High costs of higher ed
Rising tuition and fees, stagnant incomes put focus on importance and future direction of state grant aid

by Jennifer Ginn (jginn@csg.org)

Darbi Yost is a 20-year-old sophomore at Black Hills State University in Spearfish, S.D. From a working-class family in Wheatland, Wyo., Yost says paying for college has been a challenge. To pay the almost $13,000 yearly cost for her education, she depends upon a variety of grants and scholarships — federal Pell Grants, a scholarship from a Wyoming-based foundation and a volleyball scholarship, for example.

Then asked if she worries about being able to pay for her degree, Yost answers quickly.

“Oh yeah,” she says. “My financial aid went under review. I wasn’t sure I was going to get it for quite a while…. I have had to take out loans and stuff like that already. I don’t really want to have to pay for those when I get older, but you do what you have to. I’m sure I’ll take out many more to come.”

Students relying more on aid
Yost is not alone. Concerns about the cost of college and the debts being taken on by students and families have never been higher.

In its 2008 “Measuring Up” report, the National Center for Public Policy and Higher Education lamented “the deterioration of college affordability throughout the nation,” noting that college and tuition prices have risen by 439 percent over the past three decades. In comparison, the consumer price index has increased by 106 percent and median family income by 147 percent.

Between 1998 and 2008, student borrowing more than doubled. In their state-by-state evaluation of college affordability, the report’s authors gave every state except California a failing grade. In all 11 Midwestern states, too, there has been a rise since 1997 in the percentage of income (average of all income groups) needed to pay for college expenses at public four-year institutions.

As college costs rise and with many family incomes stagnant, the various forms of tuition assistance available to students like Yost have become an increasingly vital financial resource for them.

According to a fall report of the College Board Advocacy & Policy Center, the average net price that students pay for higher education, after considering grant aid and tax benefits, has increased more slowly than the consumer price index over the past five years.

That is because although the cost of tuition, fees and room and board have gone up, there have been record increases in the amount of federal aid available through Pell Grants. (In a March report, researchers at the Center for College Affordability and Productivity argue that higher education institutions are “capturing” the financial aid by raising prices, with the end result being no improvement in college affordability.)

Along with the federal government, states are another important source of financial help for students. Total state-funded student aid in the Midwest during the last school year was about $1.5 billion, data compiled by the National Association of State Student Grant and Aid Programs show. And spending on grants accounts for a significant portion of a state’s total support of higher education: in the Midwest, anywhere from 14.7 percent in Indiana to 2.1 percent in South Dakota.

Where should the finite amount of money available for financial assistance go? Which group of students should be targeted for state aid?

These are increasingly important questions for policymakers as the demand for an educated workforce...
Great Lakes

Study sees some good, some bad in states’ implementation of new interstate compact

As the historic Great Lakes compact made its way through state legislatures, much of the media coverage on the agreement focused on its ban of out-of-basin diversions.

A July report by the National Wildlife Federation details the progress, and the lack of progress in some cases, that states and provinces are making in implementing the compact.

The report’s author, Sara Gosman, says ratification of the compact was “an incredible moment,” one rightly celebrated as a unique commitment of the compact was “an incredible moment,” one rightly celebrated as a unique commitment by a region to manage and protect a shared water asset.

“While the work didn’t end there,” she notes.

Gosman, a water resources attorney for the federation, says states were given five years to put in place the various water-protection measures envisioned in the compact. At the halfway point of that time frame, she says, some states have missed deadlines for developing new conservation goals and programs, while others have been slow in establishing new rules and permitting programs to manage water withdrawals.

And she says states have too often taken the “lowest common denominator” approach on policy decisions related to compact implementation, including weak conservation plans and lax permitting programs.

The measure was strongly opposed by environmental groups, and two former Ohio governors came out against it as well. Gosman says HB 231 “as it passed” the compact” by creating the weakest permitting program of all of the Great Lakes states and by violating minimum compact requirements.

Republican Gov. John Kasich vetoed the bill in July, saying it lacked “clear standards for conservation and withdrawals” and did not “allow for sufficient evaluation of monitoring of withdrawals or usage.”

Under HB 231, permits would have been required for new withdrawals of 5 million gallons of water per day from Lake Erie; 2 million gallons from groundwater, rivers and streams; and 300,000 gallons from designated high-quality rivers and streams.

Those thresholds are higher than those of other Great Lakes states, Gosman says, and the bill also lacked the type of decision-making standards and science-based assessment tools that state regulators need to prevent withdrawals from having an adverse impact on the basin’s water resources.

In contrast, a water-management bill was passed in New York this year with little controversy.

AB 5318 will require state permits from most users proposing water withdrawals of 100,000 gallons per day or more.

The measure goes beyond the compact’s minimum requirements by having the regulations apply not only to new and increased withdrawals, but existing ones as well. It also establishes several standards for granting a permit; for example, the water user’s plan must limit the withdrawal to a “reasonable” quantity, incorporate water conservation measures and ensure there are “no significant individual or cumulative adverse impacts.”

In the report, Gosman heaps high praise on Michigan for the science-based tool that it created for measuring the impact of proposed withdrawals on a state’s groundwater resources and river systems. This tool—which uses data on stream flow and fish populations—is used to determine whether a withdrawal will have an “adverse resource impact.”

The NWF report also points to other promising signs in compact implementation:

- Wisconsin, the study says, has taken an “exemplary” approach to a proposal by the city of Waukesha to divert Lake Michigan water for its public water supply. (The city is eligible to apply for an exception to the out-of-basin diversion because it is in a county that straddles the basin). Wisconsin was also the first state to develop water conservation and efficiency goals under the compact, and has a comprehensive permitting program in place.

- A water conservation program proposed in Ohio, if established, could serve as a “model for other states.”

- The program, for example, would forecast areas of the state where water shortages are most likely and where conservation is most needed. It would also establish an Ohio Water Conservation Congress to disseminate best-management practices in water use and efficiency.

Thus far, the Great Lakes states have largely decided to pursue water conservation goals or standards that are voluntary rather than mandatory.

One exception is Minnesota, where conservation requirements predate compact implementation. For example, public water suppliers in the state must employ a conservation rate structure: Rates increase with consumption in order to encourage efficiency.


Information on the compact’s Water Resources Council is available at www.glslcompactcouncil.org.

Bills this year to comply with compact passed in New York, vetoed in Ohio

This summer, the state action that received the most attention was Ohio’s legislative passage of HB 231, a bill that sponsors say would have protected the state’s resources while also recognizing “northern Ohio’s valuable fresh water as a job-creating economic asset.”

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Issue Briefs cover topics of interest to the various groups and policy committees associated with the Midwestern Office of The Council of State Governments. Located in suburban Chicago, CSG Midwest provides staffing services for the Midwestern Legislative Conference, Great Lakes Legislative Caucus, Midwest Interstate Passenger Rail Commission and Midwestern Radioactive Materials Transportation Committee. More information is available at www.csgmidwest.org.
Agriculture & Natural Resources

New White House council aims to improve federal response to rural economic challenges

The Midwest’s success is the result of both its wealth and its social infrastructure. Economic growth across the region is primarily supported by the agricultural and natural resource sectors. The Midwest Council on States (MCS) is a valuable resource for state officials who are tasked with creating strategies to accelerate economic growth in rural areas.

The council works in partnership with the Federal Reserve Bank of Kansas City, the Federal Reserve Board of Governors, and the Federal Reserve System. The council develops and promotes strategies that can help states and their rural communities mitigate the impacts of the economic downturn.

The Council’s mission is to provide a forum for policymakers and economic leaders to share information and ideas, and to identify common strategies that can be replicated across the region. The council’s work is focused on developing strategies that can help states and their rural communities mitigate the impacts of the economic downturn.

Energy

Expanding wind energy capacity keeps Midwest in U.S. lead

The Midwest continues to develop wind energy capacity at an impressive rate. According to a recent report by the American Wind Energy Association (AWEA), every state in the region is expanding its installed wind capacity, with Indiana seeing triple-digit growth in the last two years. Iowa still leads the Midwest in installed wind capacity, and nationally is second only to Texas.

Iowa provides tax credits for wind energy facilities and exempts them from the excise tax on energy generation. In addition, it provides tax exemptions for the cost of equipment and materials as well as for increases in a property’s market value due to the addition of a wind energy system.

Nearly every state in the Midwest now has an RPS of some kind. Most of these standards are mandatory — for example, 23 percent of electricity must come from renewable sources by 2025 (25 x 25).

According to the U.S. Department of Energy and the Pew Center on Global Climate Change, Illinois, Minnesota and Ohio have a 25 x 25 standard; Kansas has a 20 x 20 requirement; and Michigan and Wisconsin have 10 x 15 mandates. Illinois also requires that 75 percent of renewable energy come from wind.

Indiana, North Dakota and South Dakota have opted for voluntary standards. Along with the increase in wind production, states are also trying to tap into the potential of wind-related manufacturing — motors, blades and the other components of wind turbines.

According to the AWEA, the Midwest is one of the few industries where “insourcing” is occurring: foreign firms are locating wind-related manufacturing plants in the U.S. The AWEA reports that domestic content in the industry reached 60 percent by the end of 2010.

Even states that don’t have the strongest wind resources can do well, Salerno says. Ohio, for example, is considered an up-and-coming state in wind energy, partly because of its large base of industrial users.

Composition of revenue for local governments

<table>
<thead>
<tr>
<th>Revenue source</th>
<th>Average county</th>
<th>Average rural county</th>
<th>High-poverty rural county</th>
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<tr>
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<td>4%</td>
<td>4%</td>
<td>6%</td>
</tr>
<tr>
<td>Property taxes</td>
<td>25.6%</td>
<td>27.8%</td>
<td>23.6%</td>
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<td>Corporate taxes</td>
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<td>0.5%</td>
<td>0.5%</td>
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<td>Income taxes</td>
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<td>1.4%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Sales taxes</td>
<td>6%</td>
<td>4%</td>
<td>3.9%</td>
</tr>
<tr>
<td>State government</td>
<td>31.1%</td>
<td>40.8%</td>
<td>49.4%</td>
</tr>
<tr>
<td>Other</td>
<td>31.1%</td>
<td>21.4%</td>
<td>14.9%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau
Report compares tax burdens that states place on business

In the competition for business and job growth, most Midwestern states fare better than the U.S. average on at least one measure — the burden that their overall tax structures place on businesses.

A July study by the Council on State Taxation (www.cost.org) calculates that burden using two sets of data: total state and local business taxes and private-sector gross state product. The ratio of the two then yields the Total Effective Business Tax Rate, or TEBTR.

Indiana had the region’s lowest rate, 4.1 percent (seventh-lowest in the nation). The U.S. average was 5.0 percent.

Perhaps surprisingly, the Midwestern state with the highest TEBTR is North Dakota, a state that has stood out in recent years for its strong economic growth during a period of slow or declining economic activity nationwide.

But the study’s authors say North Dakota’s TEBTR of 8.6 percent is somewhat misleading because of where a large part of its tax revenue comes from — a severance tax on natural resources such as oil and natural gas that can be “shifted forward in higher prices for consumers.”

As a result, North Dakota’s distribution of state and local business taxes is much different than the rest of the region’s. It relies much less on property and sales taxes, which account for the bulk of tax collections in the 10 other Midwestern states. In Indiana, for example, close to 70 percent of business tax revenue comes from these two sources, which the study’s authors describe as “origin-based taxes on business capital that may negatively impact competitiveness.”

The report says the TEBTR is a “starting point for comparing burdens across states,” but that other factors need to be considered as well. For example, does the state tax structure favor capital-intensive manufacturers or labor-intensive service industries? And does that structure reflect the state’s economic growth strategy?

In a separate report, the council ranks states on their taxation of new investment. Its analysis focused on industries that have “location choices” (where to place headquarters or factories, for example) rather than on those that generally do not (hotels and retail stores, for example). Ohio was given the region’s highest ranking, the result of a 2005 tax restructuring that eliminated tangible personal property taxes and that instituted a gross receipts tax in place of a corporate income/franchise tax. Wisconsin and Illinois were also listed among the 10 most competitive U.S. states.

Midwest in middle of legal, political fight over abortion

According to the Guttmacher Institute, 80 new restrictions on abortion have been enacted nationwide thus far in 2011 — a total that dwarfs activity in any other previous year.

And much of the activity has been occurring here in the Midwest.

Two types of restrictions in particular have garnered the attention of legislators in recent months: stricter gestational limits on when abortions can be performed, and new waiting period and counseling requirements for women and providers before the procedure can be performed.

The push for new bans on later-term abortions began last year in Nebraska, when the Legislature passed LB 1103.

The 2010 Nebraska law prohibits abortions at or after 20 weeks’ gestation. (Exceptions are allowed if the procedure is necessary to prevent the mother’s death or to “avert serious risk of substantial and irreversible physical impairment of a major bodily function.”)

That law has since served as a model for bills enacted this year in Indiana and Kansas, both of which now have 20-week limits in statute — the strictest threshold in the country.

Under a legislative proposal in Ohio, abortions would be banned once a fetal heartbeat is detected. HB 125 was passed by the House but has since stalled in the state Senate.

Counseling rules and waiting periods

Indiana, Kansas and North Dakota were among the states that made changes this year to laws that require abortion counseling for women.

Thirty-four states have such a requirement in place, Guttmacher reports, and many of the statutes spell out the type of mandatory counseling to be provided: information on fetal pain, ultrasound services and negative psychological effects, for example.

It is common, too, for states to require a waiting period after the counseling has been received, most commonly 24 hours.

Under a bill signed into law this year in South Dakota (HB 1217), the waiting period would be increased to 72 hours. In addition, a woman would be required to meet with a pregnancy crisis center before the abortion could be performed.

In June, a federal judge granted a preliminary injunction stopping implementation of HB 1217.

Here are other findings from a July report of the Guttmacher Institute (it is available at www.guttmacher.org):

• Kansas, Nebraska and North Dakota are among the states that have banned the use of telemedicine for the provision of medication abortion.

• Indiana will ban abortion coverage in any private health insurance plan being offered through its state-based health insurance exchange. (These exchanges are being created in every state as part of a provision of the federal Affordable Care Act.)

New laws in Kansas and Nebraska prohibit abortion coverage in all private insurance plans. (North Dakota already had such a ban in place prior to 2011.)

• Indiana and Wisconsin took actions to prevent state funding from going to abortion providers. The new state measures affect only Planned Parenthood, and a federal judge has blocked enforcement of the Indiana statute.

There also has been legal action involving a recently passed Kansas bill that prevents federal family-planning grants from going to Planned Parenthood and other family-planning providers.

In August, a federal judge granted a temporary injunction blocking enforcement of the Kansas law.

Source: Council on State Taxation

Source: Guttmacher Institute

Overview of abortion laws in Midwest

State Counseling mandate Waiting period after counseling Parental involvement requirement Ban on partial-birth abortion

Illinois No 18 hours Consent Law not in effect

Indiana No 16 hours Consent Yes

Iowa No 72 hours Consent Yes

Kansas Yes 24 hours Consent Yes

Michigan Yes 24 hours Consent Yes

Minnesota Yes 24 hours Notice Yes

Nebraska Yes 24 hours Consent Yes

North Dakota Yes 24 hours Consent Yes

Ohio Yes 24 hours Consent Yes

South Dakota Yes 24 hours Consent Yes

Wisconsin Yes 24 hours Consent Yes

* * *

State policies on gestational limits for abortion*
QUESTION OF THE MONTH

One of the many services provided by CSG Midwest is its Information Help Line, a research service intended to help lawmakers, legislative staff and state officials from the region. Through the Help Line, CSG Midwest staff responds to members’ inquiries or research needs regarding various public policy issues. The Question of the Month section highlights an inquiry received by this office. To request assistance, please call 630.925.1922 or email us at csqm@csg.org.

QUESTION: What standards do states set for the minimum amount of instructional time that schools must provide for students?

According to data collected in April by the National Center on Time and Learning, every U.S. state except Minnesota sets a numeric standard for either minimum instructional days per year or total instructional hours per year. Some states establish minimums for both, as well as for how many instructional hours must be provided during each school day. (In Minnesota, the number of instructional days must at least equal the number for the 1996–97 school year.)

Kansas has the highest instructional-days standard in the nation: 186 for kindergarten through 11th grade. In contrast, Michigan currently has the lowest such standard in the country (165) — which was the focus of a 2009 report by the Center for Michigan, a nonprofit think tank. The study detailed “Michigan’s shrinking school year,” noting that the state once had a standard of 180. It was lowered in the middle of the last decade in order to provide local school officials with more financial flexibility — moving to four-day weeks with longer school days, for example.

In Michigan, students must receive at least 1,098 hours of instruction per year. However, the Center for Michigan says that this hourly requirement has not always been met because of snow days and other cancellations. Further, concerns have been raised about the impact of giving students longer summer vacations. Research shows that children — particularly young people from lower-income households — suffer academically from these breaks.

In 2012, Michigan’s instructional-days requirement will rise to 170. Other standards in the Midwest are as follows: Illinois, 176; Indiana, Iowa and Wisconsin, 180; and North Dakota and Ohio, 182.

According to the National Center on Time and Learning, Nebraska and South Dakota are among the seven U.S. states without a minimum requirement for instructional days. However, those two states do compel schools to offer a certain number of instructional hours per year. For example, high school students must be provided with 1,080 hours of instruction in Nebraska and 962.5 in South Dakota.

A third type of requirement mandates the length of a school day. Indiana and North Dakota have the region’s most rigorous requirement: six hours of instruction per day for students in grades seven through 12. (Nationally, Texas requires the most, though its seven-hour standard includes time for recess and breaks.)

Instructional-time policies were a central part of talks in Illinois this year over education reform, due to concerns that students in Chicago Public Schools (CPS) spend fewer total minutes in the classroom than counterparts in other urban school systems. SB 7, passed by the legislature this year, makes changes in collective-bargaining law that will allow CPS to increase the length of the school day and/or year.

Groups such as the National Center on Time and Learning say expanding learning times for students in high-poverty areas can improve student performance and eliminate achievement gaps.

Power of 16: In Wisconsin, broad budget authority is given to committee of 8 senators, 8 representatives

I n 1911, lawmakers in Wisconsin approved a flurry of sweeping and innovative proposals that distinguish that year’s legislative session, even a century later, as one of the most significant in the state’s history.

Among the measures enacted that year were the nation’s first state income tax law, the first state worker’s compensation law, a minimum-wage requirement for women, a bill regulating child labor and another establishing a new Industrial Commission.

But one of the most enduring legacies of the 1911 session was a measure that established a new joint legislative committee charged with overseeing the state budget process. It was vested with broad authority to consider all bills related to expenditures, revenue or taxation prior to their passage by the legislature.

One hundred years later, Wisconsin remains the only U.S. state to have assigned such broad statutory authority to a single joint committee. (Most other states distribute responsibilities on revenue and spending measures to multiple committees or between two legislative chambers.)

As a result, the Wisconsin Joint Committee on Finance is arguably one of the most powerful state legislative committees in the country.

Its principal function is to conduct a detailed review of the governor’s biennial budget recommendations and, ultimately, to play the lead role in crafting the legislature’s budget bill. The committee is also empowered to:

• review all other revenue and spending bills;
• permit the legislative consideration of fiscal measures prior to the passage of the biennial budget (by attaching an emergency clause to them);
• supplement agency appropriations following passage of the budget;
• transfer funds between appropriations and programs; and
• adjust the number of authorized staff positions for state agencies.

For the past three decades, the committee has had 16 members: eight representatives and eight senators, with co-chairs designated by the Assembly speaker and Senate majority leader.

Despite the even number of committee members, as well as rules that require the committee’s co-chairs to agree before any bill may be considered, the committee process works well in practice: The Joint Committee has never failed to produce a budget recommendation for the legislature’s consideration, even when the Assembly and Senate have been controlled by different parties.

According to Bob Lang, director of the Wisconsin Legislative Fiscal Bureau (which provides staff support to the Joint Committee on Finance), the committee’s co-chairs understand that “their power depends on their ability to work together,” a factor that tends to foster compromise. Republican Rep. Robin Vos, who currently co-chairs the committee (with Republican Sen. Alberta Darling), concurs.

“It requires compromise and consensus much earlier in the process than in other states with more traditional models,” he says.

Senate Democratic Minority Leader Mark Miller, a former Joint Committee co-chair, agrees that the panel’s composition tends to promote cooperation between members, although he notes that this dynamic doesn’t always translate to the full legislature.

Miller credits the Legislative Fiscal Bureau for the committee’s track record of success in Wisconsin. Reliance upon a nonpartisan professional fiscal staff, he says, is “the key reason [the process] works as well as it does.”

Article written by Mike McCabe, director of the CSG Midwest Office. He can be reached at mmccabe@csg.org. Only in the Midwest highlights unique features of state government in the Midwest. Past articles are available at www.csgmidwest.org.

Only in the Midwest: Wisconsin’s Joint Committee on Finance

SePT eMB eR 2011

STATELINE MIDWEST • SEPTEMBER 2011

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States strike different balances between merit- and need-based financial aid for students

<table>
<thead>
<tr>
<th>State</th>
<th>Need-based grant aid (in millions)</th>
<th>Grant aid not based on need (in millions)</th>
<th>Non-grant aid (in millions)</th>
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<tbody>
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<td>$2,224.458</td>
<td>$8,338</td>
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<td>Wisconsin</td>
<td>$104.062</td>
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</tbody>
</table>
* Includes loans, loan assumptions, conditional grants, work-study and tuition waivers

Large gaps seen among income groups

States vary not only in the amount of total aid they provide students, but the extent to which the allocation of aid is based on financial need.

A recent Education Trust study found that over the past decade, the amount of state grants not based on need has grown three times faster than needs-based assistance.

Trends in South Dakota: The number of students going to colleges and universities in the state has increased, remediation rates have gone down, and the average ACT score of incoming college freshmen has increased.

Increased financial aid for students

In South Dakota, the state has focused its financial assistance program primarily as an incentive to get high school students to take a more challenging curriculum.

Its primary assistance program is Opportunity Scholarship, the goal of which is to encourage students to be better prepared for college.

Individuals wanting to qualify for the scholarship must complete four years of math, science and English — standards in all subjects that are above the state’s minimum graduation requirements. Students also must earn no final grade less than a C and have a composite ACT score of at least 24.

“Since 2009, the number of students admitted to colleges across Indiana annually has doubled, from about 3,000 21st Century Scholars have been admitted to 6,000,” Brown said. “Do we really believe rich kids are five times smarter than poor kids?”

Indiana’s need-based aid program

For more than 20 years, Indiana has taken aggressive steps to improve college participation and graduation rates among low-income and first-generation students — by not only preparing them for college, but also paying their way to go. Under the 21st Century Scholars Program, low-income middle school students (using criteria based on whether they qualify for the free and reduced-price lunch program) sign a pledge and also get a financial commitment from the state.

The students pledge to graduate with at least a 2.5 grade point average (the minimum was raised from 2.0 this year), not use illegal drugs or alcohol, and not commit a crime, apply for financial aid on time, and apply for an admission to a public Indiana college or university.

Fourteen regional support sites across the state provide participating students and families with workshops, access to campus visits, help with filling out financial-aid applications and other assistance.

If students fulfill their pledge, the state covers the cost of four years of public college tuition or a comparable amount if they choose to go to a private institution.

For Blair Brown, a sophomore public safety major at Indiana University-Purdue University Indianapolis, the 21st Century Scholars Program has been invaluable. He plans to be the first in his family to earn a college degree.

“The numbers for college each semester are overwhelming,” Brown said. “Even just paying for housing, stuff like that, seems to add up. For someone who doesn’t have to pay for [tuition], I still have student loans out. I can’t imagine adding up fees and in-state tuition on top of housing, books, things like that.”

In 2006, the high school graduation rate among 21st Century Scholars was 79 percent, compared to 76 percent for all students and 59 percent for low-income students. For the past 14 years, on average, about 3,000 21st Century Scholars have been admitted to colleges across Indiana annually.

State officials say the program has been a part of Indiana’s overall strategy to increase college participation rates. That strategy has shown signs of success: Between 1986 and 2006, the number of high school students in the state attending college soon after graduation rose from 33 percent to more than 63 percent.
But there is room for improvement with 21st Century Scholars, Bearce notes. Although the program participants attending college are more likely to graduate than other low-income students (16 percent earning an on-time bachelor’s degree vs. 15 percent), they still lag when compared to all students (23 percent).

Another concern is the Indiana students and families who aren’t eligible for the scholarship program, but who are feeling the pinch of higher college costs.

“One area we’re becoming increasingly concerned about is our middle-income students,” Bearce says, because “there are not the same resources available for them in terms of aid.”

“I don’t think Indiana is alone in the fact we’ve seen college tuition increase nearly 100 percent over the past 10 years.”

Pressuring or mandating institutions to curb or freeze tuition is one option for states. And Bearce points out other options, such as making financial aid more readily available to part-time and non-traditional students and reducing the amount of time it takes to earn a degree.

No longer think of college as optional

Indiana’s 21st Century Scholars Program has received the attention of at least one neighboring state, Illinois.

Lawmakers there recently passed HB 1710, a bill signed into law in August that sets up a college planning program for low-income and first-generation college students.

Under the new law, the state will offer many of the same services as 21st Century Scholars. But while it will help students learn about and apply for financial-aid programs, the new Illinois program does not guarantee tuition assistance.

Illinois already is one of the nation’s leaders in providing need-based aid to students — almost $400 million for the 2009-10 school year, an increase of almost 18 percent over the past decade.

According to the National Association of State Student Grant and Aid Programs, Illinois is one of 10 states that together provide almost 75 percent of all need-based aid in the country. (Indiana is one of the other 10 states.)

Despite the $400 million that Illinois put toward need-based aid last year, Illinois Republican Rep. Robert Pritchard says, it is still not enough to cover higher college costs.

“The No. 1 thing states ought to be focusing on is creating the workforce for the jobs of the future,” says Pritchard, sponsor of HB 1710.

“If they’re going to attract businesses, if they’re going to be economically viable, the workforce has to be able to do the jobs to attract the companies.”

Applegate agrees.

“We can no longer think of college as optional,” he says. “Some of our data would suggest that without some form of post-high-school education, which can take on different forms, you will be the working poor in the coming economy.

“Certainly your chances of having any middle-class lifestyle are nil. Our economy will suffer; our ability to recover from this recession will suffer.”
Indiana Sen. Jim Merritt
20-year veteran of state legislature has had hand in preserving state’s past while helping shape its future

by Ilene Grossman (igrossman@csg.org)

“We have gone through a lot of pain [to get there], but I’m proud of the fact that we are on good, solid financial footing.”

Indiana Sen. Jim Merritt, on recent budget actions taken in his state

Bio-sketch of Sen. Jim Merritt
✓ has served in the Indiana Senate since first being elected in 1990
✓ serves as Senate majority caucus chair and as chair of the Utilities and Technology Committee
✓ lifelong resident of Indianapolis and represents a district on the city’s north side
✓ vice president of corporate affairs for the Indiana Railroad Company
✓ author of “Passing the Torch: Preserving Indiana’s Heritage”,
✓ member of several civic organizations, including the board of trustees for the Indiana Historical Society and board of directors for Friends of the Indiana Archives
✓ member of The Council of State Governments’ Toll Fellows Class of 1994

In a recent interview with CSG Midwest, the state leader discussed some of the recent legislative actions taken in Indiana as well as some of his notable legislative accomplishments since joining the Senate two decades ago. Here are excerpts from the interview.

Q: You now have a very large Republican caucus in the Senate. Why do you think the caucus has been so successful over the years, and has it been more difficult to maintain party discipline with such a legislated majority?
A: We have elected Democrat governors, but on the whole, Indiana is a conservative state, and I think the Senate reflects that. We run good campaigns and we’ve done a good job in the Senate of fiscal management.

We had all 37 members of the Republican caucus vote for the budget. The bottom line is that we have good communication with our leadership structure, and we feel like if you talk to folks and share information, that’s how you get everyone on the same page.

Q: What legislation are you most proud of sponsoring?
A: There are several pieces that are high points. I wrote our anti-stalking law, which was an important step in addressing the concerns of people being watched or followed. We really didn’t have anything on the books to make people safe. [The measure defined “stalking” and “harassment” and established penalties for this activity.]

I also sponsored the bill that created the “Kids First” license plate, which raises money to prevent child abuse [a portion of the sales from the license plate goes to protect children and to prevent child abuse], and I was successful in increasing penalties for crimes in which the fetus is killed in uterus as a result.

More recently I worked on establishing a State Fair Foundation. That will help us with some of the upkeep at the fair, including rehabilitating the coliseum there. Since our State Fair tragedy [where people died in August after a stage collapsed due to strong winds], I think that will play a big role in making sure that the state fair is well kept up.

Q: What were some of the key issues the Indiana legislature addressed this past session?
A: I think we, as a Republican caucus, can legitimately say that we were part of passing a balanced budget. We have gone through a lot of pain ... but I am proud of the fact that we are on good, solid financial footing.

We also passed a lot of education reform in Indiana. [Legislation passed this year created the state’s first voucher program and expanded charter school options in the state.] I think it will give parents of all income levels a lot more choice about where their children will be educated. And that choice will breed competition, which will be a hallmark of this year’s education reform.

Q: What do you see as some of the big issues the legislature will face during the 2012 session?
A: Indiana is not a right-to-work state, and with our heavy industrial base and our union base, there will be a lot of discussion about this issue.

There will certainly be discussion about the state fair tragedy and how we make temporary facilities and structures safe. I serve on the State Fair Commission, and we’ll be looking at what went wrong and how to avoid a tragedy the next time....
A requirement of the federal Affordable Care Act passed by the U.S. Congress in 2010 is that states must have health insurance exchanges that allow consumers to search for and compare prices of private insurance plans. These exchanges must be up and running by January 2014 and include a web interface where the consumer can choose a product, not unlike a consumer going to a website such as Amazon.com to buy other kinds of merchandise.

The exchange will present the insurance product description, the costs and an ability to close the purchase deal on the spot — online.

Other consumer-friendly features must be integrated into the web-based program as well — for example, consumers will be able to determine their eligibility for Medicaid, the Children’s Health Insurance Program or federal subsidies to purchase private health insurance plans.

The law gives states a range of options and the authority to run their own exchanges, provided they comply with the aforementioned requirements and others are met. But if a state doesn’t get its exchange up and running, the federal government will step in and operate it.

Reform sparked healthy debate

North Dakota debated the establishment of a state-based exchange during the 2011 legislative session, with legislators holding a wide range of views.

These included vehement opposition to the whole idea of health care reform, and the view that since the federal law will likely be overturned by the U.S. Supreme Court, why waste the time and money to establish an exchange?

Others encouraged us to move forward in establishing exchanges as quickly as possible in order to ensure that the state maintains control, while others suggested that we move forward as quickly as possible to meet pressing consumer needs in the health care marketplace.

Along with the varying views of legislators on the merits of the federal health care law, we had other variables to consider, such as costs, the perspective of our executive agencies, and how the new web interface would fit in with other ongoing computer technology challenges across state government.

For example, we are in the midst of a design change to our Medicaid management information system, estimated to cost more than $60 million and already years behind in product delivery.

In the final days of our regular session, the legislature established an interim committee, the Health Care Reform Review Committee, to study the matter in greater detail.

A range of comments, from “Kicking the can down the road” to “Let’s take the time to do this right,” were heard in the hall.

The interim committee has been given the following charge: “Receive regular updates from the Insurance Commissioner and Department of Human Services during the 2011-12 interim on planning and implementing an American health benefit exchange for the state and proposed legislation for consideration at a special legislative session or proposed legislation by October 15, 2012.”

The committee has been meeting regularly to prepare for a special session this fall, at which the Legislature will also consider a new redistricting plan for the state.

The 19-member Health Care Reform Review Committee includes a cross section of legislators — senators and representatives, Republicans and Democrats — primarily made up of members serving on one of two standing legislative committees: Industry, Business and Labor or Human Services.

Insurers, health providers, advocates and state agencies have taken an active role in the discussion. The ideologies of the legislators have been pronounced, as one would expect in a healthy democracy.

In August, the Centers for Medicare and Medicaid began holding listening sessions around the country about the new health exchanges. I attended the session in Denver and took away three messages:

- There are options for a state-federal partnership.
- The federal will is there to operate the exchanges in January 2014 if states do not; and
- States must be fully engaged now or they will likely not meet the technology and certification requirements that need to be in place in 2013.

An issue whose time has come

The interaction of state and federal policy is dramatic in health care reform. Escalating health care costs and the demands for access to quality health care for all Americans suggest that state legislators give the implementation of health exchanges — and the various policy and technology issues surrounding them — our undivided attention.

No matter what the court rules on the constitutionality of the Affordable Care Act, I suspect the day has come when citizens will demand the convenience and transparency offered by health insurance exchanges.

When I visit with young adults about their information gathering and purchasing practices, they say they prefer and rely upon web online options. In this era, states can lead or be led.

North Dakota Sen. Tim Mathern, a Democrat from Fargo, was first elected in 1986.

Submissions welcome

This page is designed to be a forum for legislators and constitutional officers. We accept submissions on a wide range of public policy issues and state initiatives. 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 630.925.1922 or tanderson@csg.org.
Relief without borders: When disaster hits, states have come to rely on one another

In 1974, while singer Jim Croce was trying to save “Time in a Bottle” and Richard Nixon became the only president in U.S. history to resign from office, disasters were a dominant theme in Hollywood movie news. Of that year’s top four grossing films, “The Towering Inferno” and “Earthquake,” reminded audiences that natural and manmade threats could happen anytime, anywhere.

It was an appropriate lesson, since 1974 was also the year when the National Emergency Management Association was founded. At the time, the goal of the organization was simple: to provide a formalized structure where state emergency management directors — those individuals usually appointed by the governors to coordinate disaster preparedness, response and recovery — could exchange information and speak with a unified, credible voice to the federal government, private industry and the public.

Thirty-seven years later, NEMA is now considered a preeminent authority on emergency management. Governors, members of the U.S. Congress, federal agencies, major American corporations, the military, national service organizations and even the president of the United States have consulted with NEMA on all facets of the nation’s disaster management system.

Mutual aid and homeland security

One example of NEMA’s leadership is the Emergency Management Assistance Compact (EMAC), a national interstate mutual-aid agreement that allows states to share resources and personnel during disasters and emergencies. All 50 states, the District of Columbia and three U.S. territories are signatories to the NEMA-administered compact, which has been cited numerous times by Congress as one of the most effective mechanisms that states can use for disaster response and recovery.

NEMA is now lending its support to a proposed international mutual-aid agreement among several states and provinces in the Midwest (see sidebar article for list of jurisdictions).

State and provincial emergency management leaders will meet Oct. 26 to reach consensus on language for the agreement. For the pact to become effective, each state’s legislature, as well as Congress, would have to ratify it.

Simultaneously, NEMA is advancing a North American mutual-aid agreement that would be voluntary and open to all U.S. states, Canadian provinces and Mexican states. Based on EMAC, it would serve to standardize mutual-aid operations.

In recent years, NEMA has also become involved in broader homeland security issues.

States to get say on future of nuclear waste policy

What does the future hold for federal policy on nuclear waste? And where might the spent nuclear fuel generated in the Midwest eventually be stored?

Those questions will be explored in depth at a regional workshop on Oct. 28 in Minneapolis. The event is being co-hosted by two regional committees of CSG Midwest: the Midwestern Radioactive Materials Transportation Committee and the Midwestern Legislative Conference Energy Committee.

State legislators from across the Midwest are encouraged to attend. Members of the two regional committees representing all 11 Midwestern states are expected to participate.

The meeting will give state officials the chance to learn about and give their feedback on the draft report of the Blue Ribbon Commission on America’s Nuclear Future. Appointed by President Obama in January 2010, the commission has issued a series of recommendations that would set out a new national approach for the long-term management of highly radioactive waste.

Spent fuel is currently lingering in storage at nuclear power plants across the country. That problem is the result of the federal government’s inability to develop a national repository for permanently disposing of spent fuel and other highly radioactive waste. Until 2009, the U.S. Department of Energy had been planning to build the repository in Nevada. The Obama Administration scuttled those plans in early 2009. The commission has since called for a new strategy that involves “prompt efforts” to develop one or more geologic disposal facilities as well as consolidated storage facilities.

For more information on attending the workshop, please contact Ilene Grossman (ilene.grossman@csg.org) or Lisa Janatko (ljanatko@csg.org or 920.458.5910), both of whom are helping plan the event for CSG Midwest.

Under new international pact, region’s states and provinces would agree to provide mutual aid

Several states and provinces in the Midwest are moving ahead with plans to become part of a new international mutual-aid agreement. The cross-border pact would allow jurisdictions to share resources and personnel when requested during emergencies and disasters. Here is a list of the jurisdictions:

- Alberta
- New York
- North Dakota
- Ohio
- Manitoba
- Ontario
- Michigan
- Pennsylvania
- Minnesota
- Saskatchewan
- Montana
- Wisconsin

The National Emergency Management Association is helping facilitate the establishment of this international agreement, which will require approval by state legislators and the U.S. Congress. For information, contact NEMA executive director Trina Sheets at 859.244.8233 or trinasheets@csg.org.

In 2003, it established the National Homeland Security Consortium, which brings together 21 different national organizations representing safety and security professionals in state and local government and the private sector. The group has since developed and updated a white paper titled “Protecting Americans in the 21st Century: Imperatives for the Homeland.” It covers issues such as how to evaluate the efficacy of homeland security grants and how to secure critical infrastructure.

NEMA one of 16 CSG affiliate groups

One key to NEMA’s continued effectiveness is its relationship with The Council of State Governments. (It is one of CSG’s 16 affiliate organizations.)

Beginning in 1990, the two organizations entered into a memorandum of agreement in which CSG provides NEMA with secretariat services. Because CSG serves state elected and appointed officials in all three branches of government, it allows NEMA to reach out to the broader state government community on emergency management issues. In turn, CSG benefits from the expertise of NEMA and its members.

This article was written by Beverly Bell, senior policy analyst for NEMA. She can be reached at bbell@csg.org.

The Council of State Governments was founded in 1933 as a national, nonpartisan organization to assist and advance state government. The headquarters office, in Lexington, Ky., is responsible for a variety of national programs and services, including research, reference publications, innovations transfer, suggested state legislation and interstate consulting services. The Midwestern Office supports several groups of state officials, including the Midwestern Legislative Conference, an association of all legislators in 11 states; the region; Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The Canadian provinces of Alberta, Manitoba, Ontario and Saskatchewan are MLC affiliate members.

Nuclear power as share of state’s total electricity generation

Source: Nuclear Energy Institute
n August, 37 lawmakers from 11 Midwestern states and three Canadian provinces attended the 17th annual Bowhay Institute for Legislative Leadership Development (BILLD).

The five-day program — produced by the Midwestern Legislative Conference in partnership with the University of Wisconsin Robert M. La Follette School of Public Affairs — provides professional development and leadership training for newer legislators. This year’s agenda included:

- policy sessions on health care, the regional economy and corrections reform;
- professional development workshops on topics such as time management, effective communications and consensus building;
- a panel of four legislative leaders from the region (Illinois Senate President Pro Tempore Don Harmon, Kansas Senate Minority Leader Laura Kelly, Minnesota Senate Majority Leader Amy Koch and Michigan House Majority Floor Leader Jim Stamas) who shared their insights on how to become more effective legislators and policymakers; and
- a closing session featuring a conversation with David Eisenhower, who shared leadership lessons he learned from his grandfather, President Dwight D. Eisenhower.

Each year, fellowships for the institute are awarded through a competitive, nonpartisan selection process overseen by the MLC’s BILLD Steering Committee.

### 2011 BILLD Fellows

| Row 4          | Sen. Jeff Longbine (Kan.), MLA Wayne Drysdale (Alberta), Sen. Burke Harr (Neb.), MLA Gordon Wyant (Sask.), MLA Matt Wiebe (Manitoba), and Rep. Sean Gatewood (Kan.) |

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### State, provincial legislators complete intensive MLC leadership program


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- May 17-23, 2012
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Contact: Kelley Arnold (karnold@csg.org) 800.800.1910
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### 67TH ANNUAL MEETING OF THE MIDWESTERN LEGISLATIVE CONFERENCE
- July 15-18, 2012
- Cleveland, Ohio

Contact: Gail Meyer (gmeyer@csg.org) 630.925.1922
www.csgmidwest.org

### 18TH ANNUAL BOWHAY INSTITUTE FOR LEGISLATIVE LEADERSHIP DEVELOPMENT
- August 10-14, 2012
- Madison, Wisconsin

Contact: Laura Tomaka (ltomaka@csg.org) 630.925.1922
www.csgmidwest.org

### MIDWESTERN LEGISLATIVE CONFERENCE EXECUTIVE COMMITTEE MEETING
- October 22, 2011
- Bellevue, Washington

Contact: Mike McCabe (mmccabe@csg.org) 630.925.1922
www.csgmidwest.org

### MIDWESTERN REGIONAL WORKSHOP ON THE DRAFT REPORT OF THE BLUE RIBBON COMMISSION ON AMERICA’S NUCLEAR FUTURE
- October 28, 2011
- Minneapolis, Minnesota

Contact: Lisa Janairo (ljanairo@csg.org) 920.458.5910
www.csgmidwest.org

### CSG NATIONAL CONFERENCE AND NORTH AMERICAN SUMMIT
- October 19-23, 2011
- Bellevue, Washington

Contact: Kelley Arnold (karnold@csg.org) 800.800.1910
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Minnesota, Wisconsin strike deal to continue tuition reciprocity

In 2009, about 25,000 Minnesotans took advantage of one of the five tuition-reciprocity deals the state has with neighboring jurisdictions. These agreements allow residents to attend out-of-state colleges at the rates of comparable home-state institutions. Keeping these additional college options open to students requires states to coordinate and cooperate with one another, and this year, Minnesota and Wisconsin were able to strike a deal that will allow their long-standing reciprocity program to continue.

Because not all comparable institutions in Minnesota and Wisconsin have the same prices, the two states have had to figure out how to make up that difference. According to the Minneapolis Star Tribune, Wisconsin students had been receiving a “supplement” from their home state to account for the cost variation between higher-priced Minnesota schools and lower-priced Wisconsin schools. Under a change made this year in Wisconsin, and agreed to in August by Minnesota officials, that difference will be paid by Wisconsin students themselves. More than 14,000 Minnesota residents and 10,000 Wisconsin residents participate in the tuition program. Minnesota also has reciprocity deals with institutions in Iowa, North Dakota, South Dakota and the province of Manitoba.

Michigan ‘deduction’ for retiree health care rejected by court

A Michigan law that reduced the pay of current state workers to offset the state’s retiree health care costs has been ruled unconstitutional.

If the decision stands, lawmakers will have to find a way of making up for the annual loss of $75 million — the amount estimated to come from the 3 percent paycheck “deduction,” the Detroit Free Press reports. (A similar measure affecting teachers is also being challenged.)

The Michigan Appeals Court ruled that the Legislature had wrongly encroached on the constitutional authority of the state’s Civil Service Commission. Only a two-thirds vote of the Legislature can override a wage increase, as set by the commission via the collective bargaining agreement reached with state employees. The 3 percent deduction, or “contribution,” was passed by a simple legislative majority and amounted to a pay cut, the judges ruled, noting the money would go toward paying the health care costs of retired, rather than current, workers.

Three Midwestern states (Michigan, along with Illinois and Ohio) cover most or all of the health care premiums of retired state workers. The other eight states in the region require workers to take on much of this cost burden, though retirees in states such as Wisconsin and Iowa can “cash in” their unused sick leave to pay for their premiums.

States join forces to help military children with school transitions

Nebraska and North Dakota are among the latest U.S. states to join an interstate compact designed to help the children of military families.

The interstate agreement focuses on easing the transition of children as they move from school to school. It does so by providing uniformity on the policies that states and their K-12 schools have for a wide range of issues related to school enrollment and eligibility, class placement and graduation.

According to the Military Interstate Children’s Compact Commission, the average military student faces transition challenges more than twice during high school. During their K-12 careers, most military children attend six to nine different school systems.

In May, Nebraska (LB 575 and LB 575A) and North Dakota (HB 1248) became the 37th and 38th states to join the compact. Minnesota is now only the state in the Midwest that is not a compact member. Through its National Center for Interstate Compacts, The Council of State Governments has worked with the U.S. Department of Defense to inform policymakers about the proposal to help military families. More information on interstate compacts is available at www.csg.org/ncic.

Nebraska near top of list of ‘most educated’ state legislatures

How educated are state legislators compared to the citizens they represent?

That was the question the Chronicle of Higher Education set out to answer this summer by examining the educational backgrounds of the nation’s 7,000-plus state legislators. It found significant variations among the different legislatures, but at least one commonality: A state’s elected officials are much more likely to have college degrees than the general public. Nationally, 75 percent of legislators have a bachelor’s degree or higher, compared to about 30 percent of all Americans.

Here are some findings for the Midwest:

- The region’s smallest legislative body is its most educated. In Nebraska’s 49-person Unicameral Legislature, 87 percent of members have a bachelor’s degree or higher (third-highest in the nation). Five other Midwestern states have rates higher than the national average: Illinois, 81.9 percent; Minnesota, 83.9 percent; Ohio, 80.3 percent; and Wisconsin, 77.5 percent.
- South Dakota has the region’s lowest percentage of legislators with bachelor’s degrees (60.9 percent). Indiana (71.4 percent), Iowa (71.3 percent), Kansas (68.6 percent), Michigan (72.9 percent) and North Dakota (68.9 percent) also fall below the U.S. average.

More information on legislative education is available at www.csg.org/legislative-education.