, and a new law (part of the state budget, HB 110) requires schools to work with the Department of Higher Education on data sharing.

Another way to boost rates: make eligibility for state financial aid contingent on FAFSA completion. Illinois does so through its Monetary Award Program. That state also is currently the only one in the Midwest that ties high school graduation to filing a FAFSA.

For these “universal” laws to be workable,

ESTIMATED AMOUNT OF PELL GRANT DOLLARS LEFT ON TABLE BY CLASS OF 2021 BY NOT COMPLETING FREE APPLICATION FOR FEDERAL STUDENT AID



Source: National College Attainment Network

DeBaun says, states must include “robust opt-out” provisions, and also make sure that schools have enough lead time and resources (including access to student-level data) to implement the requirement.

South Dakota Sen. Jim Bolin and Ohio Sen. Hearcel Craig serve as co-chairs of the Midwestern Legislative Conference Education Committee. Tim Anderson is CSG Midwest’s staff liaison to the committee.

HEALTH & HUMAN SERVICES

With state funding, Kansas schools are becoming hub for students to connect to mental health services

by Jon Davis (jdavis@csg.org)

Before the COVID-19 pandemic began, federal, state and provincial policymakers recognized and began responding to a growing need for mental health services among school-age children.

The U.S. Centers for Disease Control and Prevention found in 2019 that persistent feelings of sadness or hopelessness among high school students had increased 40 percent since 2009; over that same decade of time, the number of young people who reported planning a suicide in the past year had risen by 44 percent.

Kansas was among the many states that began trying to address this public health problem, one that has only worsened due to the many effects of COVID-19.

In 2018, legislators launched the Mental Health Intervention Team Pilot Program, authorizing \$10 million to deliver mental health services directly to K-12 students in Kansas.

The pilot initiative began in nine school districts, including the state's largest, Wichita Public Schools. (As of December 2021, 55 districts were participating.)

Three people leading the new effort in Wichita were featured speakers at a July meeting of the Midwestern Legislative Conference Health and Human Services Committee: Stephanie

Anderson, program specialist for school counselors; Holly Yager, program specialist for school psychologists; and Melissa Zieammermann, director of behavior.

Wichita's program began in 23 school buildings in neighborhoods identified as having the greatest needs; it later expanded to 37 buildings for the 2021-22 school year.

In all, Wichita Public Schools serves 47,334 students, 77 percent of whom come from homes at or below the federal poverty level. Its goals with the new state dollars: provide each school with mental health professionals, and connect students and their families to nearby services and providers.

Students are seeking the newly available help, Zieammermann said.

In 2021-22, the district's school counselors, psychologists and social workers provided more than 100,000 mental health services.

"Anxiety is number one" among reasons for students seeking the help, Anderson said, adding that de-escalation of anger or grief also ranks high among students' needs.

Yager said the district has also used a mix of state and federal funding to:

- train teachers and staff to recognize mental health problems among young people and know how to intervene;
- create a district-wide crisis response team;
- begin community outreach efforts to

destigmatize seeking help for mental health; and

- create suicide prevention programs, including a system to monitor the district's WiFi system for search terms indicating a possible safety concern. In 2021-22, 36,040 such alerts were received by the district's monitoring team, with 1,054 referred for specific schools for follow-up.

The overall program is showing some success; of 672 students in the program, not one has dropped out of school, Zieammermann said.

Anderson said the district tries to reach students of all ages, but one key to destigmatizing mental health services is connecting with high school students on their preferred social media platforms. They, in turn, can influence their peers or younger siblings more than teachers or even parents.

The impact of athletes and other famous people who talk about mental illness on social media is also helping.

"It's a slow crawl, but it helps," Anderson added.

"We really emphasize relationships" to better both students' mental health and connections to the broader community, Zieammermann added.

Saskatchewan MLA Betty Nippi-Albright said her province has placed



Leaders in Wichita Public Schools share how they're implementing a new state-funded program in Kansas to help meet the mental health needs of K-12 students. (photo: Caleb McGinn)

school wellness teams in local communities, but a shortage of service providers has hampered plans to expand the program. This problem is particularly acute in First Nations communities, she said, where suicide rates are high.

Manitoba MLA Len Isleifson said the province's health ministry established a Department of Mental Health and Community Wellness, which released a five-year plan in February to expand wellness and health promotion programs and strengthen the province's substance use and addiction recovery system.

Michigan Rep. Bronna Kahle and Minnesota Rep. Jennifer Schultz serve as co-chairs of the Midwestern Legislative Conference Health & Human Services Committee. Kansas Sen. Pat Pettey is the vice chair. Jon Davis serves as CSG Midwest staff liaison to the committee.

In Minnesota and elsewhere, high-impact tutoring is making a difference in student achievement

by Tim Anderson (tanderson@csg.org)

For families with the financial means, tutoring often is the intervention of choice to help a child catch up or get ahead in school.

About \$42 billion is spent on it in a single year, Wendy Wallace noted in July as part of a presentation to the Midwestern Legislative Conference Education Committee.

“[It’s] more effective than any other kind of academic intervention that researchers have found,” she added, comparing it to practices such as class-size reductions and technology supports. “The effects are shown across grade levels and subject areas, and range from a half a year to more than a year of learning [growth] over one year of academic tutoring.”

Often, though, the child who needs the tutoring the most — one at risk of falling behind and failing academically — does not receive additional supports. The goal of groups such as the National Student Support Accelerator, a project of Brown University’s Annenberg Institute for School Reform where

Wallace works: Ensure every student has access to high-quality, high-impact tutoring.

Perhaps more than ever before, Wallace said, states have the opportunity to overcome the obstacles that traditionally have blocked the expansion of tutoring in their K-12 systems. Schools have become more open to scheduling changes, and unprecedented amounts of federal assistance are available (via the American Rescue Plan Act).

In addition, education leaders now have information on the essential elements of a high-impact tutoring program.

In the “No Child Left Behind” era of education policy, many students were offered, and participated in, government-backed tutoring initiatives. The problem was a lack of quality, Wallace said, causing the impact on student achievement to be “close to zero.”

What works?

Many of the essential elements can be found in long-running, successful programs run by ServeMinnesota, which oversees all AmeriCorps programs in that state. Through the organization’s early-learning, reading and math corps, tutors are embedded in schools across Minnesota.

People of all ages and backgrounds serve, Lindsay Dolce, chief advancement officer for ServeMinnesota, said to legislators.

“A lot of our tutors have never spent time in school and don’t have an education background, but they’re passionate about serving their community,” she added. “They want to give something back.”

Each tutor receives intensive,

week-long training before ever stepping foot in a classroom. Then, he or she gets ongoing training and feedback, including from a staff person in the school building and from a “coaching specialist” at ServeMinnesota. Tutors also have access to high-quality materials and “scripts” to guide instruction.

Through the Reading Corps, students in kindergarten to third grade get 20 minutes of tutoring every school day. Math Corps provides a total of 90 minutes of tutoring each week to students in grades four through seven.

ServeMinnesota has expanded the reach of these tutoring programs, partnering with more schools in Minnesota while also spreading to states such as Iowa, Michigan, North Dakota and Wisconsin.

North Dakota Sen. Kyle Davison said the program has proven to be a “game changer” in parts of his state.

“We look at the kids on the bubble [of academic success or failure] and try to help them with this program,” he said.

“One of the strengths of AmeriCorps is that these volunteers want to be in your schools, and the effect of a student’s relationship with that adult in that school every day, for 20 minutes [of tutoring], is just incredible.”

In Minnesota, the Legislature has gradually increased appropriations for these tutoring programs. (Most of the funding comes from federal AmeriCorps dollars; private donations help as well.)

Across the country, Wallace said, there has been an uptick in state support for high-quality tutoring — in the form of new grant programs and matching funds for schools.

AVERAGE MONTHS OF ADDITIONAL LEARNING FROM VARIOUS ACADEMIC INTERVENTIONS DURING SCHOOL YEAR

Intervention	Elementary literacy	High school math
Technology support	0.9 months	3.2 months
Reduction of class size	2.1 months	5.2 months
Tutoring	4.6 months	10.0 months

Source: July 2022 presentation by Wendy Wallace to Midwestern Legislative Conference Education Committee

In addition, a handful of states now have laws defining “high-impact tutoring” and/or requiring that certain students have access to it.

Other options for states include training tutors that can be deployed in the schools, or bringing more college students into the classroom through new partnerships between K-12 and postsecondary systems.

South Dakota Sen. Jim Bolin and Ohio Sen. Hearcel Craig serve as co-chairs of the Midwestern Legislative Conference Education Committee. Tim Anderson is CSG Midwest staff liaison to the committee.



Ohio Sen. Hearcel Craig and South Dakota Sen. Jim Bolin lead the Midwestern Legislative Conference Education Committee Meeting, which convened in July in Kansas as part of the MLC Annual Meeting. (photo: Caleb McGinn)

ECONOMIC DEVELOPMENT

Promise of high wages, more jobs has states putting more resources into building STEM career pathways

by Laura Tomaka (ltomaka@csg.org)

In 2021, 19.1 million Americans worked in fields related to science, technology, engineering and math. This number represents an increase of 10 percent from just two years ago, and STEM employment is projected to grow at twice the rate of jobs in other sectors through 2029.

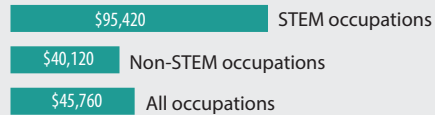
But will there be enough workers? “States across the region are struggling with a workforce talent demand,” said Jeff Weld, executive director of the Iowa Governor’s STEM Advisory Council.

In a July session co-organized by the Midwestern Legislative Conference’s Economic Development and Education committees, Weld said addressing the need for more STEM workers should be viewed as an economic and national security “imperative.”

He described the necessary state response as “edu-nomics” — educators, business leaders and lawmakers collaborating and building STEM-focused educational pathways that prepare a state’s workforce for success in these high-growth, high-wage jobs.

Led by Weld, Iowa’s STEM Advisory Council is one of 39 such statewide initiatives across the nation; dozens more exist on a regional basis. (Every Midwestern state has a statewide initiative or program dedicated to promoting STEM education and careers.)

MEDIAN ANNUAL WAGE OF STEM JOBS COMPARED TO EARNINGS IN OTHER OCCUPATIONAL SECTORS (2021)



Source: U.S. Bureau of Labor Statistics

By connecting the real world of work with education, STEM programs often focus on experiential learning and workplace experiences. In Iowa, through the advisory council, high school teachers and industry leaders work together on creating a STEM curriculum. In the summer, Iowa teachers are able to participate in STEM-related externships.

Weld also emphasized the importance of raising public awareness. His state has launched high-profile advertising campaigns promoting the potential of STEM careers — including in vital Iowa economic sectors such as agriculture and manufacturing — among young people.

Weld believes the state’s investment in STEM is paying off.

One-fifth of Iowa students now take part in STEM programs; in turn, they demonstrate higher academic performance than their peers. These students also enroll at Iowa’s public

universities at higher rates and are more likely to express an interest in staying in the state, post-graduation. One potential reason why: Their early exposure to promising career opportunities near home.

Nationwide, participation in STEM work can vary considerably by race and ethnicity, and two typically under-represented groups are Black and Hispanic workers.

Introducing black and Hispanic students to STEM opportunities is a goal of the K-12 Initiative, a long-running partnership between the Kansas City (Kansas) school system and the University of Kansas School of Medicine.

With a focus on health and other STEM fields, the K-12 Initiative is a supplemental education program; most activities occur after school, on weekends and during the summer.

Jessica Rodas described the program to legislators as “an early workforce development initiative.” Students often get involved early on (in the middle-school years) and stay with the program through high school. They leave not only ready to pursue STEM degrees of some kind, she said, but to be future leaders.

“They learn about what is happening in their communities — and how they can envision themselves as change makers — along with the learning



Two policy committees of the Midwestern Legislative Conference partnered this summer on a session exploring the value of creating new STEM-related career pathways. Leading this session were Wisconsin Rep. Robert Wittke (left), co-chair of the MLC Economic Development Committee, and Ohio Sen. Hearcel Craig, co-chair of the MLC Education Committee. (photo: Caleb McGinn)

competencies [they need to pursue STEM careers],” said Rodas, herself a graduate of the K-12 Initiative and now the program manager.

She pointed out several promising outcomes among participants:

- 91 percent enter college;
- 82 percent pursue a degree in a STEM or health field; and
- compared to peers, they are twice as likely to come back for a second year of college.

Illinois Sen. Linda Holmes and Wisconsin Rep. Robert Wittke serve as co-chairs of the MLC Economic Development Committee. Indiana Rep. Ethan Manning is the vice chair. Laura Tomaka serves as CSG Midwest staff liaison to the committee.

EDUCATION

In Indiana, \$1,000 'micro grants' are now available for eligible families to get tutoring for their children

by Tim Anderson (tanderson@csg.org)

Across Indiana, some families of academically struggling fourth- and fifth-graders are getting first-of-its-kind support from the state: up to \$1,000 to spend on intensive tutoring or other interventions.

Enrollment in Indiana Learns began in October, six months after the General Assembly's passage of HB 1251.

"We look at this as really a micro grant for parents," says Indiana Rep. Bob Behning, the bill's sponsor. "We wanted to make sure they were the ones who would be the decision-makers on how to use this money."

He and other legislators set out general parameters for the tutoring program, and left many details to the Indiana Department of Education.

As far as eligibility, the department chose to make micro grants available to any fourth- or fifth-grader from a low-income family who is not proficient in both math and reading (as determined by scores on Indiana's standardized assessment).

Tutoring supports can be delivered through any number of entities — for example, individual current, retired

or prospective teachers, colleges and philanthropic organizations, or local schools themselves.

"Families get to select the learning provider, the time/frequency of support, and the format of enrichment support, which can be in person, virtual or follow a hybrid model," notes Holly Lawson, the department's deputy director of communications.

Providers, though, are required to meet several guidelines. At least 60 minutes of services must be provided every week, and be delivered outside of school hours by a credentialed educator.

The number of students per tutor cannot exceed three, and the per-student cost cannot be more than \$100 an hour. Lastly, any state-reimbursed program must measure learning growth and provide weekly progress reports to parents and schools.

Behning says the new program reflects two longstanding goals of education policy in his state: empower parents and

"individualize learning for kids."

But it also is the result of a unique period, one marked by concerns about learning loss during the COVID-19 pandemic and the availability of new

federal support for state K-12 education.

Indiana Learns is being financed by a portion of state dollars from the federal Elementary and Secondary School Emergency Relief Fund. Grants from this fund must be used within the next two years. However, Behning says if the program proves popular and successful, own-state funding is possible in subsequent years.

Each participating student will receive a one-time grant of \$500. A local school can contribute an additional \$250 to the student's account (using a portion of the school's federal relief funds); if that happens, the state chips in another \$250.

LEARNING LOSS, FALLING SCORES

According to the Indiana Department of Education, pandemic-related learning disruptions had a moderate to significant academic impact on student performance in English/language arts and a significant impact in math.

Learning has since stabilized and recovered for many, but not all, students, the department says..

Nationwide, between 2019 and 2022, math and reading scores among fourth- and eighth-graders declined in most states, according to results from the National Assessment of Educational Progress (see graphic for results from the Midwest). At both grade levels, declines

TRENDS ON NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS IN 11-STATE MIDWEST: AVERAGE TEST SCORES IN 2022 VS. 2019

✓ **4th-grade math:** Scores stayed statistically the same in Illinois, Iowa, Nebraska and Wisconsin and fell in the seven other Midwestern states

✓ **8th-grade math:** Scores fell in all 11 Midwestern states

✓ **4th-grade reading:** Scores stayed statistically the same in Illinois, Iowa and Wisconsin and fell in the eight other Midwestern states

✓ **8th-grade math:** Scores stayed statistically the same in Illinois, Iowa and Wisconsin and fell in the eight other Midwestern states

in the national average math score were the largest ever recorded.

South Dakota Sen. Jim Bolin and Ohio Sen. Hearcel Craig serve as co-chairs of the Midwestern Legislative Conference Education Committee. Tim Anderson is CSG Midwest staff liaison to the committee.



Indiana Rep.
Bob Behning

QUESTION OF THE MONTH

QUESTION | Do states have laws or rules governing the use of race-based mascots by their public schools or universities?

Much legislative activity has occurred over the past decade, with most new laws focusing on limits or bans on the use of mascots with Native American imagery. Still, as of late last year, close to 2,000 public K-12 schools in the United States had Native-themed mascots/names, according to the National Congress of American Indians.

That includes schools in **Kansas**, where a governor's commission said in 2021 that "the time is right for the state ... to take intentional steps to remove the use of Native American mascots and related imagery in public education settings."

One of its recommendations: consider adoption of a law modeled after Nevada's AB 88.

That measure, signed in 2021, requires school boards to adopt a policy that prohibits names, logos, mascots, songs or other identifiers that are racially discriminatory or contain racially discriminatory language or imagery. To use a name or mascot associated with a federally recognized Indian tribe, a Nevada school must now get approval from the tribe.

In 2015, with the passage of AB 33, California became the first U.S. state (and only to date) to directly ban a specific school mascot or nickname — "Redskins."

Four years later, Maine became the first state to impose an outright ban on the use of Native American mascots (LD 944). Colorado and Washington joined Maine in 2021. Colorado's law (SB 21-116) covers public schools, including charters, as well as colleges and universities. It takes effect on June 1, 2022. Non-compliant schools will face fines of \$25,000 per month. Washington's HB 1356 prohibits "the

inappropriate use of Native American names, symbols or images as public school mascots, logos or team names."

Connecticut has taken a different approach. In that state, municipalities get grant dollars from a pool of revenue generated by tribal-owned and -operated casinos. As part of Connecticut's new budget, municipalities will lose this grant money if their local public schools or associated athletic teams use Native American names, symbols or images without tribal consent.

In the Midwest, legislation passed in **Wisconsin** more than a decade ago set up a process for removal of a race-based mascot/name. Under that law, a single resident of a school district could file a complaint with the state school superintendent.

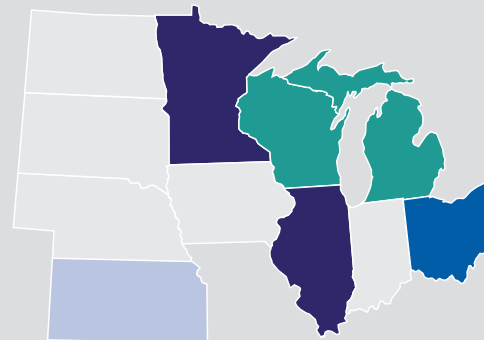
That law was short-lived, however.

In 2013, Wisconsin began requiring a complainant to collect signatures of 10 percent of the school district's population to initiate the removal process (AB 297). Review of the complaint was shifted from the state school superintendent's office to the Department of Administration, and those seeking a change in the mascot/name have the burden of proving by "clear and convincing evidence" that its use promotes discrimination, pupil harassment or stereotyping."

Two decades ago, the U.S. Commission on Civil Rights issued an advisory opinion calling for "an end to the use of Native American images and team names by non-Native schools."

A resolution by the American Psychological Association followed in 2005, saying Native-themed mascots "are teaching stereotypical,

EXAMPLES OF PROPOSALS FROM 2020 AND 2021 TO ADDRESS 'NATIVE THEMED' MASCOTS



- Bills introduced, not passed, to prohibit schools from using a Native American logo or mascot (with some possible exemptions from ban)
- Provide grants to schools to revise or remove existing mascot or imagery (part of enacted state-tribal gaming compact in Michigan; proposed by Wisconsin governor, not part of final budget)
- Legislative resolution introduced, not passed, encouraging schools to retire use of Native mascots
- Governor's commission recommends schools "review and eliminate" use of Native mascots

Source: National Congress of American Indians

misleading and, too often, insulting images" and "sending the wrong message to all students."

Question of the Month response by Laura Kliewer (lkiewer@csg.org), senior policy analyst for CSG Midwest, which provides individualized research assistance to legislators, legislative staff and other government officials. This section highlights a research question received by CSG Midwest. Inquiries can be sent to csgm@csg.org.

QUESTION OF THE MONTH

QUESTION | What recent laws have Midwestern states adopted to address concerns about short- or longer-term teacher shortages?

In 2021, one common legislative action was to expand the pool of substitute teachers. These actions often were designed as short-term fixes, a response to many school districts reporting shortages since the COVID-19 pandemic.

Ohio has temporarily removed a state-level bachelor's-degree requirement for substitutes, most recently with the passage of SB 1 in fall 2021. School districts are now able to set their own educational requirements, and can hire anyone who passes a criminal background check and is "deemed to be of good moral character."

During this school year in **Michigan**, individuals without a teaching certification, but who already work for the district, can be employed as substitutes (HB 4294 of 2021). **Iowa** (HF 675) and **Kansas** (executive branch action) are among the other states that have eased their requirements for substitute teachers over the past year.

In **Illinois**, one policy response has been to ease restrictions on the number of hours/days that a retired teacher can return to the classroom without losing retirement benefits. SB 1989, signed into law last year, removed a lifetime cap and made it yearly: 120 paid days or 600 paid hours. Early in 2022, legislation was advancing (SB 3201) to temporarily raise that annual cap, to 150 days or 750 paid hours. And under a separate measure (SB 3465), retired Chicago Public Schools teachers could return to work, without a pension penalty, to fill positions in "subject shortage areas." A similar exception already applies in other parts of Illinois.

Along with these temporary fixes targeting an acute need for substitutes, states have initiated broader, longer-term strategies over the past year to attract and retain more teachers.

Indiana set a minimum-pay threshold for teachers of \$40,000; any school district not meeting this level must provide a written explanation to the state. Additionally, districts must use at least 45 percent of state school funding for teacher pay (HB 1001 of 2021).

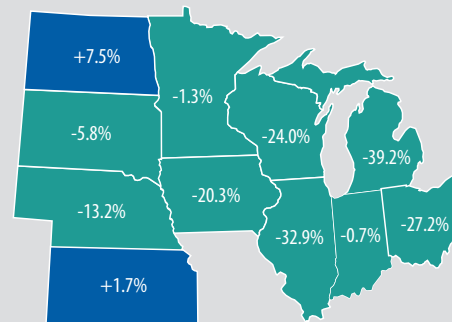
Minnesota's budget (HF 2) includes funding for initiatives to bring more people of color into the teaching profession — for example, improved mentorship programs and hiring bonuses to recruit minority teachers from out of state. Another approach being tried in Minnesota, as well as in states such as **North Dakota**, Michigan and Illinois, is to invest in local "grow your own" programs: Districts identify school employees and/or community members as potential teachers, and then provide financial assistance to help these individuals become state-certified.

A related strategy is to build more interest in the profession among local high school students. Illinois and Minnesota are appropriating state dollars for new dual-credit courses and education-career pathways within their K-12 systems, and Iowa has started a registered apprenticeship grant program for future teachers and paraeducators.

Additional options for states include:

- creating "residencies" or other models that improve mentorship and support programs for new teachers (Ohio, for instance, has a four-year Resident Educator Program);
- offering new career ladders and pay increases for effective, veteran instructors who take on leadership roles in their schools (Iowa's Teacher and Leadership Compensation System is an oft-cited example of this approach);

CHANGE IN # OF PEOPLE COMPLETING TEACHER PREPARATION PROGRAMS: 2018-'19 COMPARED TO 2013-'14



Source: U.S. Department of Education

- dedicating state dollars to raise teacher pay (a part of **South Dakota's** sales tax does so);
- providing loans, scholarships and incentives for people to teach in high-need subject or geographic areas; and
- expanding and accelerating alternative pathways to teacher certification.

Early this year, legislative proposals in the Midwest included an Indiana proposal (SB 356) allowing districts to hire part-time "adjunct teachers" and two **Nebraska** bills providing loan repayments to teachers (up to \$25,000 per recipient under LB 945 and \$30,000 under LB 1128).

Question of the Month response by Tim Anderson (tanderson@csg.org), publications manager for CSG Midwest, which provides individualized research assistance to legislators, legislative staff and other government officials. This section highlights a research question received by CSG Midwest. Inquiries can be sent to csgm@csg.org.

QUESTION OF THE MONTH

QUESTION | Do states in the Midwest provide financial support for students to attend private K-12 schools?

According to EdChoice, a group that tracks and advocates for “school choice” laws, seven Midwestern states were providing financial support of some kind as of the beginning of this year. (An eighth state, **Minnesota**, makes tax credits and exemptions available that cover the education-related expenses of all families, regardless of whether they are attending a public or private school.)

In this region, the most common type of financial support comes in an indirect way: the state offers a tax credit for donations to nonprofit groups that provide scholarships for students to attend private schools.

Operational in **Illinois, Indiana, Iowa, Kansas, Ohio** and **South Dakota**, these programs can vary widely in scope, based on several factors.

- *Statutory limit on total amount of tax credits available* — These caps range from a high of \$75 million in Illinois to a low of \$2 million in South Dakota, where the program is only for insurance companies, according to a 2021 analysis of programs by the Education Commission of the States. (South Dakota does not have an individual income tax.)

- *Rules on eligibility* — States typically have income-based limits on which families can qualify for a scholarship. Until last year, Kansas also limited eligibility to low-income students attending one of the state’s 100 lowest-performing schools. HB 2134, signed into law in 2021, now makes scholarships available to families with students who qualify for free or reduced school lunches — regardless of the public school they attend.

- *Amount of the credit and scholarship* — For individuals who donate, the tax credit is based on a percentage of the contribution — for example, 75 percent in Illinois and 65 percent in Iowa, according to last year’s ECS study. The scholarship amount for each student often is either capped at a certain dollar amount (\$8,000 in Kansas, for example) or based on a state’s per-pupil spending.

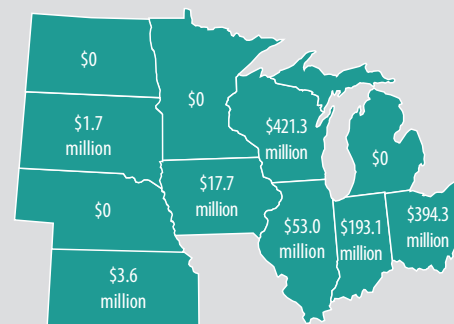
States such as Indiana, Ohio and **Wisconsin** also offer tax credits or deductions specifically for the families of students who attend non-public schools, according to EdChoice.

Another policy employed by states: Provide tuition vouchers for families to send their children to private schools. Public funds pay for these voucher programs (for example, some money for a local school district may be redirected for private-school vouchers).

Ohio alone has four different types of voucher programs: 1) for students from lower-income families; 2) for students with autism; 3) for students with an individualized education plan; and 4) for Cleveland students from lower-income families. Likewise, **Wisconsin** has separate voucher programs for lower-income students in two school districts (Racine and Milwaukee), as well as ones for lower-income families statewide and for young people with special needs.

Last year, Indiana lawmakers (HB 1001) increased eligibility for vouchers under the state’s Choice Scholarship Program. Now, students living in households with incomes of up to 300 percent of the federal poverty level can qualify; the cap had been 150 percent. Additionally, the amount of scholarship money

STATE SPENDING ON TAX CREDIT SCHOLARSHIPS, VOUCHERS AND/OR EDUCATION SAVINGS ACCOUNTS FOR K-12 STUDENTS TO ATTEND PRIVATE SCHOOLS



Source: EdChoice (study from January 2022)

to attend a private school is now equal to 90 percent of the per-pupil funding level that is provided to the student’s public school. (Previously, the amount varied depending on the family’s income level; it was usually less than 90 percent.)

That same Indiana measure also established education savings accounts for the families of students with disabilities. Money from the accounts can be used to pay for specific therapies or classes or to attend private schools; it will come from a portion of the state dollars that go to the student’s local public school.

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