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

<table>
<thead>
<tr>
<th>State</th>
<th>Details of law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois and Ohio</td>
<td>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</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Hospitals' chief nursing executives or nursing designees must develop a core staffing plan for each care unit; public disclosure required</td>
</tr>
</tbody>
</table>

Midwest states in national nurse licensure compact (as of late 2021)*

<table>
<thead>
<tr>
<th>State</th>
<th>Compact member</th>
<th>Legislation signed into law to join compact, takes effect in 2023</th>
<th>Not a compact member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ohio</td>
<td><img src="image1.png" alt="Compact member" /></td>
<td><img src="image2.png" alt="Legislation signed into law to join compact, takes effect in 2023" /></td>
<td><img src="image3.png" alt="Not a compact member" /></td>
</tr>
<tr>
<td>Iowa</td>
<td><img src="image1.png" alt="Compact member" /></td>
<td><img src="image2.png" alt="Legislation signed into law to join compact, takes effect in 2023" /></td>
<td><img src="image3.png" alt="Not a compact member" /></td>
</tr>
<tr>
<td>Kansas</td>
<td><img src="image1.png" alt="Compact member" /></td>
<td><img src="image2.png" alt="Legislation signed into law to join compact, takes effect in 2023" /></td>
<td><img src="image3.png" alt="Not a compact member" /></td>
</tr>
</tbody>
</table>

Question of the Month

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

Capital Insights

- Profile: Wisconsin Senate Assistant Majority Leader Dan Feyen
- FirstPerson article: Michigan Rep. Jeff Yaroch on a new law that will have his state build its own emergency stockpile of supplies

CSG Midwest News

- CSG’s Midwestern Legislative Conference Annual Meeting to take place July 10-13 in Wichita, Kan.

BILLD News & Alumni Notes

- Q & A with BILLD alums: What strategies do you use to manage your time during legislative session?
**IN MIDWEST, NUMEROUS BILLS UNDER CONSIDERATION TO STRENGTHEN NURSING WORKFORCE**

"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 care levels [there's] a disconnect between what nurses know they should be doing for a patient and what they're able to do because they don't have enough time," Lasater adds. To date, only California has adopted mandatory staffing ratios, and hospital associations 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 duties 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 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 enough 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 advisor for nursing at the Robert Wood Johnson Foundation and director of its Future of Nursing: Campaign for Action. "So I would say, 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 entire 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 Midwest 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.
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

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 (ECC) under a bill that I sponsored (SB 219). 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 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 Schable 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

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwestern Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 605.921.922 or tanderson@csg.org.

by North Dakota Sen. Don Schable (dgscable@nd.gov)
Illinois law results from rethinking the appropriateness of these assessments, opens new options better tied to needs of children.

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

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 on 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 3896, known as the Too Young to Test Act (signed into law in May), we prohibited the Illinois State Board of Education from requiring or buying any standardized testing in the early years. 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.

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 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.

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.

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

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 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 support, 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.

**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.

**SUBMISSIONS WELCOME**

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwest Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.525.1722 or landerson@csg.org.
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.

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.

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 session 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 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. 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.

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.

SUBMISSIONS WELCOME

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwestern Legislative Conference. Responses to any First Person article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 651.225.1722 or landerson@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 candidates have been known to descend 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 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: 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 students 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 college credit hours 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. **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:** 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 twirling. That consensus building, that approach that I took to being whip, is an approach that I can take into serving as president.
CRIMINAL JUSTICE & PUBLIC SAFETY

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

by Derek Cantú | dcantu@csg.org

ast 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 is 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 overserved 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 officers were 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 the 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 disproportionally 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 schools.

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 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.

First two disputes under new trade agreement center on core Midwest industries: dairy and autos

by Mitch Arvison (man/division@cs.org)

or the first time under the 20-month-old United States-Mexico-Canada Agreement (USMCA), a three-party panel will decide a dispute among participating countries.

The decision, announced in early January, revolved around Canada’s administration of tariff rate quotas (TRQs) on dairy products. Under a TRQ, a predetermined amount of imports is allowed into a country at a low or zero-tariff rate; once that limit is reached, additional imports face higher tariffs.

Canada maintains TRQs on a variety of dairy products — from milk and cream to industrial cheeses and yogurt — under the USMCA.

The problem, U.S. trade officials say, is that dairy groups were concerned that Canada was in violation of the agreement, leaving the country with too many options. When a decision is made, or risk U.S. trade retaliation.

U.S. Trade Representative Katherine Tsiad said the decision “will help eliminate unjustified trade restrictions on American dairy products.”

The three-person panel of Canada’s supply management in the dairy industry: controls on production and imports along with the use of pricing mechanisms.

The next one will impact another major industry in the Midwest: the automotive manufacturing.

Under NAFTA, 62.5 percent of a car had to be North American-made in order to qualify for tariff-free status. It’s now 75 percent under the USMCA.

Typically, foreign-made components or parts have qualified if they were used or modified in North American assembly.

Now, though, the United States says that 75 percent of the components that go into “core parts” (such as an engine or transmission) need to be North American-made. Canada and Mexico say this is inconsistent with the agreement, which was negotiated with automakers and parts suppliers.

“The new interpretation changes how we’ve been doing things for 30 years,” says Uczo, who also works with auto manufacturers. “We need to get this resolved now . . . because we are planning models for five, seven years out right now, and we need to know what the rules of the game are.”

Ohio House Speaker Robert Cupp and Manitoba Minister Kelvin Goertzen serve as co-chairs of the Midwestern Legislative Conference Midwest-Canada Relations Committee. Ontario MPP Jennyrift and Michigan Sen. Jim Stamas are co-vice chairs.

Mitch Arvison is CSG Midwest’s staff liaison to the committee.
S
ince he joined the Legislature, NebraskaSen. TomBrandt 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 Brant’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 approval; the Nebraska Legislature passed it on June 25, 2020), 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’s state government to support long-term-care residents to reduce local 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.

Branding 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. “

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 regular news from the U.S. Department of Agriculture and assistance from Nebraska’s Extension Service.)

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 Market Maker, 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 was bid by the Nebraska 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 that the farm-to-school program “may include activities — along with providing information and welcoming schools to purchase and use local products — that 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 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.


Two states have directed school districts to purchase more from their own local economy, after Ohio passed a law whereby districts can purchase locally sourced foods. In Minnesota, the state has directed $3 million to school districts to buy locally. And in Nebraska, the state has appropriated $2 million to buy locally.

In 2011, an Ohio man placed a camera in his mother’s room at a long-term-care facility, after his mother’s roommate did not consent.

“Every once in a while, we work on a piece of legislation that transcends partisan and party politics,” says the bill’s co-sponsor, Ohio Sen. Nickie Antonio, who represents the Piskors among her constituents.

“Everyone recognized this was a bill they could be proud to go home and tell their constituents, ‘I helped get this one through.’”

Passed unanimously by the General Assembly, SB 58 is similar to recent laws in Kansas (2016), Kentucky (2018) and Minnesota (2020). These measures allow cameras to be placed in a resident’s room with his or her permission; authorization of the resident’s relatives, legal guardians or attorney; and, if applicable, permission of the roommate.

Ohio’s law bars determination against a resident who allows a camera to be placed in his or her room and requires long-term-care facilities to make a reasonable attempt to accommodate a resident wishing to use electronic monitoring, but whose roommate does not consent. (It includes a (HB 2462) from the 2015 legislative session) was a model for SB 58’s fundamental language, the Senate Judiciary Committee made to suit Ohio’s needs and to avoid unintentional interference with any elder abuse investigations by the state attorney general’s office, Antonio says. Before SB 58, Ohio law didn’t address the legality of such monitoring.

“The law was silent, so nursing homes defaulted to, ‘You’re not allowed,’” she says. “This is a permissive bill. It doesn’t require anyone to do anything.”

Louisiana, Missouri, Oklahoma, New Mexico, Texas and Washington also allow cameras to be placed in residents’ rooms. Maryland has issued guidelines for use of these cameras, and the New Jersey attorney general’s office will review a law before the third of this wishing to monitor their relatives’ care, according to the National Center on Elder Abuse.

Sam Brooks, program and policy manager for The National Consumer Voice for Quality Long-Term Care, says effective camera permission laws should require a roommate’s consent and bar nursing facilities from using video surveillance to monitor residents. Families should also work to ensure that a roommate is not visible on camera and — if a loved one is unable to consent — consider the resident’s privacy interests, and balance it with the family’s interest in ensuring the security of a loved one, he adds.

“Our primary and motivating concerns are consent and privacy,” Brooks says. “We also strongly believe that video surveillance should never be considered a replacement for proper nursing care and supervision.”

Agriculture & Natural Resources

Midwest’s states, provinces taking proactive measures to curb perpetual threat — animal disease outbreaks

by Carolyn Orr (carolyn@strawwidgefarm.us)

Almost 20 years have passed since the United States and other countries temporarily closed market access to Canadian beef and cattle, a response to cases of mad-cow disease in Canada.

“We don’t even want our borders closed again like that,” says Ralph Eichler, a member of the Manitoba Legislative Assembly.

He was first elected to the Legislative Assembly around the time of that shutdown, and has since seen and helped lead some of Manitoba’s efforts to prevent future disease outbreaks.

Yet such outbreaks remain an ongoing threat on both sides of the border, to food supplies and to economies of the agriculture-reliant Midwest states and provinces.

Of particular concern in early 2022: African swine fever, a highly contagious, fatal disease of wild and domestic pigs; and highly pathogenic avian influenza.

AFRICAN SWINE FEVER

In 2020, Iowa State University researchers estimated that a U.S. outbreak of African swine fever would cost the nation’s pork industry $55 billion over 10 years. The economic impact would be felt greatest in the Midwest, home to seven of the nation’s top 10 states in pork sales (Iowa, Minnesota, Illinois, Indiana, Nebraska, Ohio and Kansas).

In Manitoba, hogs are the province’s third most important commodity, valued at more than $1 billion.

“It’s about being ready,” Eichler says. “Over the last several years we have used our experience with other pig diseases … to educate drivers, owners, employees and plant workers about how important biosecurity is.”

Most recently, Manitoba has prioritized two projects: one aimed at eradicating diseases spread by invasive pigs, and a second to improve disease surveillance at high-traffic facilities.

What if an outbreak does occur in Canada?

One step being taken now is to limit the economic effects by creating different “zones” within the country, says Maurice Bouvier, whose duties as Manitoba’s assistant deputy minister of agriculture include market access and resiliency.

“So if there is an outbreak, only a portion of the country loses market access,” Bouvier says.

The province also is developing plans to handle the animals should mass depopulation be necessary, including identifying sites for carcass disposal.

Midwestern states have been working on proactive responses to African swine fever as well.

The Iowa Department of Agriculture teamed up with state industry groups and the U.S. Department of Agriculture for a mock exercise that tested the state’s response plans in areas such as detection, containment, eradication, and cleaning and disinfection.

As a result, state officials found areas in need of improvement — for example, encouraging livestock trucks to be washed as soon as empty as well as recognizing that employees who raise livestock at home need to be provided additional protective gear and biosecurity 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 subsequent college application.

“It’s about being ready,” Leising recalls. “Over the last several years we have

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 challenge” 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.

(That 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 student 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 filling a FAFSA.

For these “universal” laws to be workable, states must include “robust opt-out” provisions, and also make sure that schools have enough lead time and resources (including the level data) to implement the requirement.

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

South Dakota Sen. Jim Bolin and Ohio Sen. Harco Craig serve as co-chairs of the Midwest Legislative Conference Agriculture & Natural Resources Committee. Tim Anderson is CSG Midwest’s 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 subsequent college application.

“It’s about being ready,” Leising recalls. “Over the last several years we have

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 challenge” 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.

(That 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 student 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 filling a FAFSA.

For these “universal” laws to be workable, states must include “robust opt-out” provisions, and also make sure that schools have enough lead time and resources (including the level data) to implement the requirement.

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

South Dakota Sen. Jim Bolin and Ohio Sen. Harco Craig serve as co-chairs of the Midwest Legislative Conference Agriculture & Natural Resources Committee. Tim Anderson is CSG Midwest’s staff liaison to the committee.
With state funding, Kansas schools are becoming hubs for students to connect to mental health services

by Tim Davis (jdavis@csg.org)

B efore the COVID-19 pandemic began, federal, state and provincial policymakers recognized and began responding to a growing need for mental health services among school-aged 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 Ziemermann, director of behavior. Wichita Public Schools 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 serve 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. Ziemermann said. “In 2021-22, the district’s school counselors, psychologists and social workers provided more than 100,000 mental health services. “Anxiety is not isolated” 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 an need to intervene; • create a district-wide crisis response team; • begin community outreach efforts to designate 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 reviewed 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, Ziemeramm said. But 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, Zimmermann added. Saskatchewan MLA Betty Nippi-Albright said her province has placed 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.

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

by Tim Anderson (tanderson@csg.org)

or 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 in teaching 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 growing voice 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 have great interpersonal skills and 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 speaking 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 have also helped. Across the country, Wallace said, there has been an upick in state support for high-quality tutoring — in the form of new grant programs and matching funds for schools.

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

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

by Laura Tomaka (ltomaka@csq.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” — education, business leaders and lawmakers collaborating and building STEM-focused educational programs that prepare a state’s workforce for success in these high-growth, high-wage jobs.

Led by Weld, Iowa’s STEM Advisory Council is an effective platform to provide 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.)

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: 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. By working directly with Hispanic students, STEM programs are a much-needed antidote for some firms reeling from the effects of COVID-19. According to a recent federation survey, 62 percent of small- and medium-sized firms in Canada reported pandemic debt, 78 percent still had not recovered from pandemic-related stress, and 54 percent had less-than-normal revenues. Exporting is not for all businesses, Pohlmann said, but some that could expand to foreign markets report being hampered by a “lack of resources or expertise” or a “lack of appropriate contact.”

State and provincial interventions can help overcome these obstacles, including getting SMEs engaged in the fast (and potentially lucrative) Canadian-U.S. supply chain. One example of this kind of assistance: the Saskatchewan Trade and Export Partnership. Funded by the province but run as a nonprofit with businesses themselves on the board, the program provides funding to Saskatchewan firms looking to access foreign markets. It also offers education, training, trade missions and customized advice.

Chiang said the Kansas Department of Commerce’s International Division (where she works) has three main export-assistance functions: educate, promote and recognize Kansas enterprises. The education component is done through webinars, company visits and customized counseling. Promotion may be of most interest to SMEs, and that is done through state grant programs. The State Trade Expansion Program (funded by the U.S. Small Business Administration, administered by the state Department of Commerce) offers export-focused training, assistance with market entry, and trade missions and shows. Other grants reimburse businesses for participation in trade shows or export-related marketing. The state also administers a Kansas Governor’s Exporter of the Year Award. For policymakers on both sides of the border, Pohlmann had these ideas to help open markets for SMEs: improve and clarify the rules on labor mobility; expand the role of sub-national governments in U.S.-Canada trade and regulatory discussions; provide more guidance to SMEs on how “rules of origin” regulations work under the USMCA, and make these rules easier to understand; reduce non-tariff administrative burdens; and be aware how government agencies interact with businesses and distribute information on issues related to international trade.

Ohio Speaker of the House Robert Cupp and Manitoba Minister Kelvin Goertzen serve as co-chairs of the Midwestern Legislative Conference Midwest-Canada Relations Committee. Michigan Sen. Jim Stamas is the vice chair. Mitch Avridd serves as CSG Midwest staff liaison to the committee.

Midwest-Canada Relations

Legislators learn how states, provinces can help small- and medium-sized businesses enter export markets

by Mitch Avridd (mavridd@csq.org)

International trade and supply chains are often considered the 1 domains of federal governments and multinational corporations. After all, notable trade deals, including the United States-Mexico-Canada Agreement (USMCA), were negotiated largely at the national level, and often included input from large corporations in the automobile and pharmaceutical industries. However, there is space for small- and medium-sized enterprises (SMEs) — as well as states — to get involved. Policymakers learned how at the 76th Annual Meeting of the Midwestern Legislative Conference, during a session held by the MLC Midwest-Canada Relations Committee and led by two exporters: Corinne Pohlmann of the Canadian Federation of Independent Business and April Chiang of the Kansas Department of Commerce.

Pohlmann, whose nonprofit, nonpartisan association counts 95,000 small businesses as members, says a boost from exports wouldn’t be a much-needed antidote for some firms reeling from the effects of COVID-19.

According to a recent federation survey, 62 percent of small- and medium-sized firms in Canada reported pandemic debt, 78 percent still had not recovered from pandemic-related stress, and 54 percent had less-than-normal revenues. Exporting is not for all businesses, Pohlmann said, but some that could expand to foreign markets report being hampered by a “lack of resources or expertise” or a “lack of appropriate contact.”

State and provincial interventions can help overcome these obstacles, including getting SMEs engaged in the fast (and potentially lucrative) Canadian-U.S. supply chain. One example of this kind of assistance: the Saskatchewan Trade and Export Partnership. Funded by the province but run as a nonprofit with businesses themselves on the board, the program provides funding to Saskatchewan firms looking to access foreign markets. It also offers education, training, trade missions and customized advice.

Chiang said the Kansas Department of Commerce’s International Division (where she works) has three main export-assistance functions: educate, promote and recognize Kansas enterprises. The education component is done through webinars, company visits and customized counseling. Promotion may be of most interest to SMEs, and that is done through state grant programs.

The State Trade Expansion Program (funded by the U.S. Small Business Administration, administered by the state Department of Commerce) offers export-focused training, assistance with market entry, and trade missions and shows. Other grants reimburse businesses for participation in trade shows or export-related marketing. The state also administers a Kansas Governor’s Exporter of the Year Award. For policymakers on both sides of the border, Pohlmann had these ideas to help open markets for SMEs: improve and clarify the rules on labor mobility; expand the role of sub-national governments in U.S.-Canada trade and regulatory discussions; provide more guidance to SMEs on how “rules of origin” regulations work under the USMCA, and make these rules easier to understand; reduce non-tariff administrative burdens; and be aware how government agencies interact with businesses and distribute information on issues related to international trade.

Ohio Speaker of the House Robert Cupp and Manitoba Minister Kelvin Goertzen serve as co-chairs of the Midwestern Legislative Conference Midwest-Canada Relations Committee. Michigan Sen. Jim Stamas is the vice chair. Mitch Avridd serves as CSG Midwest staff liaison to the committee.
This fall, more than 40% of state legislative races had no party competition

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 eight other Midwestern states

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

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

by Tim Anderson (tanderson@csg.org)

Because of a nationwide increase in open seats, as well as a higher number of incumbents facing primary challengers, Ballotpedia rated this year’s election cycle for U.S. state legislative races as the “most competitive” since 2010. However, compared to the last two cycles, there was less competition in the 2022 general election among the two parties.

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

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

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

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

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

by Tim Anderson (tanderson@csg.org)

by Tim Anderson (tanderson@csg.org)

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

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

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

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

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

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

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

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

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

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

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

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

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

by Tim Anderson (tanderson@csg.org)

by Tim Anderson (tanderson@csg.org)

by Tim Anderson (tanderson@csg.org)

by Tim Anderson (tanderson@csg.org)

by Tim Anderson (tanderson@csg.org)

by Tim Anderson (tanderson@csg.org)
A s in most states, legislatures in Minnesota and Wisconsin get the first crack at redistricting. But the process is once again ending up in a familiar place — the courts. In Wisconsin, with the exception of 2010, judges have been involved in the drawing of new lines for decades. In Minnesota after every Census since 1970. But who in the judiciary does the map drawing? The answer to this question has shifted over time in Minnesota and Wisconsin. During this cycle, the two states’ supreme courts have jurisdictional control, and they are handling the process in different ways.

**DEFER TO THE STATE COURTS**

State, rather than federal, courts are in the driver’s seat this time around, thanks in part to a dispute in Minnesota from 30 years ago. In that state, it had been common for a federal district court to draw new political lines if the Legislature failed to do so. But after the 1990 Census, Minnesota’s then-deputy attorney general, John Tunheim, convinced the state Supreme Court to invoke its “inherently authority” to take over redistricting. He thought it would be preferable for state courts to get involved because, as he explained, “redistricting is a state matter,” says Peter Wattson, who worked as an attorney in the Minnesota Supreme Court and is a legal advisor to a team described “retdied, rtiner redistricting aficionado.” During the 1990 redistricting cycle, Minnesota’s state court and a federal district court adopted separate plans, setting up a jurisdictional dispute that landed before the U.S. Supreme Court. In a unanimous 1993 decision (Grawe v. Emerson), the justices found that the federal district court had erred in deferring to the state court’s efforts.”

Since then, a now-familiar process has unfolded in Minnesota: gridlock over the new maps, jurisdictional control by the state Supreme Court, and appointment by the court of a special panel to handle the redistricting process. This time around, that panel consists of two state appellate judges and three state district court judges.

A **LEAST-CHANGE APPROACH**

The last time maps were court-drawn in Wisconsin, it was done by a panel of three federal judges — after Wisconsin’s Supreme Court justices declined to get involved, noting in a 2002 decision that they had been asked to intervene too late and that work in the federal court already was well underway. This cycle, though, the state Supreme Court was asked to claim jurisdiction much earlier in the process — in August 2021, once Democratic Gov. Tony Evers had vetoed maps drawn by the Republican-controlled Legislature. And this time, the court agreed to take on redistricting.

In a 4-3 decision handed down in November, justices said they will employ a “minimum changes necessary” approach. Their rationale: The 2011 maps were drawn by the Legislature and upheld by a federal court, so anything beyond “minimum changes” would amount to imposing political policy choices from the bench.

Dissenting justices argued that adopting this “least-change approach” is an “inherently political choice” that favors a partisan map drawn 10 years ago over neutral redistricting criteria. No special panel has been appointed to handle the redistricting process in Wisconsin. It’s directly in the hands of the state Supreme Court. Wattson says he prefers the panel approach in Minnesota for at least two reasons. One, it frees the state’s top court from having to spend its time drawing maps. Two, it provides a clear appeal process: Individuals who oppose the panel-drawn maps can ask the Supreme Court to intervene. (Note: Wattson is party to one of the four proposed maps being considered by the five-justice panel.)

Regardless of approach, he believes courts produce less-gerrymandered maps than legislatures. A study of different states’ congressional maps from the last redistricting cycle by the Brennan Center for Justice (“Extreme Gerrymandering & the 2018 Midterm”) seems to back him up. Yuri Rudensky, an attorney with the center’s Democracy Program who co-authored the report, says court-drawn maps are generally fairer because judges are further away from “self-interest in the outcome of the electoral process.”

But this distance also means any court-run redistricting process needs to be open to public scrutiny, he adds.

**WHAT’S REALLY APPARENT WHEN COURTS ARE DRAWN INTO THE MAP-MAKING TASK IN THE FIRST INSTANCE IS THAT THE KEY IS TO BE AS TRANSPARENT AND INCLUSIVE OF PUBLIC INPUT AS POSSIBLE,”** Rudensky says.

---

**QUESTION OF THE MONTH**

**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 Nebraska’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 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 1336 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 had to prove 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. "sending the wrong message to all students."

In 2021, the American Psychological Association followed in 2005, saying Native-themed mascots “are teaching stereotypical, misleading and, too often, insulting images” and “harming the wrong message to all students.”

**QUESTION**

By Jon Davis (jdavis@csg.org)

**EXCEPTIONS TO THE MONTH**

**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 remove” use of Native mascots**

Source: National Congress of American Indians

Question of the Month response by Laura Klewer (lklewer@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 csgmidwest.org.
**QUESTION OF THE MONTH**

**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 education 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 2249 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/day 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 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).

**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 program for future teachers and paraprofessionals.

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).
OHIO BECOMES LATEST MIDWEST STATE TO PROVIDE A TAX CREDIT FOR BEGINNING FARMERS

A new tax credit program in Ohio aims to help the state’s beginning farmers, as well as those who help them get started in the business.

HB 95, which became law in April, includes $10 million in tax credits for new farmers who attend a financial management program run by the Ohio Department of Agriculture. Also eligible for the tax credits: established farmers who rent or sell agricultural assets (land, building and equipment) to beginning farmers. Businesses that sell such assets for a profit do not qualify.

Under the law, “certified beginning farmers” are either new to Ohio or have been farming in the state for less than 10 years. To qualify for the credit, they must demonstrate experience or adequate knowledge of agriculture; have an annual household net worth of at least $50,000 (an amount to be adjusted annually for inflation); and provide the majority of their daily farm labor and management. Applicants for certification must also submit projected earnings and demonstrate profit potential.

Midwestern states with similar tax credit programs for beginning farmers include Iowa, Minnesota and Nebraska. Michigan legislators also are mulling a bill this year (SB 697) to create a tax credit for those selling or renting agricultural assets to beginning farmers. An Illinois bill to create an Ohio-style tax credit (HB 2750) was introduced in 2021 but did not advance.

AXE ON GROCERY TAX COMING SOON TO KANSAS; ILLINOIS ADOPTS TEMPORARY SUSPENSION

As inflation soared in early 2022, some states opted to roll back or eliminate their sales taxes on food, including Illinois and Kansas in the Midwest.

Illinois’ $546 billion budget for fiscal year 2023 (HBs 900 and 4700, and SB 157) waives the state’s 1 percent sales tax on food for one year, a move that officials estimate will save consumers up to $400 million. This suspension is part of $1.83 billion in tax relief that also includes, among other provisions, the freezing of a scheduled increase in the gas tax and a one-week sales tax “holiday” on clothing and school supplies. According to the Federation of Tax Administrators, Iowa (on clothing) and Ohio (on clothing and school supplies) also will offer sales tax holidays in August, near the start of the school year.

In Kansas, lawmakers have opted to eliminate the state’s 6.5 percent sales tax on groceries over the next three years — 4 percent in 2023 and 2 percent in 2024, before being completely eliminated by the start of 2025. The new law (HB 2106) does not affect local sales taxes. Gov. Laura Kelly made an “axe to the food tax” a top legislative priority this session. She says a complete elimination of the tax will save a family of four $580 a year.

Illinois, Kansas and South Dakota are among 13 states nationwide that tax groceries, according to the Tax Foundation. All states in the Midwest except Minnesota exempt prescription drugs from the regular sales tax. Minnesota extends this exemption to non-prescription medication as well, the Federation of Tax Administrators notes in its annual 50-state survey. (Illinois’ sales tax rate on prescriptions of all kinds is 1 percent, rather than the normal rate of 6.25 percent.)

Sales tax rates in the Midwest range from a high of 7.0 percent in Indiana to a low of 4.3 percent in South Dakota. Nationwide, state revenue from sales and selective sales taxes accounted for 43.2 percent of total tax collections in 2021.

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 190 percent. Additionally, the amount of scholarship money 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.

Question of the Month response by Tim Anderson (tanderson@csgrg.org), director of communications 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 csgrg@csgrg.org.

QUESTION OF THE MONTH

STATES IN THE MIDWEST OFFER VARIOUS TYPES OF SCHOOL CHOICE PROGRAMS, INCLUDING TAX CREDITS AND VOUCHERS TO HELP STUDENTS ATTEND PRIVATE SCHOOLS. 

The CSG Committee on States’ Capacity to Govern tracks a wide range of policy issues, including education choices. School choice programs and tax credits vary widely in scope, based on several factors. CSG’s Tim Anderson breaks down these programs and how they work.