POLICY MATTERS

CENTER FOR THE STUDY OF SOCIAL POLICY

JANUARY 2006

POLICY MATTERS

TWENTY STATE POLICIES

to Enhance States' Prosperity and
Create Bright Futures for America's Children,
Families and Communities

January 2006

Center for the Study of Social Policy

About the Center for the Study of Social Policy

The Center for the Study of Social Policy (CSSP) is a non-profit, non-partisan policy organization located in Washington, D.C. The Center's mission is to develop and promote public policies and practices that support and strengthen families and help communities produce equal opportunities and better futures for children. For more information on the work of the Center for the Study of Social Policy, visit our website at www.cssp.org or call (202) 371-1565.

About the *Policy Matters* Project

Policy Matters develops and disseminates coherent, comprehensive information regarding the strength and adequacy of state policies affecting children, families, and communities. The project seeks to establish consensus among state leaders and policy experts regarding the mix of policies shown to improve child and family well-being.

Policy Matters is managed at CSSP by Noel Bravo, Senior Associate, who co-authored this report with Minh Ta, an Associate at CSSP. CSSP would like to acknowledge the contribution to the project and to this report by Thabiti Anyabwile, the previous manager of *Policy Matters*. The content of this report is based on extensive policy research presented in six previously published volumes, each of which benefited from the knowledge and contribution of non-partisan working groups of policy experts in relevant fields. The members of these working groups and other contributors are recognized in the acknowledgements section of this report.

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For more information about the Policy Matters *project, please visit our website at* ***www.policymatters.us*** *or* ***www.cssp.org***

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Key to a state's prosperity are the strength of its work force, the health of communities, and the efficiency of government investment, all of which can be enhanced by adopting policies that improve opportunities for children and families. As state leaders pursue these goals, they need strong research evidence to help them assess which policies can produce results most effectively and give states a high rate of return on their policy investments.

The *Policy Matters* report serves as such a guide by assembling research on effective policies in the areas most important to a family's opportunity and stability: employment, income and asset growth, health, education, and healthy family relationships. The Center for the Study of Social Policy (CSSP), working with a broad group of state and national policy experts, conducted extensive research to identify the most effective policies in each of these areas. The policies included in this report not only rest on a strong body of objective evidence, they also offer the advantage of taking an early investment and preventive approach so that relatively small investments now can reduce more costly interventions later.

The policies presented in this document offer a critical point of entry for discussions of state-level policy that can promote opportunities for children and families. By doing so, this report aims to help state leaders with divergent viewpoints join together in support of a common set of policy priorities.

This report is presented in two sections:

Introduction: This section provides an overview of the challenges that states and families face in the current economy, and outlines 20 policy areas that research shows are essential to enhance opportunities for children and families, strengthen communities, and build a stronger state economy.

50-State Policy Overview: For each of the 20 policy areas, this section provides a research summary on policy effectiveness, highlights key policy measures, and presents the status of policy in each state and the District of Columbia according to these policy measures.

In addition to this report, several supplemental briefs focusing on individual states are available:

State Policy Briefs: For each state, an eight-page brief highlights a subset of key policy measures (from the broader set of policy areas discussed in the policy overview), and graphically presents current state policies according to those measures.

State Fact Sheets: The State Policy Briefs are supplemented by a one-page summary for each state that highlights the state's key policy strengths and opportunities.

The research basis for these recommendations is presented more fully in six companion volumes available at **www.policymatters.us**. Based on these original reports, a number of states already are using the comprehensive *Policy Matters* framework. For additional information on this project and related state policy work, please contact:

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Introduction

The prosperity of every state and the well-being of every community depend on whether families are financially stable and can secure the opportunities necessary to provide a better future for their children. When opportunity is available, parents can work and provide for their families; and children can learn, grow, enjoy safe and healthy childhoods, and in turn, become productive, contributing members of the community and work force.

In today's economy, however, the opportunities available to America's families are becoming more and more constrained. For example:

- the U.S. economy continues to lose high-wage jobs in the blue collar industrial sector, and workers without specialized education and training often can obtain only low-paying employment;[1]
- an increasing number of employers do not offer health insurance benefits to their workers;[2] and
- housing markets present great challenges for families struggling to find affordable housing in areas accessible to good jobs.[3]

Effective state policy can help America's families overcome these barriers. State policy is most effective when it reflects the common sense principles identified below:

More effective policy	Less effective policy
Encourages work by allowing low-wage families to keep more of their earnings.	Discourages work through high taxation at low wages and the loss of some public benefits (such as health insurance) when families begin to work.
Provides temporary assistance to families during crises to preserve financial stability.	Allows a family's minor economic setbacks (such as job loss or illness) to compound into major dependence.
Takes a preventive and early investment approach (through education and preventive health care, for example).	Takes a reactive approach, using costly interventions to address challenges that could have been prevented through earlier, smaller investments.

The benefits of effective policies can help not only children and families today, they can accrue for future generations as well. These benefits can be seen in healthier communities, a stronger work force and economy, and more efficient government spending. Given the research that demonstrates these connections, state leaders can achieve these benefits for their states by pursuing the policies included in this report.

State Leaders Have an Opportunity to Make a Difference

In addition to the new economic challenges faced by families, several other factors are creating increased pressure for state leaders to better understand and more aggressively pursue effective state policies:

- **Changing federal policies are shifting decision-making responsibilities to the states.** The balance between state and federal responsibilities in areas such as social services, work force development, health, and education is shifting. In many areas, states have more authority and more flexibility, but along with this comes more funding responsibility. For example, the federal government has shifted a number of federally funded social service programs to states in the form of "block grants," allowing states much greater control over these programs.

- **Limited state revenues call for a sharper focus on policies that work.** Between 2001 and 2004, state policymakers faced an aggregate budget gap totaling $235 billion,[4] the worst fiscal situation since the end of World War II. Although revenue pressures in many state governments have eased somewhat, most state leaders must continue making difficult tradeoffs in allocating limited state funds. In this context, policymakers evaluating existing programs or considering new investments would do well to provide strong support for those policies with a proven track record.

Based on these changing factors, now is a critical time for state leaders to consider effective, research-based policy strategies that have been shown to work.

Key State Policies That Help

Significant research has been conducted on the connection between state policies and the well-being of communities, state economies, and families. Grounded in this research, *Policy Matters* highlights a key set of policies that state leaders should consider. The strength of these policy recommendations lies in the combination of their demonstrated effectiveness and their comprehensiveness across a range of otherwise separate policy areas. These policies address five key factors that are essential to the fiscal stability of families and the opportunity available to children: employment, income and asset growth, health, education and healthy family relationships.

Research demonstrates that state policy in these areas plays an essential role in promoting family well-being, which in turn promotes a stronger state work force, healthier communities and less demand for expensive government programs that seek to treat problems rather than prevent them. The following graphic illustrates these connections:

The following discussion introduces the specific policy areas that are the focus of this analysis, and provides references to the specific policy presentations in the *50-State Policy Overview* section of the report.

Income and Asset Growth. An essential principle of effective family-focused policy is that work should be encouraged and rewarded, not penalized. State policy can promote work by allowing residents to retain more of their earnings, and by helping protect families' assets as they accrue. This policy area is especially important for those families who, despite working, have difficulty achieving true financial stability.

Research shows that parental employment alone does not guarantee financial stability for families or opportunity for children. In recent years, over 70 percent of families earning twice the federal poverty level faced at least one critical hardship (e.g., missing meals, facing eviction, having utilities cut off, lacking access to health care, or living in overcrowded housing).[5] State lawmakers can utilize or develop public policies to promote the income and asset growth of these families in several key areas:

1. **Protection Against Predatory Lending –** States can help protect residents from losing their assets by prohibiting predatory mortgage lending and abusive payday lending practices. *See details on page 2.*

2. **Targeted Tax Relief:** States can promote economic success among low-wage families through tax relief targeted at those who can benefit from it the most. These policies include tax credits for earned income and for the child and dependent care necessary for parents to work. *See details on page 6.*
3. **State Minimum Wage:** States can make work pay more effectively by raising the minimum wage in their state. Research shows that increasing the minimum wage can have a positive effect on low-wage families without affecting the stability of the labor market.[6] *See details on page 10.*

Employment. The volatility of the labor market sometimes leaves family members unemployed, often presenting a major disruption that creates long-lasting hardships. By helping families regain employment and keep their jobs, states can promote the well-being of family members, and achieve a positive effect on their communities and the state work force. Policies for doing so include:

4. **Child Care Subsidies:** Affordable, quality child care not only allows parents to work, it also ensures that children have a healthy start in life, which enhances their financial opportunities for a lifetime. *See details on page 16.*
5. **Income and Work Support:** States can help families survive temporary periods of joblessness and move from cash assistance to work by coordinating job training programs and providing adequate levels of temporary assistance. *See details on page 22.*
6. **Food Security:** In today's economy, being employed does not guarantee a family's food security. In 2002, nearly 35 million people in the United States were hungry or living on the edge of hunger,[7] and research estimates that more than half of those struggling to pay food bills live in households where at least one person is employed.[8] States can help low-wage families make ends meet by providing effective food security policies. *See details on page 28.*
7. **Unemployment Insurance:** The financial hardships of unemployment can have very negative consequences for families and communities. To reduce these challenges, states can strengthen policies by enhancing temporary financial assistance to help families manage as they strive to return to work. *See details on page 32.*
8. **Housing Location and Affordability:** Affordable housing accessible to jobs is essential for America's families to become and remain employed. States can promote this access–and strengthen communities at the same time–through tax incentives, antidiscrimination statutes, and housing development policies at the state level. *See details on page 36.*

Health. The physical and mental health of a state's residents is critical to the strength of its work force and the efficiency of government. When workers receive adequate medical care, they experience fewer illnesses that can disrupt business activity.[9] Effective preventive and early treatment can also reduce long-term health care costs for both the private sector and government.[10] Research shows that effective policies for achieving this goal include the following:

9. **Health Insurance Coverage –** Increasing numbers of families and children are not covered by health insurance. A declining number of businesses are offering health insurance, and many low-wage families cannot afford the premiums and co-payments for the insurance that their employers offer States can promote greater insurance coverage by leveraging federal funds to expand publicly funded health insurance programs. *See details on page 42.*
10. **Health Care Benefits –** Even families with public or private health insurance often cannot access critical health services such as mental health and dental services because of inadequate benefit coverage. States can maximize the advantages of health care coverage by ensuring essential services are included in both private and public health insurance plans. *See details on page 46.*
11. **School Health and Nutrition –** States can counteract rising childhood obesity and promote healthy lifestyles among school children by enacting policies that promote healthy eating choices,

comprehensive sexual-health education, and more active physical education programs. *See details on page 50.*

12. **Cigarette and Alcohol Taxes –** States can reduce the negative economic and social impact of cigarettes and alcohol, while generating additional tax revenue, through tax policies focused on these products. *See details on page 54.*

Education. Economic growth is increasingly driven by sectors that require a well-educated work force.[11] Research suggests that increasing the education level of the work force by one year can produce growth in the economy of 5 to 15 percent.[12] Similarly, the return on investment in early education has made this policy one of the most effective that states can pursue. Thus, for multiple reasons, it is in the interest of state policy leaders to promote quality education at all levels. Research-tested policies include:

13. **Prekindergarten –** States can promote economic opportunities and bright futures for children by providing access to quality early childhood programs like prekindergarten to all families who seek them. Research shows that children's exposure to learning opportunities in the early years has a profound and lasting impact on their success in school and beyond. *See details on page 60.*
14. **Kindergarten –** States can ensure an effective transition between prekindergarten and elementary school by creating incentives for local districts to move from part-day to full-day kindergarten programs. *See details on page 66.*
15. **Elementary and Secondary Education –** Through effective elementary and secondary education policies, states can ensure that all students have access to quality education, thereby promoting the quality of the states' work force and the civic participation of residents. These policies include improved teacher quality, resource equity, and resource adequacy. *See details on page 70.*
16. **Higher Education –** States can support economic growth and equal opportunity through tuition and financial aid policy that makes education more affordable, ensuring greater numbers of highly trained graduates of two-year and four-year college programs. *See details on page 76.*

Healthy Family Relationships and Support. States can promote brighter futures for children and families by providing strategic support during times of challenge. Research shows that quality family relationships are primary determinants of children's future educational, financial and social success, and that states can promote supportive families through the following policies:

17. **Healthy Marriage and Relationship Education –** State policies that promote counseling and education for adult couples and relationship education in high school can help strengthen family relationships and enhance the benefits that strong families offer to society. *See details on page 82.*
18. **Family and Medical Leave –** States can promote strong family bonds through job protection policies that support the ability of workers to attend to the health and other needs of themselves and family members. *See details on page 86.*
19. **Child Support –** Through effective child support policies, states can help ensure that non-custodial parents can make child support payments more regularly and maintain more positive interaction with their families. *See details on page 90.*
20. **Child Welfare –** As the field of child welfare develops more effective strategies for preventing child abuse, states can enact policies to support more effective interventions such as subsidized guardianship, where extended family or friends receive public support services in order to provide permanent care for abused or neglected children. States also can enact policies to ensure a smoother transition to adulthood for foster care youth, and promote their financial success as they reach an age at which they must transition out of the child welfare system. *See details on page 96.*

Through these policies, states can effectively promote child and family well-being, and thus, promote a stronger economy and state.

Managing the Fiscal Impact of New or Enhanced Policies

A number of these policies can be pursued with relatively small investments, while some require a more significant investment to yield later returns and savings. The following strategies are presented as a way for states to begin to identify options for funding more effective policies:

- **Make research-tested, evidence-based policies a priority.** As states respond to pressing issues, they sometimes adopt policies without a proven track record. While some of these efforts have worked well, others have not. To use scarce resources most efficiently, state leaders should focus the allocation of resources on policies with a strong research-based record of promoting opportunities for families and brighter futures for children.
- **Reallocate federal funds and block grants.** Many federal funding sources provide substantial flexibility, within both block grants and program-based grants. This flexibility allows funds to be shifted toward those policies that hold the greatest promise for promoting a state's prosperity.
- **Adopt policies incrementally as funds allow.** While funding may not be sufficient to implement a new policy fully, most policies that require funding can be adopted incrementally, allowing states to take gradual steps toward implementing effective policy.
- **Begin with lower cost and revenue-generating policies.** Some recommended policies can be implemented with minor investments, and a few actually generate revenue. State leaders may consider beginning by implementing these, and pursuing other, more resource-intensive strategies as funding allows.
- **Recognize that short-term investments yield long-term savings.** Government investments in family economic success often yield significant savings in public dollars over time. This "return on investment" is documented in research, and provides strong justification for enhancing state investments in effective policy. For example, a recent study by the Minneapolis Federal Reserve Bank calculated that investment in early childhood programs brings in a real (inflation-adjusted) public return of 12 percent and a real total (public + private) return of 16 percent. The real rate of return on investments in the stock market is 7 percent. In this report, the Bank noted that "We are unaware of any other economic development effort that has such a public return."[13]

Through these general funding strategies, state leaders can begin to identify the resources needed to improve policies that promote a stronger economy, greater opportunities for families, and brighter futures for children.

How to Use the *Policy Matters* Framework

State leaders can apply the research information in this report to their own states in the following ways:

- **Organize a comprehensive policy agenda.** Communities, neighborhoods and families are affected by a wide variety of state policies, and often these policies are interconnected with other related policies. This report can be used as a framework for assembling a more coordinated policy agenda to address the problems faced by states and localities across the country. The issues facing families are often multifaceted and intertwined; therefore the state policies addressing their needs also should be comprehensive and coordinated.
- **Build a policy consensus.** The policies in this report are based on academic research that provides evidence of their impact on strengthening a state's work force and building opportunities for children

and families. This objective research basis has the potential to allow state leaders from divergent viewpoints to come together and support a common set of policy priorities and goals.

- **Assess strengths and weaknesses of state policy.** Some states are making progress in implementing policies to strengthen families and communities, whereas other states lag behind. The *50-State Policy Overview* in this report identifies how each state's policies compare with those in other states in each of the 20 key policy areas. In addition, the status of individual states is highlighted in the State Policy Briefs according to a subset of key policy measures.
- **Track state progress.** Future updates of this report will review states' progress in enacting effective policies. In addition, new research lessons will be incorporated to support state leaders in developing and adopting a family-strengthening policy agenda.

Policy Matters aims to be a useful tool for each of these purposes, but as with all attempts to define a broad approach to major challenges, several limitations to this work should be noted. First, data and research limitations prohibited the inclusion of some key policy measures (e.g., waiting lists for child care subsidies and child abuse prevention services), although the importance of these missing measures is noted and discussed in the corresponding policy descriptions. Second, the adoption of policy is only the first step toward truly affecting families. The implementation of policies presents a host of additional challenges and considerations, which, for the sake of brevity, are not discussed here. At a minimum, however, the policies presented in this document offer a critical point of entry for discussions of state-level policy for promoting opportunities for children and families.

The next section of the report presents a research summary for each policy area, a detailed profile of each policy measure, and data on each state's corresponding policy status.

INTRODUCTION–ENDNOTES

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[3] Jennifer G. Twombly, Sheila Crowley, Nancy Ferris, and Cushing N. Dolbeare, *Out of Reach 2001: America's Growing Wage-Rent Disparity* (Washington, D.C.: National Low Income Housing Coalition, 2001); U.S. Congress, Senate, Committee on Banking, Housing, and Urban Affairs, *Testimony of Barbara Sard, Director of Housing Policy, Center for Budget and Policy Priorities,* 107th Cong., 1st sess., November 29, 2001, transcript available at: www.cbpp.org.

[4] "State Budget Crisis Ebbs, According to NCSL's Latest Fiscal Survey," *NCSL News,* (National Conference of State Legislatures), August 17, 2005.

[5] Heather Boushey, Chauna Brocht, Bethney Gunderson, and Jared Bernstein, *Hardships in America: The Real Story of Working Families* (Washington, D.C.: Economic Policy Institute, July 2001).

[6] Edith Rasell, Jared Bernstein, and Heather Boushey, *Step Up, Not Out: The Case for Raising the Federal Minimum Wage for Workers in Every State* (Washington, D.C.: Economic Policy Institute, February 7, 2000); for a brief annotation of minimum wage research see: Joint Economic Committee, *50 Years of Research on the Minimum Wage,* 104th Cong., 1st sess., (February 15, 1995), available at: www.house.gov/jec/cost-gov/regs/minimum/50years.htm.

[7] "Hunger in America and Its Solutions," *Basic Facts* (The Food Research and Action Center), July 2004.

[8] K. Alaimo, R.R. Briefel, E.A. Frongillo, Jr. and C.M. Olson, "Food Insecurity Exists in the United States: Results from the Third National Health and Nutrition Examination Survey," *American Journal of Public Health* 88, no. 3 (1998): 419-426.

[9] Mathematica Policy Research, Inc., *Insurance Parity for Mental Health: Cost, Access, and Quality* (Washington, D.C.: U.S. Department of Health and Human Services, 2000).

[10] Examples include pre-natal care and cancer screening; see American Academy of Pediatrics, Council on Child and Adolescent Health, "The Role of Home-Visitation Programs in Improving Health Outcomes for Children and Families," *Pediatrics* 101, no. 3 (March 1998): 486-489, available at: http://www.aap.org/policy/re9734.html; Centers for Disease Control and Prevention, *The Promise of Prevention: Reducing the Health and Economic Burden* of Chronic Disease (Atlanta, February 2003).

[11] U.S. Congress, House, Committee on Education and the Workforce, *Testimony of Chairman Alan Greenspan before the Committee on Education and the Workforce,* 108th Cong., 2nd sess., March 11, 2004.

[12] Anthony P. Carnevale and Donna Desrochers, "Why Learning? The Value of Higher Education to Society and the Individual," *Working Brief* (Education Commission of the States) no. 5 (2004).

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50-STATE POLICY OVERVIEW

INCOME AND ASSET GROWTH POLICIES

POLICY 1:

Protection Against Predatory Lending

Why Protection Against Predatory Lending Matters. States seeking to promote a more stable work force and financial opportunity for families can do so through policies that protect working families from abusive lending practices. Research shows that communities where residents have significant assets are more stable and community participation is more positive.[1] Two types of predatory lending dominate the market: predatory mortgage lending and "payday" lending.

Predatory mortgage lenders take advantage of uninformed borrowers or those with limited credit histories by using unfair lending practices such as negative amortization and prepayment penalties. These practices can strip a family's hard earned home equity, and also can lead to mortgage foreclosure. Every year, predatory mortgage lenders cost America's families an estimated $9.1 billion.[2]

Payday lending is the practice of providing short-term, often high-interest loans, typically secured by a check or authorization for automatic withdrawal from the borrower's bank account. The fees range from 10 to 25 percent of the loan or check amount, which translate to annual interest rates ranging from 391 percent to 443 percent.[3] Commonly, a payday borrower pays an average of $855 in interest and fees to borrow $255.[4] Borrowers who cannot repay their loan are flipped into a series of repeat transactions to avoid bouncing the check securing the loan.[5] Most payday borrowers end up in a downward economic spiral from growing interest payments, making them less likely to qualify for conventional loans and more dependent on additional high-interest payday loans. One estimate is that payday lending costs low-wage families $3.4 billion per year.[6]

Challenges for States. The prevalence of predatory lending is increasing rapidly. Most states' banking and usury laws do not address payday lending, and many states are still struggling with how to regulate these practices without interfering with non-abusive services to low-wage or high-risk borrowers. Furthermore, where states have enacted restrictions on unfair practices, many lenders have found ways to partner with out-of-state banks to circumvent those restrictions.[7] Related in part to the rise in predatory mortgage lending practices, states are seeing steadily climbing home mortgage foreclosure rates.[8]

Federal Policy Context. Historically, state policy provided consumers strong protection against unfair lending and usury. Since the 1980's, however, federal deregulation of consumer credit practices dismantled state level protections, thus opening the door for an increase in abusive lending practices. At present, multiple legislative reforms have been introduced in the Congress with very different intentions. Several proposed measures strengthen the ability of states and the federal government to restrict abusive lending, while others weaken federal prohibitions and limit the ability of states to enact stronger prohibitions.

Key State Policy Measures. To help hard-working, low-wage families retain their earnings and assets, states can enact the following regulations that ban unfair and abusive lending practices:

1.1 Predatory mortgage lending prohibitions. States can prohibit lending practices that result in the loss of home equity by unsuspecting consumers. These practices include negative amortization, prepayment penalties, credit insurance financing, home loan refinancing to the detriment of the consumer, high interest rates not justified by risk factors, and excessive foreclosures. Some states have enacted laws that provide families with only minimal protection beyond what is included in federal law. Other states have enacted no protection. The most effective state policies are those that include specific restrictions on unfair practices that supplement restrictions included in federal law.

1.2 Payday lending restrictions. States can restrict the abuses of payday lenders through two primary means. First, most states can prohibit payday loans through small loan interest rate caps, anti-usury laws, or specific prohibitions on check cashing. Second, states can enact specific laws to prohibit local lenders from circumventing local restrictions.[9]

Protection Against Predatory Lending

Measure 1.1: Predatory Mortgage Lending Prohibitions

Does state law include prohibitions against predatory mortgage lending that exceed basic protections in federal law?

State protection significantly exceeds federal law	Ark., Ga., Ill., Mass., N.J., N.M., N.Y., N.C., S.C., W. Va.
State protection minimally exceeds federal law	Calif., Colo., Conn., D.C., Fla., Ind., Ky., Maine, Md., Mich., Minn., Nev., Ohio, Okla., Pa., Texas, Utah, Wash., Wis.
No state laws	Ala., Alaska, Ariz., Del., Hawaii, Idaho, Iowa, Kan., La., Miss., Mo., Mont., Neb., N.H., N.D., Ore., R.I., S.D., Tenn., Vt., Va., Wyo.

Measure 1.2: Payday Lending Restrictions

Does state law restrict abusive payday lending and forbid local lending companies from partnering with out-of-state banks to avoid restrictions?

Yes, both	Ga., Md., Mass.
Restricts abusive payday lending, but not out-of-state partnering	Ark., Calif., Colo., Conn., Ind., La., Maine, Mich., Mont., N.H., N.J., N.Y., N.C., Okla., Pa., R.I., Vt., Va., W.Va.
Neither	Ala., Alaska, Ariz., Del., D.C., Fla., Hawaii, Idaho, Ill., Iowa, Kan., Ky., Minn., Miss., Mo., Neb., Nev., N.M., N.D., Ohio, Ore., S.C., S.D., Tenn., Texas, Utah, Wash., Wis., Wyo.

Selected State Policies on Protection Against Predatory Lending

State	1.1 Predatory Mortgage Lending Protection Beyond Federal Law	1.2 Payday Lending Restrictions
Alabama	–	–
Alaska	–	–
Arizona	–	–
Arkansas	Significant	Restricts Lending Only
California	Minimal	Restricts Lending Only
Colorado	Minimal	Restricts Lending Only
Connecticut	Minimal	Restricts Lending Only
Delaware	–	–
District of Columbia	Minimal	–
Florida	Minimal	–
Georgia	Significant	Restricts Lending and Prohibits Out-of-State Partnering
Hawaii	–	–
Idaho	–	–
Illinois	Significant	–
Indiana	Minimal	Restricts Lending Only
Iowa	–	–
Kansas	–	–
Kentucky	Minimal	–
Louisiana	–	Restricts Lending Only
Maine	Minimal	Restricts Lending Only
Maryland	Minimal	Restricts Lending and Prohibits Out-of-State Partnering
Massachusetts	Significant	Restricts Lending and Prohibits Out-of-State Partnering
Michigan	Minimal	Restricts Lending Only
Minnesota	Minimal	–
Mississippi	–	–
Missouri	–	–
Montana	–	Restricts Lending Only
Nebraska	–	–
Nevada	Minimal	–
New Hampshire	–	Restricts Lending Only
New Jersey	Significant	Restricts Lending Only
New Mexico	Significant	–
New York	Significant	Restricts Lending Only
North Carolina	Significant	Restricts Lending Only
North Dakota	–	–
Ohio	Minimal	–
Oklahoma	Minimal	Restricts Lending Only
Oregon	–	–
Pennsylvania	Minimal	Restricts Lending Only
Rhode Island	–	Restricts Lending Only
South Carolina	Significant	–
South Dakota	–	–
Tennessee	–	–
Texas	Minimal	–
Utah	Minimal	–
Vermont	–	Restricts Lending Only
Virginia	–	Restricts Lending Only
Washington	Minimal	–
West Virginia	Significant	Restricts Lending Only
Wisconsin	Minimal	–
Wyoming	–	–
Year Data Collected	**2004**	**2005**

Data Table Sources:

1.1 The Corporation for Enterprise Development. "Predatory Lending Norms and Standards." *Assets and Opportunity Scorecard.* Retrieved August 5, 2005. http://www.cfed.org.

1.2 The Corporation for Enterprise Development. "Short-term Loan Protections." *Assets and Opportunity Scorecard.* Retrieved August 5, 2005. http://www.cfed.org.

POLICY 2:

Targeted Tax Relief

Why State Tax Policy Matters. To access economic opportunity and provide brighter futures for their children, low-wage families need to retain more of their earnings. States can promote these outcomes through policies like targeted tax relief, which encourages and rewards work. The advantages of family-friendly tax policy are especially important to low-wage workers who, under the tax structures of most states, pay a higher proportion of their income in taxes than wealthier families pay.[10] The ability of low-wage families to retain more of their income has major implications for their well-being and the prosperity of a state. Research demonstrates a strong connection between a family's economic success and their general well-being, which includes marital happiness, fewer divorces and higher levels of child well-being. These studies show that an increase in family income is strongly related to children's outcomes, including graduating from high school and avoiding teen pregnancy.[11]

Challenges for States. Low-wage families often pay a greater percentage of their income in state taxes than do middle- and high-income families. Furthermore, the most recent round of state level tax cuts from the late 1990s have generally benefited high-income families.[12] These policy trends make financial success even more elusive for low-wage families, especially given the reduction in the number of high-wage jobs available to workers without specialized training and skills.[13] Therefore, as states examine their tax policies, it is critical to note how these policies affect low-wage families, married and single parents, families with multiple children, and families with work-related expenses such as child care.[14]

Federal Policy Context. Recent tax relief provided by the federal government has benefited high-income families far more than low-wage families. Such changes include income tax reductions for high-income brackets, reductions in the estate tax and the extension of child care tax credits to high-income families. The federal tax code contains two key provisions to reduce tax burdens for low-wage families—the federal Earned Income Tax Credit (EITC) and the Child and Dependent Care (CADC) Tax Credit. The federal EITC is refundable, so that if a family's tax bill is less than the tax credit, they receive the difference as a tax refund. For example, a married couple with two children earning $15,000 would get a tax credit of $4,400.[15] The CADC Tax Credit also helps alleviate the high cost of caring for dependents by providing low-wage families a tax credit or deduction for a portion of those expenses.

Key State Policy Measures. States can help working families retain more of their earnings by enacting the following tax policies that reward, rather than discourage, work:

- **2.1 Refundable Earned Income Tax Credit.** The EITC is considered the most effective tax policy in history for lifting working families out of poverty. In 2002, some 4.9 million people, including 2.7 million children, escaped poverty as a result of this credit.[16] States can provide a state tax credit to supplement the federal credit. States also can make the state tax credit refundable (like the federal EITC), thereby increasing tax refunds for low-wage working families.
- **2.2 Child and Dependent Care Tax Credits.** States can provide tax relief to low-wage families with expenses for child care or the care of other family members. Child care and dependent care expenses can take up a large share of families' income. A state tax credit can help ensure that children and other family members receive quality care, while reducing the financial burden for low-wage families.[17] As with the EITC, the impact of these credits is greater when states make them refundable.
- **2.3 Income tax threshold at a higher level.** States seeking to ensure their tax structure encourages and rewards work can reduce the tax burden on families with incomes near the federal poverty line.[18] A key method for doing so is to raise the income threshold at which family income becomes subject to the state income tax. This policy also reduces the tax burden for other low-wage families by eliminating the tax liability for the portion of their income that falls below the income tax threshold.

Targeted Tax Relief

Measure 2.1: Earned Income Tax Credit

At what percentage of the federal Earned Income Tax Credit (EITC) does the state offer a refundable state EITC?

Above 20% of the federal EITC	D.C., Minn., N.Y., Vt.
11-20% of the federal EITC	Kan., Md., Mass., N.J., Wis.
Up to 10% of the federal EITC	Colo., Ill., Ind., Okla., Ore., R.I.
Non-refundable EITC only	Del., Iowa, Maine, Va.
No state EITC offered	Ala., Ariz., Ark., Calif., Conn., Ga., Hawaii, Idaho, Ky., La., Mich., Miss., Mo., Mont., Neb., N.M., N.C., N.D., Ohio, Pa., S.C., Utah, W.Va.
No state income tax	Alaska, Fla., Nev., N.H., S.D., Tenn., Texas, Wash., Wyo.

Measure 2.2: Child and Dependent Care Tax Credit

At what percentage of the federal Child and Dependent Care (CADC) Tax Credit does the state offer a refundable state CADC tax credit?

100% or more of the federal CADC credit	N.Y., Neb.
50-99% of the federal CADC credit	Calif., Colo., Hawaii, Iowa, La., Minn., N.M., Vt.
Up to 49% of the federal CADC credit	Ark., Maine
Non-refundable CADC credit only	Del., D.C., Idaho, Kan., Ky., Md., Mass., Mont., N.C., Ohio, Okla., Ore., R.I., S.C., Va.
No CADC offered	Ala., Ariz., Conn., Ga., Ill., Ind., Mich., Miss., Mo., N.J., N.D., Pa., Utah, W.Va., Wis.
No state income tax	Alaska, Fla., Nev., N.H., S.D., Tenn., Texas, Wash., Wyo.

Measure 2.3: Income Tax Thresholds

At what percentage of the federal poverty level does the state set its personal income tax threshold?

151% or more of the federal poverty level	Calif., Minn., Pa., R.I., Vt.
101-150% of the federal poverty level	Ariz., Colo., Conn., Del., D.C., Idaho, Kan., Maine, Mass., Md., Miss., Neb., N.J., N.M., N.Y., N.D., S.C., Utah, Wis.
51-100% of the federal poverty level	Ark., Ga., Hawaii, Ill., Ind., Iowa, Ky., La., Mich., Mo., Mont., N.C., Ohio, Okla., Ore., Va., W.Va.
Up to 50% of the federal poverty level	Ala.
No state income tax	Alaska, Fla., Nev., N.H., S.D., Tenn., Texas, Wash., Wyo.

Selected State Income Tax Policies (for Two-Parent Families of Four)

State	2.1 EITC as a % of Federal Credit (NR = Non-Refundable)	2.2 Maximum Value of Child and Dependent Care Credit (NR = Non-Refundable): Dollar Amount	2.2 As a % of Federal Credit**	2.3 Personal Income Tax Threshold	2.3 Personal Income Tax Threshold as a % of Federal Poverty Level
Alabama	–	Not Offered	–	$4,600	24%
Alaska	No state income tax	No state income tax	–	No state income tax	–
Arizona	–	Not Offered	–	$23,600	122%
Arkansas	–	$420	20%	$15,500	80%
California	–	$1,050	50%	$41,500	215%
Colorado	10% [a]	$1,470	70%	$22,100	114%
Connecticut	–	Not Offered	–	$24,100	125%
Delaware	20% NR*	$1,050 (NR)	–	$20,300	105%
District of Columbia	35%	$672 (NR)	–	$21,700	112%
Florida	No state income tax	No state income tax	–	No state income tax	–
Georgia	–	Not Offered	–	$15,900	82%
Hawaii	–	$1,200	58%	$11,500	60%
Idaho	–	$468 (NR)	–	$22,200	115%
Illinois	5%	Not Offered	–	$15,200	79%
Indiana	6%	Not Offered	–	$14,600	76%
Iowa	6.5% NR	$1,575	75%	$18,000	93%
Kansas	15%	$525 (NR)	–	$24,700	128%
Kentucky	–	$420 (NR)	–	$19,311	100%
Louisiana	–	$1,050 child care $2,100 (NR) dependent care	50%	$15,900	82%
Maine	4.92% NR	$903 (of which up to $500 refundable)	43%	$25,000	129%
Maryland	20% and 50% NR	$683 (credit, NR); $285 (deduction, NR) [g]	–	$29,000	150%
Massachusetts	15%	$509 (deduction,NR)	–	$24,300	126%
Michigan	–	Not Offered	–	$13,600	70%
Minnesota	33% [b]	$1,440	69%	$30,900	160%
Mississippi	–	Not Offered	–	$19,600	101%
Missouri	–	Not Offered	–	$16,400	85%
Montana	–	$192 (deduction, NR for 3 or more children)	–	$10,400	54%
Nebraska	–	$2,100	100%	$22,100	114%
Nevada	No state income tax	No state income tax	–	No state income tax	–
New Hampshire	No state income tax	No state income tax	–	No state income tax	–
New Jersey	20% [c]	Not Offered	–	$20,000	104%
New Mexico	–	$1,200 (offered for 3 or more children)	57%	$22,100	114%
New York	30%	$2,310	110%	$28,200	146%
North Carolina	–	$624 (NR)	–	$19,400	100%
North Dakota	–	Not Offered	–	$22,600	117%
Ohio	–	$2,100 (NR)	–	$13,200	68%
Oklahoma	5%	$420 (NR)	–	$16,800	87%
Oregon	5% [d]	$1,800 (NR) [h]	–	$16,400	85%
Pennsylvania	–	Not Offered	–	$32,000	166%
Rhode Island	2.50%	$525 (NR)	–	$29,300	152%
South Carolina	–	$420 (NR)	–	$25,200	130%
South Dakota	No state income tax	No state income tax	–	No state income tax	–
Tennessee	No state income tax	No state income tax	–	No state income tax	–
Texas	No state income tax	No state income tax	–	No state income tax	–
Utah	–	Not Offered	–	$22,100	114%
Vermont	32%	$1,050 [i]	50%	$30,800	159%
Virginia	20% NR [e]	$345 (deduction, NR)	–	$18,900	98%
Washington	No state income tax	No state income tax	–	No state income tax	–
West Virginia	–	Not Offered	–	$10,000	52%
Wisconsin	14% [f]	Not Offered	–	$23,400	121%
Wyoming	No state income tax	No state income tax	–	No state income tax	–
Year Data Collected	**2005**	**2004**		**2004**	

*NR = Non-Refundable
**The federal credit for two children or more is $6,000.

Data Table Sources:

2.1 The Hatcher Group. "50 State Resource Map." *State EITC Online Resource Center.* Retrieved April 2005. http://www.stateeitc.com/map/2005_stateeitc_chart.xls; Updated with unpublished data from the Center for Budget and Policy Priorities.

2.2 Donahue, Elisabeth Hirschhorn and Campbell, Nancy Duff. *Making Care Less Taxing: Improving State Child and Dependent Care Tax Provisions.* Washington, D.C.: National Women's Law Center, 2002; Donahue, Elisabeth Hirschhorn and Campbell, Nancy Duff. *2005 Supplement to Making Care Less Taxing.* Washington, D.C.: National Women's Law Center, 2005.

2.3 Source for income tax thresholds: Llobrera, Joseph and Zahradnik, Robert. *The Impact of State Income Taxes on Low-Income Families in 2004.* Washington, D.C.: Center on Budget and Policy Priorities, April 12, 2005. Percentages of the federal poverty level computed by the Center for the Study of Social Policy.

Data Table Notes:

a. Colorado suspended its EITC in 2003 and 2004.

b. The value of Minnesota's EITC varies with earnings, but averages 33 percent.

c. In New Jersey, the EITC applies only to annual income below $20,000.

d. Oregon recently passed legislation making its EITC refundable starting Jan. 2006 and ending in 2011. It also raised the amount of the credit to 6 percent of the federal credit effective Jan. 2008.

e. Virginia's EITC becomes effective January 1, 2006.

f. Wisconsin's EITC is four percent of the federal credit for a family with one child, 14 percent with two, and 43 percent with three or more.

g. Maryland has both a credit and deduction for child care and dependent expenses, both of which are non-refundable.

h. Oregon also offers a refundable working family child care credit.

i. Vermont also offers another non-refundable credit that is 24 percent of the federal credit with a maximum of $504.

POLICY 3:

State Minimum Wage

Why Minimum Wage Policy Matters. States seeking to improve economic opportunity for families can do so by increasing compensation for low-wage workers. Currently, the U.S. economy is losing high-wage jobs that do not require specialized training and skills. As a result, many parents can only obtain low-wage jobs,[19] making it difficult for them to support their families. For example, the cost of housing alone is estimated to exceed the income of two parents working full time earning the federal minimum wage.[20] Research indicates that moderate increases in the minimum wage have positive benefits for minimum wage earners *and* those just above the minimum wage, and can be enacted without significant job loss, even during economic downturns.[21]

Challenges for States. As inflation drives up the cost of living in states, the value of the federal minimum wage diminishes over time. In addition, the federal minimum wage excludes selected categories of employees (e.g., some administrative and agricultural employees), so not all workers have the same opportunity to achieve economic stability. To compensate for these challenges, states have authority to enact minimum wages greater than those established by the federal government and to apply the state minimum wage to industries and jobs exempt from the federal minimum wage.

Federal Policy Context. The current federal minimum wage is $5.15 per hour. Adjusting for inflation, this wage is 20 percent *lower* than its value in 1979–despite four increases in the 1990s.[22] A full-time worker earning the minimum wage earns $10,712 per year, which is only slightly more than half of the federal poverty level for a family of four, and therefore does not enable minimum-wage workers to meet the most basic needs of their families.

Key State Policy Measures. States can improve the well-being of low-wage workers and their families by setting minimum wages above the federal minimum of $5.15 and by including automatic adjustments as the cost of living increases or as the federal minimum wage increases.

- **3.1 State minimum wage level.** States seeking to promote economic stability among families can encourage and reward work by increasing the state minimum wage above the federal minimum wage.
- **3.2 Adjustment policy.** As inflation rises and the cost of living increases, minimum wages fail to keep pace with inflation. States can prevent this erosion by establishing laws that automatically increase the state minimum wage to keep pace with increases in inflation, which is measured by the Consumer Price Index (CPI). Alternatively, states can index the state minimum wage to an amount incrementally higher than the federal minimum wage (e.g., $1 above the federal minimum wage), or to the federal minimum wage itself, ensuring that the state minimum wage is not lower than the federal minimum wage.

State Minimum Wage Policy Measures

Measure 3.1: State Minimum Wage Level

How does the state minimum wage compare to the federal minimum wage?

Exceeds the federal minimum wage	Alaska, Calif., Conn., Del., D.C., Fla., Hawaii, Ill., Maine, Mass., Minn., N.J., N.Y., Ore., R.I., Vt., Wash., Wis.
Equals the federal minimum wage	Ark., Colo., Ga., Idaho, Ind., Iowa, Ky., Md., Mich., Mo., Mont., Neb., Nev., N.H., N.M., N.C., N.D., Okla., Pa., S.D., Texas, Utah, Va., W.Va., Wyo.
Below the federal minimum wage	Ohio, Kan.
No state minimum wage	Ala., Ariz., La., Miss., S.C., Tenn.

Measure 3.2: Adjustment Policy

What adjustment method does the state use to automatically update the state minimum wage (SMW)?

Index SMW to inflation	Fla., Ore., Wash.
Index to some amount above the federal minimum wage	Alaska, Conn., D.C., Mass.
Index to the federal minimum wage	Del., Iowa, Ky., Maine, Md., Mo., Mont., N.C., N.H., Nev., N.Y., Okla., Pa., Texas, Utah, Vt., Va.
None	Ark., Calif., Colo., Ga., Hawaii, Idaho, Ill., Ind., Kan., Mich., Minn., N.D., Neb., N.J.*, N.M., Ohio, R.I., S.D., Wis., W.Va., Wyo.
No state minimum wage	Ala., Ariz., La., Miss., S.C., Tenn.

*New Jersey will establish a Minimum Wage Advisory Commission to advise on future updates.

Selected State Minimum Wage Policies

State	3.1 State Minimum Wage	3.2 Method of Adjusting Minimum Wage*
Alabama	No minimum	N/A
Alaska	7.15	Adjusts automatically to remain at least $1 above FMW
Arizona	No minimum	N/A
Arkansas [a]	5.15	No policy
California	6.75	No policy
Colorado [b]	5.15	No policy
Connecticut [c, d]	7.40	Automatically set at 0.5% above FMW
Delaware	6.15	Automatically replaced by FMW if FMW is raised above SMW
District of Columbia [c]	7.00	Automatically set at $1 above FMW if FMW is raised above SMW
Florida [c]	6.40	Inflation using CPI
Georgia [e]	5.15	No policy
Hawaii [c, f]	6.75	No policy
Idaho	5.15	No policy
Illinois [g]	6.50	No policy
Indiana [a,h]	5.15	No policy
Iowa	5.15	Automatically replaced by FMW if FMW is raised above SMW
Kansas [a]	2.65	No policy
Kentucky	5.15	Automatically adopts FMW
Louisiana	No minimum	N/A
Maine	6.50	Automatically replaced by FMW if FMW is raised no more than $1 above SMW
Maryland	5.15	Automatically adopts FMW
Massachusetts	6.75	Automatically set at $0.10 above FMW if FMW is raised to or above SMW
Michigan [i]	5.15	No policy
Minnesota [j]	6.15	No policy
Mississippi	No minimum	N/A
Missouri [a,k]	5.15	Automatically adopts FMW
Montana [l]	5.15	Automatically adopts FMW
Nebraska	5.15	No policy
Nevada	5.15	Automatically adopts FMW
New Hampshire	5.15	Automatically replaced by FMW if FMW is raised above SMW
New Jersey [m]	6.15	Advisory committee will be established to review SMW annually
New Mexico	5.15	No policy
New York [c, n]	6.75	Automatically replaced by FMW if FMW is raised above SMW
North Carolina [a]	5.15	Automatically adopts FMW
North Dakota	5.15	No policy
Ohio [o]	4.25	No policy
Oklahoma [a,p]	5.15	Automatically adopts FMW
Oregon [c]	7.50	Inflation using CPI
Pennsylvania	5.15	Automatically adopts FMW
Rhode Island	6.75	No policy
South Carolina	No minimum	N/A
South Dakota	5.15	No policy
Tennessee	No minimum	N/A
Texas [a]	5.15	Automatically adopts FMW
Utah [a]	5.15	Automatically adopts FMW
Vermont [a,p]	7.00	Automatically replaced by FMW if FMW is raised above SMW
Virginia [r]	5.15	Automatically adopts FMW
Washington [c]	7.63	Inflation using CPI
West Virginia [a,s]	5.15	No policy
Wisconsin [t]	5.70	No policy
Wyoming	5.15	No policy
Year Data Collected	**Jan. 2006**	**2005**

*FMW = Federal Minimum Wage; SMW = State Minimum Wage; CPI = Consumer Price Index

Data Table Source:

U.S. Department of Labor. Employment Standards Administration. Wage and Hours Division. *Minimum Wage Laws in the States*. As published on the Department of Labor's website (updated January 1, 2005): http://www.dol.gov/esa/minwage/america.htm

Updated with unpublished data from the National Conference of State Legislatures, July 2005. Also updated based on New Jersey Policy Perspective, "Minimum Wage Fact Sheet: Latest Developments in the States" (updated October 11, 2005).

Data Table Notes:

a. These states exclude all employees covered under Fair Labor Standards Act (FLSA).
b. Colorado law applies to retail and service, commercial support service, food and beverage, and health and medical industries.
c. For this state, SMW listed is effective January 1, 2006
d. Connecticut is set to increase SMW to $7.65 on January 1, 2007.
e. Georgia law applies to employers of six or more employees, and excludes employees subject to FLSA when FMW is higher than SMW.
f. Hawaii is set to increase SMW to $7.25 on January 1, 2007. Hawaii law exempts employees earning a guaranteed monthly income of $2,000 or more, and excludes employment subject to FLSA when SMW is higher than FMW
g. Illinois law applicable to employers of four or more employees, excluding family members.
h. Indiana law applies to employers of two or more employees.
i. Michigan law applies to employers of two or more employees, and excludes employment subject to FLSA unless the SMW is higher than the FMW.
j. Minnesota sets SMW of $5.25 for small employers (annual receipts under $500,000) and $6.15 for all others.
k. Missouri law excludes employers with annual sales or business of less than $500,000.
l. Montana law excludes employment subject to FLSA unless the SMW is higher than the FMW.
m. New Jersey is set to increase SMW to $7.15 on October 1, 2006. To advise on future updates, New Jersey will establish a Minimum Wage Advisory Commission.
n. New York is set to increase SMW to $7.15 on January 1, 2007.
o. Ohio sets SMW at $2.80 for employers with gross annual sales (GAS) under $150,000, at $3.35 for GAS between $150,000 and $500,000, and $4.25 for all others.
p. Oklahoma sets SMW at $5.15 for employers of 10 or more full-time employees at any one location and employers with annual gross sales of over $100,000 irrespective of number of full-time employees.
q. Vermont law applies to employers of two or more employees.
r. Virginia law applies to employers of four or more employees.
s. West Virginia law applies to employers of six or more employees at one location.
t. Wisconsin is set to increase SMW to $6.50 on June 1, 2006

50-STATE POLICY OVERVIEW

EMPLOYMENT POLICIES

POLICY 4:

Child Care Subsidies

Why Child Care Policy Matters. For states seeking to strengthen their current and future work force, child care subsidies can serve as an important tool. Research shows that access to high-quality, affordable child care improves the employment stability of workers.[23] Studies also show that low-wage families are much less likely to return to the welfare rolls if they have access to child care assistance.[24]

High-quality child care also can promote child development. The brain architecture of a child is developed most in the first years of life,[25] and research shows that quality child care can offer the important physical, language, social and cognitive training that helps develop this brain architecture effectively.[26] Research also shows that the positive effects of this early development continue on into regular schooling,[27] and that the benefits of early childhood education have been found to improve the education, employment and positive life outcomes of participants throughout life–providing far greater economic gains for society than the original cost of the investment.[28] Therefore, child care serves not only as a work support for parents, but also as part of a broad approach to child development aimed at helping children become healthy, eager to learn, and prepared to succeed.

Challenges for States. Spending and enrollment in state and federally funded child care more than doubled within two years after the change in public assistance programs and the creation of the Child Care Development Fund (CCDF) in 1996. By 2002, over two million children were receiving child care subsidies.[29] In recent years, however, many states have reduced eligibility levels, increased co-payments or added families to waiting lists as they have dealt with tight state budgets. At the same time, some states have been able to increase eligibility levels and reduce waiting lists. Most states are now drawing down the maximum amount from their CCDF and Temporary Assistance for Needy Families (TANF) funds. Yet across the country, many working families struggle to pay for child care and find high-quality settings that will contribute to their children's development.

Federal Policy Context. The 1996 *Personal Responsibility and Work Opportunity Reconciliation Act* (PRWORA) increased work requirements for families receiving cash assistance. This law also dramatically increased federal funds available for child care. Recently, however, federal funds for child care have remained relatively flat, even as demand for child care has grown due to more low-wage parents moving into the work force. Congressional debate about reauthorization of the 1996 welfare reform and child care funding laws has focused on significantly increasing the work requirement for TANF recipients, which will increase the demand for child care even further. It is unknown whether federal funds for child care will be adequate to support the needed increase in child care as a result of these increased work requirements.[30]

Key State Policy Measures. States can achieve the benefits of child care assistance through the following policies that enhance access to, and the quality of, child care.

4.1 Income eligibility levels. The federal government allows states to determine the income level at which families are eligible to access child care subsidies, but sets a maximum eligibility level equal to 85 percent of a state's median income (SMI). States can expand access to child care by increasing eligibility up to that level. Raising the income eligibility level will not improve access to child care unless the state also provides adequate funding to ensure that all eligible families receive the assistance.

4.2 Reimbursement rates. If child care reimbursement rates are not consistent with fees charged in the child care market, families using subsidies may not have access to high-quality care, and many will struggle to find a suitable provider. Federal guidelines recommend that states conduct a market rate survey of private child care providers every two years, and set reimbursement rates at the 75th percentile of the current market rate or above.

4.3 – 4.4 Co-payment requirements. States often require low-wage families to share in the cost of child care by requiring co-payments, which can make it difficult for these families to afford child care and make ends meet.[31] States generally set co-payments as a percentage of a family's income, and set different rates for families at 100 percent and 150 percent of the federal poverty level. In the United States, families with child care expenses on average pay seven percent of their earnings towards child care.[32]

Child Care Subsidies Policy Measures

Measure 4.1: Income Eligibility Levels

At what percentage of the state's median income does the state set eligibility levels for child care assistance?

75% of state median income or above	Alaska, Hawaii, Maine, Miss., Nev.
50 to 74% of state median income	Ariz., Ark., Calif., Conn., Del., D.C., Fla., Ill., Kan., Ky., La., Mont., N.M., N.Y., N.C., N.D., Ohio, Okla., Pa., R.I., S.C., S.D., Tenn., Texas*, Utah, Vt., Wash., W.Va., Wis., Wyo.
Below 50% of state median income	Ala., Colo.*, Ga., Idaho, Ind., Iowa, Md., Mass., Mich., Minn., Mo., Neb., N.H., N.J., Ore., Va.*

In Colo., Texas and Va. eligibility varies by county or region.

Measure 4.2: Reimbursement Rates

In setting reimbursement rates for child care, does the state meet the federal guideline of the 75th percentile of a recent market rate survey or above?

Yes	Ark., Calif., Colo., Fla., Ind., Ky., Maine, Mont., Nev., N.Y., N.D., R.I., S.C., S.D., Wis.
No	Ala., Alaska, Ariz., Conn., Del., D.C., Ga., Hawaii, Idaho, Ill., Iowa, Kan., La., Md., Mass., Mich., Minn., Miss., Mo., Neb., N.H., N.J., N.C., Ohio, Okla., Ore., Pa., Tenn., Utah, Vt., Va., Wash., W.Va., Wyo.
Surveys are not used to set reimbursement rates	N.M., Texas

Measure 4.3: Co-payments for Families at 100 Percent of Poverty

What percentage of families' income does the state charge as a co-payment for families with earnings equal to 100 percent of the federal poverty level?

No co-payments	Ark., Calif., Hawaii, Ind., N.Y., R.I., S.D.
Less than 3.5% of earnings (i.e., less than half the national average for unsubsidized child care expenses)	Ala., Iowa, Kan., Mich., Nev., S.C., Utah, Vt., Wyo.
3.5 to 7% of earnings	Ariz., Alaska, Conn., Del., D.C., Ga., Ill., Ky., Maine, Mass., Minn., Miss., Mo., Mont., Neb., N.J., N.H., N.M., Ohio, Pa., Tenn., Wash., W.Va., Wis.
Above 7% of earnings (i.e., more than the national average for unsubsidized child care expenses)	Colo., Fla., Idaho, La., Md., N.C., N.D., Okla., Ore., Texas, Va.

Measure 4.4: Co-payments for Families at 150 Percent of Poverty
What percentage of families' income does the state charge as a co-payment for families with earnings equal to 150 percent of the federal poverty level?

Up to 7% of earnings (i.e., up to the national average for unsubsidized child care expenses)	Alaska, Calif., Conn., D.C., Ga., Hawaii, Ill., Minn., Miss., N.H., N.M., Pa., R.I., S.C., Wash., W.Va., Wyo.
8 to 13% of earnings	Ala., Ariz., Colo., Del., Fla., Kan., Ky., La., Maine, Mass., Nev., N.J., N.Y., N.C., Ohio, Okla., Tenn., Texas, Utah, Vt., Va., Wis.
14% or above (i.e., at or above twice the national average for unsubsidized child care expenses)	Ark., Md., N.D., Ore., S.D.
Families not eligible for subsidies at this income level	Idaho, Ind., Iowa, Mich., Mo., Mont., Neb.

Selected State Child Care Policies

State	4.1 Income Eligibility (Percent of 2005 SMI*) [g]	4.2 Reimbursement Rate Based on Current Survey [h]	4.3 % Family Income Paid in Co-Pay (100% 2005 FPL) [i]	4.4 % Family Income Paid in Co-Pay (150% 2005 FPL)
Alabama	44	–	5	11
Alaska	79	–	1	2
Arizona	54	–	7	8
Arkansas	61	Yes	0	19
California	64	Yes [c]	0	2
Colorado	36-62 [a]	Yes [d]	9	13
Connecticut	53	–	4	6
Delaware	54	–	4	9
District of Columbia	74	–	4	7
Florida	50	Yes	10	10 [f]
Georgia	48	–	6	7
Hawaii	78	–	0	2
Idaho	45	–	8	Not Eligible
Illinois	50	–	5	7
Indiana	37	Yes	0	Not Eligible
Iowa	43	–	2	Not Eligible
Kansas	56	–	2	9
Kentucky	52 [b]	Yes	7	10
Louisiana	71	–	12	12
Maine	85	Yes	6	9
Maryland	46	–	9	14
Massachusetts	44	–	4	9
Michigan	42	–	2	Not Eligible
Minnesota	45	–	4	5
Mississippi	87	–	5	6
Missouri	35	–	5	Not Eligible
Montana	54	Yes	4	Not Eligible
Nebraska	37	–	4	Not Eligible
Nevada	75	Yes	2	11
New Hampshire	47	–	<1	<1
New Jersey	45	–	7	8
New Mexico	58	None Used [e]	4	6
New York	59	Yes	0	12 [f]
North Carolina	72	–	10	10
North Dakota	62	Yes	13	14
Ohio	56	–	7	10
Oklahoma	67	–	8	10
Oregon	48	–	10	23
Pennsylvania	58 [b]	–	6	6
Rhode Island	62 [b]	Yes [j]	0	6
South Carolina	50	Yes	3	3
South Dakota	69	Yes	0	15
Tennessee	60	–	5	8
Texas	50-85 [a]	None Used [e]	9-13	9-13
Utah	56	–	2	10
Vermont	59	–	1	11
Virginia	42-70 [a]	–	10	10
Washington	55 [b]	–	4	6
West Virginia	53	–	4	6
Wisconsin	53	Yes	5	9
Wyoming	60	–	1	4
Year Data Collected	**2005**	**2005**	**2005**	**2005**

*SMI = State Median Income

Data Table Source:

Schulman, Karen and Blank, Helen. *Child Care Assistance Policies 2005: States Fail to Make Up Lost Ground, Families Continue to Lack Critical Supports.* Washington, D.C.: National Women's Law Center, September 2005.

Data Table Notes:

a. Colorado, Texas and Virginia have local or regional variation in their income eligibility limits.

b. Kentucky, Pennsylvania, Rhode Island and Washington were scheduled to update their eligibility limits to reflect the new 2005 FPL as of April and May of 2005. The data captured in the table reflects their current eligibility limits as of February 2005.

c. California bases its reimbursement rate on a 2002 survey, but the rate is set at the 85th percentile, well above the standard of the 75th percentile.

d. In Colorado, the percentile by which rates are set varies by county when applied, but the state rate was an average of the 75th percentile in 2005.

e. New Mexico and Texas do not set a statewide rate based on a specific market rate survey percentile. However, when local rates are compared to a 2003 market survey for New Mexico and a 2004 market survey for Texas, most local rates fall below the 75th percentile.

f. Florida and New York allow local flexibility in setting co-payments. The table reflects the maximum amounts permitted by each state.

g. Income eligibility limits shown in the table represent the maximum income a family can receive when they apply for child care assistance. Some states allow families, once receiving assistance, to continue receiving assistance up to a higher income level.

h. A survey conducted in 2003-2004 is considered current.

i. Co-payments are calculated for a hypothetical family of three with one child in care at specific income levels. Some states shown to charge co-payments at 100 percent of 2005 FPL ($16,090 for a family of three) do not charge co-payment to families just under that income level.

j. The 2004 Market Rate Survey rates will be effective in July of 2006.

POLICY 5:

Income And Work Support

Why Income and Work Support Policy Matters. States seeking to expand their work force and effectively move families from public assistance to work can do so through effective income and work support policies. In the current economy, opportunities for earnings growth and advancement can be very limited for low-wage workers exiting public assistance, leaving them in a continuing struggle with job instability and stagnant wages.[33] A substantial body of research shows that state work force and public assistance policies that help increase family income can increase parents' employment stability and improve outcomes for their children.[34] In addition to temporary cash assistance, policies that connect families transitioning from public assistance with training opportunities are essential, especially when training focuses on good jobs in the local geographic area.[35]

Challenges for States. The current economy continues to lose high-paying jobs and add low-paying jobs. Families looking for work often undergo a difficult transition period as they leave public assistance and seek to obtain the training needed to obtain stable jobs.

Federal Policy Context. In 1996, the federal government transformed public assistance, allowing states great flexibility in determining how public assistance could be provided. A key focus of this reform was to change the cash assistance program into a temporary means of support. Recipients were required to look for work, while support was only provided to assist in finding work and moving toward financial independence. The Congress is currently considering changes to the Temporary Assistance for Needy Families (TANF) program that would increase work requirements, provide funds for healthy marriage programs and increase child care funding. The Congress also reformed the federal work force training system in 1998, giving local work force systems more flexibility. They passed the *Workforce Investment Act* (WIA) to make job training more accessible and effective. WIA required states to begin coordinating the delivery of 17 different job training programs at the state and local levels.

Key State Policy Measures. States can strengthen their work force and promote family economic success through key state policies, which include the following:

5.1 Coordination of work force development and TANF policies. Research shows that job search and training support can effectively help adults transition from welfare to work, especially if work preparation activities are tied to sector-specific employment opportunities and strong partnerships with businesses.[36] States can coordinate these supports through various policies including strong partnerships between the TANF and WIA systems at both the state and local levels. Some states achieve full integration between these systems by merging them into the same department. Others keep the systems separate, but achieve strong collaboration. At the local level, collaboration includes the co-location of TANF and WIA services at "one-stop" employment centers. At the state level, collaboration includes the establishment of formal partnerships between TANF and WIA programs, appointing agency representatives from each agency to serve in a leadership role for the other, and using TANF funds for job training services.

5.2 Earned Income Disregards. When families receiving cash assistance begin work and increase their earnings, they face steep reductions in cash assistance. This loss of assistance can discourage families during the difficult transition from public assistance to work. To help families succeed in this transition, states can disregard a percentage of families' earnings and allow them to continue receiving cash assistance. This policy can encourage recipients to find work, allow them to gradually replace benefits with earnings, and increase their financial well-being. States vary in their approach to an earning disregard, but for purposes of comparison, examining the percentage of earnings disregarded in the 12th month of work provides a useful measure of state policy in this area.

5.3 Transitional aid to legal immigrants. States seeking to enhance work force stability can also assist legal immigrants in the transition to work. As part of the *Personal Responsibility and Work Opportunity Reconciliation Act,* the federal government withholds benefits from most legal immigrants for five years after the date of immigration, and studies have shown that this policy has resulted in significant economic hardship for these residents.[37] To help integrate legal immigrants into the work force, and achieve the associated benefits for the state economy and community, states can use state funds to make legal immigrants eligible for welfare-to-work assistance.[38]

5.4 Cash benefit level. Research shows that state welfare policies that increase family income can produce increases in parental employment and positive behavioral effects on their children.[39] Therefore, states can promote the employment prospects of parents and enhance child well-being by increasing payments to families seeking employment.

Income and Work Support Policy Measures

Measure 5.1: Coordination of Work Force Development and TANF Policies

Does the state integrate the TANF and work force systems at the state and local levels?

Full integration at both levels	Fla., Texas, Utah, Wis.
Strong collaboration at both the state and local levels	Ark., Calif., Conn., Iowa, Mich., Mo., Mont., N.J., Okla., R.I., S.D., Vt., Wyo.
Strong collaboration at the local level only	Colo., Ga., La., Minn., Neb., N.H., N.C., N.D., Pa., Wash.
Limited collaboration	Ala., Alaska, Ariz., Del., D.C., Hawaii, Idaho, Ill., Ind., Kan., Ky., Maine, Md., Mass., Miss., Nev., N.M., N.Y., Ohio, Ore., S.C., Tenn.,Va., W.Va.

Measure 5.2: Earned Income Disregards

For parents working 20 hours per week at minimum wage, what percentage of earnings does the state disregard for TANF benefit calculations in the 12th month of work?

75% of earnings or above	Calif., Conn., D.C., Hawaii, Ind., Ohio
61-74% of earnings	Alaska, Ark., Colo., Fla., Ill., Maine, Mo., Mont., N.M., N.Y., Okla., R.I., Utah
50-60% of earnings	Ariz., Iowa, Kan., Mass., Mich., Nev., N.H., N.J., Ore., Pa., Vt., Wash., W.Va.
26-49% of earnings	Del., Idaho, Md., Minn., N.D., S.D., Va., Wyo.
0-25% of earnings	Neb., Wis.
No benefits if parent is working 20 hours per week at minimum wage	Ala., Ga., Ky., La., Miss., N.C., S.C., Tenn., Texas

Measure 5.3: Transitional Aid to Legal Immigrants

Does the state provide TANF support to legal immigrants during the five year federal waiting period?

Yes	Calif., Conn., Hawaii, Ill., Iowa, Maine, Md., Minn., Neb., N.J., N.M., N.Y., Ore., Pa., R.I., Tenn., Utah, Vt., Wash., Wis., Wyo.
No	Ala., Alaska, Ariz., Ark., Colo., Del., D.C., Fla., Ga., Idaho, Ind., Kan., Ky., La., Mass., Mich., Miss., Mo., Mont., Nev., N.H., N.C., N.D., Ohio, Okla., S.C., S.D., Texas, Va., W.Va.

Measure 5.4: Cash Benefit Level

At what percentage of the federal poverty level does the state set its TANF cash benefit levels?

40% or above	Alaska, Calif., Conn., Mass., N.H., N.Y., R.I., Vt., Wash., Wis.
30-39.9%	Hawaii, Iowa, Kan., Maine, Md., Mich., Minn., N.J., N.M., N.D., Ore., Pa., S.D., Utah, W.Va.
20-29.9%	Ariz., Colo., Del., D.C., Fla., Ga., Idaho, Ill., Ind., Mo., Mont., Neb., Nev., N.C., Ohio, Okla., Va., Wyo.
0-19.9%	Ala., Ark., Ky., La., Miss., S.C., Tenn., Texas

Selected State Income and Work Support Policies

State	5.1 Coordinated Work Force Development: Degree of State and Local Level Collaboration	5.2 Earnings Disregard: % Disregarded Working 20 hours per week at Minimum Wage	5.3 Legal Immigrant Eligibility	5.4 TANF Benefit Levels [e]: Monthly TANF Benefit	Maximum Annual TANF Benefit	Maximum Benefit as a % of Poverty
Alabama	Limited [a]	No benefits	–	$215	$2,580	16.0%
Alaska	Limited	69%	–	923	11,076	55.1
Arizona	Limited	52%	–	347	4,164	25.9
Arkansas	Strong at Both Levels	68%	–	204	2,448	15.2
California	Strong at Both Levels	77%	Yes	723	8,676	53.9
Colorado	Strong at Local Level	67%	–	356	4,272	26.6
Connecticut	Strong at Both Levels [b]	100%	Yes	543	6,516	40.5
Delaware	Limited	29%	–	338	4,056	25.2
District of Columbia	Limited	80%	–	379	4,548	28.3
Florida	Fully Integrated	74%	–	303	3,636	22.6
Georgia	Strong at Local Level	No benefits	–	280	3,360	20.9
Hawaii	Limited [b]	80%	Yes	570	6,840	37.0
Idaho	Limited	40%	–	309 [d]	3,708	23.0
Illinois	Limited	67%	Yes	396	4,752	29.5
Indiana	Limited	75%	–	288	3,456	21.5
Iowa	Strong at Both Levels [b]	60%	Yes	426	5,112	31.8
Kansas	Limited [b]	53%	–	429	5,148	32.0
Kentucky	Limited	No benefits	–	262	3,144	19.5
Louisiana	Strong at Local Level	No benefits	–	240	2,880	17.9
Maine	Limited	63%	Yes	485	5,820	36.2
Maryland	Limited	40%	Yes	482	5,784	35.9
Massachusetts	Limited	53%	–	633	7,596	47.2
Michigan	Strong at Both Levels	59%	–	459	5,508	34.2
Minnesota	Strong at Local Level	38%	Yes	532	6,384	39.7
Mississippi	Limited	No benefits	–	170	2,040	12.7
Missouri	Strong at Both Levels	74%	–	292	3,504	21.8
Montana	Strong at Both Levels	61%	–	305	3,660	22.7
Nebraska	Strong at Local Level [b]	20%	Yes	364	4,368	27.1
Nevada	Limited	50%	–	348	4,176	26.0
New Hampshire	Strong at Local Level	50%	–	625	7,500	46.6
New Jersey	Strong at Both Levels	50%	Yes	424	5,088	31.6
New Mexico	Limited	68%	Yes	439	5,268	32.7
New York	Limited	62%	Yes	703	8,436	52.4
North Carolina	Strong at Local Level	No benefits	–	272	3,264	20.3
North Dakota	Strong at Local Level	44%	–	477	5,724	35.6
Ohio	Limited	80%	–	373	4,476	27.8
Oklahoma	Strong at Both Levels	65%	–	292	3,504	21.8
Oregon	Limited	50%	Yes	460	5,520	34.3
Pennsylvania	Strong at Local Level	50%	Yes	403	4,836	30.1
Rhode Island	Strong at Both Levels	71%	Yes	554	6,648	41.3
South Carolina	Limited [b]	No benefits	–	240	2,880	17.9
South Dakota	Strong at Both Levels [b]	37%	–	501	6,012	37.4
Tennessee	Limited	No benefits	Yes	185	2,220	13.8
Texas	Fully Integrated [c]	No benefits	–	217	2,604	16.2
Utah	Fully Integrated [c]	62%	Yes	474	5,688	35.4
Vermont	Strong at Both Levels	52%	Yes	709	8,508	52.9
Virginia	Limited	29%	–	320	3,840	23.9
Washington	Strong at Local Level	50%	Yes	546	6,552	40.7
West Virginia	Limited	50%	–	453	5,436	33.8
Wisconsin	Fully Integrated	0%	Yes	673 [d]	8,076	50.2
Wyoming	Strong at Both Levels	49%	Yes	340	4,080	25.4
Year Data Collected	**2005**	**2005**	**2004**		**2005**	

Data Table Sources:

5.1 U.S. Department of Labor. "WIA Reauthorization–Policy Issuance and Documents." *Employment and Training Administration.* 2002. Retrieved July 27, 2005. www.doleta.gov/usworkforce/reauthorization/survey-text.htm; Updated with unpublished data from the National Conference of State Legislatures, July 2005.

5.2 National Conference of State Legislatures. Unpublished data, July 2005.

5.3 *Guide to Immigrant Eligibility for Federal Programs.* 4th ed. Washington, D.C.: National Immigration Law Center, 2002; Excerpt published by the National Immigration Law Center. "State Funded TANF Replacement Programs" *Guide Updates.* Updated March 2004. Retrieved July 2005. http://www.nilc.org/pubs/guideupdates/tbl8_state-tanf_0304_a.pdf.

5.4 National Conference of State Legislatures. Unpublished data, July 2005.

Data Table Notes:

a. Alabama requires partnership, but services are not co-located.

b. Services in Connecticut, Hawaii, Iowa, Kansas, Nebraska, South Carolina, and South Dakota have partnered, but there is no requirement for them to do so.

c. In Texas and Utah, WIA & TANF employment and training services are administrated by the same department.

d. Idaho and Wisconsin have flat TANF grants for families regardless of the size of the family.

e. All data are based on benefit calculations for a family of three. The maximum TANF benefits will not change for states that have a family cap policy—which means the cash benefit does not increase if a beneficiary has a child while receiving cash assistance. The following states have a family cap policy in place: Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Indiana, Massachusetts, Minnesota, Mississippi, New Jersey, North Carolina, North Dakota, Oklahoma, South Carolina, Tennessee, Virginia, Wyoming.

POLICY 6:

Food Security

Why Food Security Policy Matters. A state can achieve a stronger work force by ensuring that low-wage families have enough to eat. Research shows that providing low-wage families with critical work support such as food subsidies, child care and health care assistance significantly reduces the likelihood that they will return to public assistance.[40] In 2002, nearly 35 million people in the United States were hungry or living on the edge of hunger,[41] and research estimates that more than one-half of those who struggled to pay for food lived in households where at least one person was employed.[42] State policies regarding food security, such as the provision of food stamps, can play a major role in reducing the number of low-wage families who go hungry.[43]

Challenges for States. State policies that promote family health and nutrition through food stamps face multiple challenges. For example, despite their eligibility, many families lack access to food subsidies, often because of burdensome application procedures. In addition, many states discontinue food support for families when they leave public assistance and find work. This termination of this support can diminish the likelihood that these families will successfully transition from public assistance to work. Finally, in some states, eligible families can reapply for food subsidies after finding work, but they often do not know that they remain eligible.[44]

Federal Policy Context. The food stamp program is a federal-state partnership designed to help ensure adequate food for families earning up to 130 percent of the federal poverty level ($20,917 for a family of 3). The federal government provides states with 100 percent of the funding for food stamp benefits and 50 percent of the cost of program administration. The 1996 *Personal Responsibility and Work Opportunity Reconciliation Act* (PRWORA) granted states waiver authority to change nearly any feature of the food stamp program to strengthen the nutritional safety net for low-wage families. In addition, the 2002 *Farm Security and Rural Investment Act (Farm Security Act)* included a number of provisions that allow states additional flexibility in food stamp program administration and 10 new or expanded options for improving access.[45] However, a significant number of states are not taking full advantage of the various options offered by the federal government that could help keep adequate food on the tables of thousands of low-wage families.

Key State Policy Measures. Key policy initiatives to promote the effectiveness of food security programs include the following:

6.1 Improved access to food stamps for working families. States can improve access to food stamps for working families by adopting two of the federal *Farm Security Act* options: a) providing automatic transitional benefits for families leaving public assistance, and b) simplifying the application process for food stamps by using the same definitions for income and/or resources that are used for the Temporary Assistance for Needy Families (TANF) and Medicaid programs. This measure reduces the complexity of these applications, which often serve as a barrier for low-wage families to access food benefit assistance, and can reduce state administrative costs.

6.2 Food stamp replacement program for legal immigrants. The 1996 public assistance reform act allows states to utilize state funds to aid legal immigrant families during the five-year period when they are not eligible for federal funds.[46] Research shows that without this assistance, immigrant families face an increased risk of hunger.[47]

Food Security Policy Measures

Measure 6.1: Improved Access to Food Stamps for Working Families

Does the state promote access to food stamps through a) transitional benefits for families leaving cash assistance or b) the use of simplified definitions of income and/or resources for eligibility?

Both transitional benefits and simplified definitions	Ariz., Md., Mass., Neb., N.Y., N.C., Pa., Va., Wis.,
Transitional benefits only	Calif., Colo., Minn., N.M., Ore.
Simplified definitions only	Ala., Ark., Fla., Ga., Hawaii, Idaho, Ill., Ind., Iowa, Kan., Ky., La., Mich., Mo., N.H., N.D., Ohio, Okla., S.C., S.D., Tenn., Wyo.
Neither	Alaska, Conn., Del., D.C., Maine, Miss., Mont., Nev., N.J., R.I., Texas, Utah, Vt., Wash., W.Va.

Measure 6.2: Food Stamp Replacement Program for Legal Immigrants

Does the state operate a food stamp replacement program for legal immigrants?

Yes	Calif., Conn., Maine, Minn., Neb., Wash., Wis.
No	Ala., Alaska, Ariz., Ark., Colo., Del., D.C., Fla., Ga., Hawaii, Idaho, Ill., Ind., Iowa, Kan., Ky., La., Md., Mass., Mich., Miss., Mo., Mont., Nev., N.Y., N.H., N.J., N.M., N.C., N.D., Ohio, Okla., Ore., Pa., R.I., S.C., S.D., Tenn., Texas, Utah, Vt., Va., W.Va., Wyo.

Selected State Food Security Policies

State	6.1 State Improves Access to Food Stamps Through: Simplified Definitions of Income and/or Resources in the Application Process	6.1 State Improves Access to Food Stamps Through: Transitional Benefits	6.2 Food Stamp Replacement Program for Legal Immigrants
Alabama	Both	–	–
Alaska	–	–	–
Arizona	Both	Yes	–
Arkansas	Resources Only	–	–
California	–	Yes [a]	Yes
Colorado	–	Yes	–
Connecticut	–	–	Yes
Delaware	–	–	–
District of Columbia	–	–	–
Florida	Income Only	–	–
Georgia	Both	–	–
Hawaii	Income Only	–	–
Idaho	Income Only	–	–
Illinois	Both	–	–
Indiana	Both	–	–
Iowa	Both	–	–
Kansas	Income Only	–	–
Kentucky	Both	–	–
Louisiana	Resources Only	–	–
Maine	–	–	Yes
Maryland	Both	Yes [a]	–
Massachusetts	Both	Yes [a]	–
Michigan	Income Only	–	–
Minnesota	–	Yes [b]	Yes
Mississippi	–	–	–
Missouri	Both	–	–
Montana	–	–	–
Nebraska	Both	Yes	Yes
Nevada	–	–	–
New Hampshire	Both	–	–
New Jersey	–	–	–
New Mexico	–	Yes	–
New York	Both	Yes [a]	–
North Carolina	Both	Yes	–
North Dakota	Both	–	–
Ohio	Both	–	–
Oklahoma	Both	–	–
Oregon	–	Yes [a]	–
Pennsylvania	Both	Yes [a]	–
Rhode Island	–	–	–
South Carolina	Both	–	–
South Dakota	Both	–	–
Tennessee	Both	–	–
Texas	–	–	–
Utah	–	–	–
Vermont	–	–	–
Virginia	Both	Yes [a]	–
Washington	–	–	Yes
West Virginia	–	–	–
Wisconsin	Both	Yes	Yes
Wyoming	Both	–	–
Year Data Collected	**2005**		**2004**

Data Table Sources:

6.1 U.S. Department of Agriculture. Food and Nutrition Service. *Food Stamp Program: State Options Report.* 4th ed. Washington, D.C., September 2004; Updated with unpublished data from the National Conference of State Legislatures, July 2005.

6.2 *Guide to Immigrant Eligibility for Federal Programs.* 4th ed. Washington, D.C.: National Immigration Law Center, 2002; Excerpt published by the National Immigration Law Center. "State Funded Food Programs" *Guide Updates.* Updated January 2004. Retrieved July 2005. http://www.nilc.org/pubs/guideupdates/tbl8_state-tanf_0304_a.pdf.

Data Table Notes:

a. States provide five-month transitional benefit to families leaving cash assistance but with stricter exclusions than the federal law.

b. Minnesota combines both cash assistance and food stamps together in the TANF benefits provided to families on public assistance. This allows some TANF families to receive just the food benefit portion, which is similar to receiving transitional food stamp benefits.

POLICY 7:

Unemployment Insurance

Why Unemployment Insurance Policy Matters. States can promote a stronger work force and healthier families by enhancing the ability of families to withstand and recover from temporary periods of unemployment. Recent trends in the U.S. economy have shown that even in times of economic recovery, job growth can be very limited, leaving many families in a continuing struggle with unemployment.[48] Research shows that during periods of unemployment, laid-off workers experience much higher rates of physical and emotional health problems, including substance abuse.[49] These problems can be detrimental to families as well as communities.

Unemployment insurance (UI) has proven to be an effective state policy in addressing these issues. Some studies indicate that temporary UI assistance not only helps families obtain basic necessities, but that more effective UI policies can allow workers the time to find subsequent employment at higher wages, with better health insurance benefits, and with longer job duration.[50] Research also shows that unemployment insurance has a larger economic benefit by moderately increasing consumer spending during recessions.[51]

Challenges for States. Many parents leaving public assistance or struggling in unstable low-wage jobs are not covered by unemployment insurance. These parents often have intermittent work histories and work in jobs where temporary lay-offs and permanent downsizing are common, or they do not accrue the necessary length of employment required for eligibility. Some workers leave for family-related reasons, which most states count as voluntary unemployment. Others are looking for part-time employment so they are able to balance their work and parenting responsibilities. Without coverage under the UI system, these families are more likely to suffer the negative effects of unemployment, which in turn can have a negative effect on communities and the state economy.

Federal Policy Context. Federal and state government work in partnership to collect unemployment taxes, hold them in reserve, and distribute benefits when needed. In recent years, the federal government sought to reduce fund reserves, thereby limiting its ability to provide continuing benefits during periods of high and protracted unemployment.

Key State Policy Measures. States can provide critical support to families struggling in an unstable labor market through the following key policies:

7.1 Eligibility of part-time workers. Many states exclude workers seeking part-time employment from eligibility for UI, although their wages are subject to UI taxes and their earnings may qualify them for benefits. These workers are for the most part parents, and primarily are women.[52] States can modify their unemployment insurance eligibility policies to include part-time workers.

7.2 Consideration of applicant's most recent quarter of work. Many unemployed workers have sufficient work history to qualify for benefits, but in states that do not recognize work completed in the most recent quarter of the year, these applicants cannot receive benefits. States can adjust their eligibility policies to create an "alternate base period," which allows recent work history to be counted toward the requirement for receiving unemployment benefits. Research indicates that six to eight percent of all UI claimants would be affected by this policy.[53]

7.3 Benefit levels. Once workers become eligible for benefits, assistance levels must be adequate to assist with the transition back to employment. There are several policies that can assist with this process:

- **Children's allowance.** Because families with children are more likely to be negatively affected by periods of unemployment, states can promote family well-being by enhancing UI payments to unemployed workers with children.

- **Indexed benefit levels.** States can ensure that benefit levels keep pace with inflation by indexing them to the growth of wages in the state.
- **Extended benefit triggers.** During protracted economic downturns, benefit payments sometimes expire before the economy begins to regain a sufficient number of jobs. To extend UI benefits during these times, states have an option of implementing a "trigger" policy that automatically extends unemployment benefits during periods of high unemployment, thereby providing greater access to federal funds. A key measure for extending unemployment insurance benefits is the use of a trigger that reflects the "total unemployment rate" (TUR), i.e., the rate of unemployment among the total population, as opposed to the "insured unemployment rate," which only measures unemployment among those eligible for unemployment insurance.[54]

Unemployment Insurance Policy Measures

Measure 7.1: Eligibility of Part-time Workers

Does the state extend unemployment benefit eligibility to workers seeking part-time work?

Yes	Ark., Calif., Colo., Del., D.C., Fla., Hawaii, Ill., Iowa, Kan., La., Maine, Mass., Minn., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Okla., Ore., Pa., S.D., Utah, Vt.
No	Ala., Alaska, Ariz., Conn., Ga., Idaho, Ind., Ky., Md., Mich., Miss., Mo., Ohio, R.I., S.C., Tenn., Texas, Va., Wash., W.Va., Wis., Wyo.

Measure 7.2: Consideration of Applicant's Most Recent Quarter of Work

Does the state extend unemployment benefit eligibility to cover an alternate base period? (An alternate base period allows recent work history to be counted toward the requirement for receiving unemployment benefits.)

Yes	Conn., D.C., Ga., Hawaii, Ill., Maine, Mass., Mich., N.H., N.J., N.M., N.Y., N.C., Ohio, Okla., R.I., Vt., Va., Wash., Wis.
No	Ala., Alaska, Ariz., Ark., Calif., Colo., Del., Fla., Idaho, Ind., Iowa, Kan., Ky., La., Md., Minn., Miss., Mo., Mont., Neb., Nev., N.D., Ore., Pa., S.C., S.D., Tenn., Texas, Utah, W.Va., Wyo.

Measure 7.3: Benefit Levels

Does the state ensure that families with unemployed workers have adequate resources to assist with the transition back to employment by: 1) providing a children's allowance; 2) indexing benefit levels; and 3) adopting extended benefit triggers?

All 3 provisions	Conn., N.J., N.M., R.I.
2 of 3 provisions	Alaska, D.C., Ill., Iowa, Maine, Mass., N.C., Ohio, Ore., Pa., Vt., Wash.
1 of 3 provisions	Ark., Colo., Hawaii, Idaho, Kan., Ky., La., Md., Mich., Minn., Mont., Nev., N.H., N.D., Okla., S.C., S.D., Utah, W.Va., Wyo.
No provisions	Ala., Ariz., Calif., Del., Fla., Ga., Ind., Miss., Mo., Neb., N.Y., Tenn., Texas, Va., Wis.

Selected State Unemployment Insurance Policies

State	7.1 Eligible if Seeking Only Part-Time Work	7.1 Alternate Base Period Used to Recognize Most Recent Quarter of Work	7.2 Benefit Policy Includes: Children's Allowance	7.3 Benefit Policy Includes: Index for State Wage Growth	7.3 Benefit Policy Includes: TUR Extended Benefit Trigger*
Alabama	–	–	–	–	–
Alaska	–	–	Yes	–	Yes
Arizona	–	–	–	–	–
Arkansas	Yes	–	–	Yes	–
California	Yes	–	–	–	–
Colorado	Yes	–	–	Yes	–
Connecticut	–	Yes	Yes	Yes	Yes
Delaware	Yes	–	–	–	–
District of Columbia	Yes	Yes	Yes	Yes	–
Florida	Yes	–	–	–	–
Georgia	–	Yes	–	–	–
Hawaii	Yes	Yes	–	Yes	–
Idaho	–	–	–	Yes	–
Illinois	Yes	Yes	Yes	Yes	–
Indiana	–	–	–	–	–
Iowa	Yes	–	Yes	Yes	–
Kansas	Yes	–	–	Yes	–
Kentucky	–	–	–	Yes	–
Louisiana	Yes	–	–	Yes	–
Maine	Yes	Yes	Yes	Yes	–
Maryland	–	–	Yes	–	–
Massachusetts	Yes	Yes	Yes	Yes	–
Michigan	–	Yes	Yes	–	–
Minnesota	Yes	–	–	Yes	–
Mississippi	–	–	–	–	–
Missouri	–	–	–	–	–
Montana	Yes	–	–	Yes	–
Nebraska	Yes	–	–	–	–
Nevada	Yes	–	–	Yes	–
New Hampshire	Yes	Yes	–	–	Yes
New Jersey	Yes	Yes	Yes	Yes	Yes
New Mexico	Yes	Yes	Yes	Yes	Yes
New York	Yes	Yes	–	–	–
North Carolina	Yes	Yes	–	Yes	Yes
North Dakota	Yes	–	–	Yes	–
Ohio	–	Yes	Yes	Yes	–
Oklahoma	Yes	Yes	–	Yes	–
Oregon	Yes	–	–	Yes	Yes
Pennsylvania	Yes	–	Yes	Yes	–
Rhode Island	–	Yes	Yes	Yes	Yes
South Carolina	–	–	–	Yes	–
South Dakota	Yes	–	–	Yes	–
Tennessee	–	–	–	–	–
Texas	–	–	–	–	–
Utah	Yes	–	–	Yes	–
Vermont	Yes	Yes	–	Yes	Yes
Virginia	–	Yes	–	–	–
Washington	–	Yes	–	Yes	Yes
West Virginia	–	–	–	Yes	–
Wisconsin	–	Yes	–	–	–
Wyoming	–	–	–	Yes	–
Year Data Collected	**2005**	**2005**		**2005**	

*TUR = Total Unemployment Rate

Data Table Sources:

7.1 U.S. Department of Labor. Employment and Training Administration. *Comparison of State Unemployment Insurance Laws, 2005.* Washington, D.C., 2005; Updated with unpublished data from the National Conference of State Legislatures, July 2005.

7.2 U.S. Department of Labor. Employment and Training Administration. *Comparison of State Unemployment Insurance Laws, 2005.* Washington, D.C., 2005; Updated with unpublished data from the National Conference of State Legislatures, July 2005.

7.3 Stettner, Andrew, Smith, Rebecca, and McHugh, Rick. *Changing Workforce, Changing Economy: State Unemployment Insurance Reforms for the 21st Century.* Washington, D.C.: National Employment Law Project, 2004; Updated by telephone conversation with National Employment Law Project to reflect 2005 status.

POLICY 8:

Housing Location and Affordability

Why Housing Policy Matters. States can enhance economic opportunity for their work force and improve the well-being of their communities by ensuring that families have access to housing that is affordable and near job markets. The location and affordability of housing not only enhance businesses' access to a quality work force, they also provide better opportunities for families' employment and financial success.[55]

Challenges for States. As the cost of housing increases in real estate markets across the country, many families find it difficult to afford housing that is accessible to jobs. Not only does this trend make the dream of homeownership less attainable,[56] it also leaves some families more susceptible to unemployment, which can lead to unhealthy patterns of violence and drug abuse in a community.[57] These trends diminish the well-being of families and communities and the availability of a strong work force to sustain a state's economy.

Federal Policy Context. The federal government has played a significant role in promoting access to affordable housing. For example, the Low Income Housing Tax Credit (LIHTC) program provides tax credits to developers who build affordable housing, and the Housing Voucher Choice Program (formerly known as Section 8) provides portable housing subsidies for families to afford market rate rental housing in neighborhoods of their choice.

Key State Policy Measures. State leaders can enhance economic opportunities for their work force through the policies listed below. Many of these policies leverage private markets and federal funds, thereby making the most effective use of state funding.

- **8.1 Prohibiting discrimination against the use of vouchers.** Portable vouchers are widely considered to be the most effective and low-cost approach to expanding affordable housing in desirable neighborhoods.[58] Unfortunately, the success of this policy is limited by landlord discrimination against families who use these vouchers.[59] States can better leverage this successful federal program by passing and enforcing antidiscrimination legislation.
- **8.2 State housing trust funds.** Voucher programs also are less effective for families when private markets fail to provide a sufficient affordable housing supply, such as multi-bedroom rental homes for large families. To assist families in managing this challenge, many states are choosing to fund affordable housing development directly through housing trust funds. These funds have been used to build or preserve tens of thousands of affordable homes across the country, and have the corollary benefit of creating thousands of jobs.[60] If targeted correctly, housing trust funds can play an important role in preserving mixed-income communities.[61] Research indicates that this type of policy, in concert with antidiscrimination legislation, plays an important role in state efforts to improve access to affordable housing.[62]
- **8.3 State tax incentives for developers.** States also can provide tax incentives at the state level for developers who construct low-wage housing. This policy creates incentives for private investment to encourage private markets to increase the supply of affordable housing.
- **8.4 Targeting federal tax credits to key populations.** States can establish a Qualified Allocation Plan (QAP) for the Low Income Housing Tax Credit, which would target federal tax credits toward the production of housing units for those populations who can best utilize them.

Housing Location and Affordability Policy Measures

Measure 8.1: Prohibiting Discrimination Against the Use of Vouchers

Does the state promote access to affordable housing through statutes prohibiting discrimination against voucher holders?

Yes	Calif., Conn., D.C., Maine, Mass., Minn., N.J., N.D., Okla., Utah, Vt., Wis.
No	Ala., Alaska, Ariz., Ark., Colo., Del., Fla., Ga., Hawaii, Idaho, Ill., Ind., Iowa, Kan., Ky., La., Md., Mich., Miss., Mo., Mont., Neb., Nev., N.H., N.M., N.Y., N.C., Ohio, Ore.*, Pa., R.I., S.C., S.D., Tenn., Texas, Va., Wash., W.Va., Wyo.

*Although Ore. prohibits discrimination based on source of income, federal rent subsidies are excluded from the definition of source of income.

Measure 8.2: State Housing Trust Funds

Does the state promote access to affordable housing by financing a state housing trust fund?

Yes	Ariz., Calif., Conn., Del., D.C., Fla., Ga., Hawaii, Ill., Ind., Iowa, Kan., Ky., La., Maine, Md., Mass., Mich., Minn., Mo., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., Ohio, Okla., Ore., R.I., S.C., Texas, Utah, Vt., Wash., W.Va., Wis.
No	Ala., Alaska, Ark., Colo., Idaho, Miss., N.D., Pa., S.D., Tenn., Va., Wyo.

Measure 8.3: State Tax Incentives for Developers

Does the state leverage private markets by providing developer tax credits for the production of affordable housing?

Yes	Ark., Calif., Conn., Ga., Hawaii, Ill., Iowa, Mass., Mich., Mo., N.Y., N.C., Ore., Utah, Vt., Va.
No	Ala., Alaska, Ariz., Colo., Del., D.C., Fla., Idaho, Ind., Kan., Ky., La., Maine, Md., Minn., Miss., Mont., Neb., Nev., N.H., N.J., N.M., N.D., Ohio, Okla., Pa., R.I., S.C., S.D., Tenn., Texas, Wash., W.Va., Wis., Wyo.

Measure 8.4: Targeting Federal Credits to Key Populations

Does the state target federal tax credits to increase the supply of affordable housing for families with restricted access to private housing markets? This includes families who are/have: 1) special needs, 2) very low-wages (below 50 percent of area median income), 3) large families, 4) homeless, 5) at-risk, and 6) minorities.

All six preferences	R.I.
5 of 6 preferences	Kan., Minn., N.D., Utah, Wash., W.Va.
4 of 6	Ala., Ill., Ind., Iowa, Ky., La., Maine, Md., Mass., Mich., N.H., N.M., N.C., Ohio, S.D., Tenn., Va., Wis., Wyo.
3 of 6	Alaska, Ariz., Ark., Calif., Conn., Hawaii, Idaho, Mont., Nev., N.Y., Pa., S.C., Texas
2 of 6	Okla., N.J.
1 of 6	
None	Colo., Del., Fla., Ga., Miss., Mo., Neb., Ore., Vt.

D.C. is excluded because the District's QAP was not included in the data source.

Selected State Housing Policies

State	8.1 Prohibits Voucher Discrimination	8.2 Housing Trust Fund	8.3 Developer Tax Credit	8.4 State Targets Housing Assistance To: Special Needs	Very Low-Wage [d]	Large Families	Homeless Families	At-Risk Families	Minority Families
Alabama	–	–	–	Yes	Yes	Yes	–	Yes	–
Alaska	–	–	–	Yes	Yes	Yes	–	–	–
Arizona	–	Yes	–	Yes	Yes	Yes	–	–	–
Arkansas	–	–	Yes	Yes	–	Yes	Yes	–	–
California	Yes	Yes	Yes	Yes	Yes	Yes	–	–	–
Colorado	–	–	–	–	–	–	–	–	–
Connecticut	Yes	Yes	Yes	Yes	Yes	Yes	–	–	–
Delaware	–	Yes	–	–	–	–	–	–	–
District of Columbia	Yes	Yes	–	N/A	N/A	N/A	N/A	N/A	N/A
Florida	–	Yes	–	–	–	–	–	–	–
Georgia	–	Yes	Yes	–	–	–	–	–	–
Hawaii	–	Yes	Yes	Yes	Yes	Yes	–	–	–
Idaho	–	[b]	–	Yes	–	Yes	–	Yes	–
Illinois	–	Yes	Yes	Yes	Yes	Yes	Yes	–	–
Indiana	–	Yes	–	Yes	Yes	–	Yes	Yes	–
Iowa	–	Yes	Yes	Yes	Yes	Yes	–	Yes	–
Kansas	–	Yes	–	Yes	Yes	Yes	Yes	Yes	–
Kentucky	–	Yes	–	Yes	–	Yes	Yes	Yes	–
Louisiana	–	Yes	–	Yes	Yes	Yes	Yes	–	–
Maine	Yes	Yes	–	Yes	Yes	Yes	Yes	–	–
Maryland	–	Yes	–	Yes	Yes	Yes	Yes	–	–
Massachusetts	Yes	Yes	Yes	Yes	Yes	Yes	Yes	–	–
Michigan	–	Yes	Yes	Yes	Yes	–	Yes	Yes	–
Minnesota	Yes	Yes	–	Yes	Yes	Yes	Yes	Yes	–
Mississippi	–	–	–	–	–	–	–	–	–
Missouri	–	Yes	Yes	–	–	–	–	–	–
Montana	–	Yes	–	Yes	Yes	Yes	–	–	–
Nebraska	–	Yes	–	–	–	–	–	–	–
Nevada	–	Yes	–	Yes	Yes	Yes	–	–	–
New Hampshire	–	Yes	–	Yes	Yes	Yes	Yes	–	–
New Jersey	Yes	Yes	–	–	–	Yes	Yes	–	–
New Mexico	–	Yes	–	Yes	Yes	–	–	Yes	Yes
New York	–	Yes	Yes	Yes	Yes	Yes	–	–	–
North Carolina	–	Yes	Yes	Yes	Yes	–	Yes	Yes	–
North Dakota	Yes	–	–	Yes	Yes	Yes	Yes	Yes	–
Ohio	–	Yes	–	Yes	Yes	Yes	–	Yes	–
Oklahoma	Yes	Yes	–	Yes	Yes	–	–	–	–
Oregon	[a]	Yes	Yes	–	–	–	–	–	–
Pennsylvania	–	[c]	–	Yes	Yes	Yes	–	–	–
Rhode Island	–	Yes	–	Yes	Yes	Yes	Yes	Yes	Yes
South Carolina	–	Yes	–	–	Yes	Yes	Yes	–	–
South Dakota	–	–	–	Yes	Yes	Yes	Yes	–	–
Tennessee	–	–	–	–	Yes	Yes	Yes	Yes	–
Texas	–	Yes	–	Yes	–	Yes	Yes	–	–
Utah	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	–
Vermont	Yes	Yes	Yes	–	–	–	–	–	–
Virginia	–	–	Yes	Yes	Yes	Yes	Yes	–	–
Washington	–	Yes	–	Yes	Yes	Yes	Yes	Yes	–
West Virginia	–	Yes	–	Yes	Yes	Yes	Yes	Yes	–
Wisconsin	Yes	Yes	–	Yes	Yes	Yes	Yes	–	–
Wyoming	–	–	–	Yes	Yes	Yes	Yes	–	–
Year Data Collected	**2005**	**2005**	**2003**	**2001**					

Data Table Sources:

8.1 National Housing Law Project. *Source of Income Protections in the U.S.: Statutes, Cases, Reference Materials.* National Housing Law Project. As published on the National Housing Law Project website (updated 2005): http://www.nhlp.org/html/sec8/source_of_income/2005%20Source%20of%20Income%20Statutes%20%5B3.28.05%5D.pdf (Accessed July 2005).

8.2 National Council of State Housing Agencies. *State HFA Fact Book: NCSHA 2003 Annual Survey Results.* Washington, D.C.: National Council of State Housing Agencies, 2004. Updated by Karen Shakira Kali, Center for Community Change, July 2005.

8.3 National Council of State Housing Agencies. *State HFA Fact Book: NCSHA 2003 Annual Survey Results.* Washington, D.C.: National Council of State Housing Agencies, 2004.

8.4 Gustafson, Jeremy and Walker, J. Christopher. *Analysis of the State QAP for the LIHTC Program.* Analysis prepared by the Urban Institute for the U.S. Department of Housing and Urban Development, May 2002.

Data Table Notes:

a. Oregon prohibits discrimination in real estate transactions based on source of income, but specifically excludes federal rent subsidy payments under 42 U.S.C. § 1437f from its definition of source of income.

b. Idaho technically has passed legislation authorizing the creation of a state housing trust fund. However, the state has never committed a revenue source, and has no current plans to dedicate revenue for the trust fund.

c. Pennsylvania does not have a state housing trust fund, but it does have enabling legislation that allows county housing trust funds.

d. Very low-income is defined as at or below 50 percent of the area median income.

50-STATE POLICY OVERVIEW

HEALTH POLICIES

POLICY 9:

Health Insurance Coverage

Why Health Insurance Coverage Policy Matters. The productivity of a state's work force and the efficiency of a state's government can be enhanced by improving families' access to physical and mental health care. Research shows that America's families lose hundreds of billions of dollars in wages due to physical illness each year, and that these losses negatively affect their employers as well.[63] Studies also show that states that do not help families access preventive health care often pay much greater amounts for emergency rooms and hospitalization when a preventable ailment becomes a major disease.[64] Health insurance is a key determinant in a family's ability to access adequate health care.[65]

Challenges for States. Working families most often receive health insurance through their employers. However, many employers limit the availability of health insurance coverage, particularly for low-wage earners. Even when eligible, many low-wage families do not enroll in available insurance programs because of high premiums and co-payments. Families are least likely to access private health insurance when their incomes are below 250 percent of the federal poverty level ($40,225 for a family of 3 in 2005).[66]

While states offer health coverage for millions of low-wage families in their Medicaid and State Child Health Insurance (S-CHIP) programs, many low-wage working families still do not qualify for this coverage under state-defined eligibility rules. In 2004, over 45 million Americans (15 percent) were without health insurance, including 11 percent of children and 19 percent of working families.[67] Rapidly escalating medical costs have put great strains on employers and government health budgets, often resulting in reduced coverage.

Federal Policy Context. The federal government reimburses states for 50 to 78 percent of the costs of their Medicaid and S-CHIP programs (depending on the state's Medicaid reimbursement rate). Escalating medical costs have put substantial pressure on the federal budget, and several proposals to reduce costs are under consideration in the Congress and the Administration. Some proposals involve giving states greater flexibility in return for limits on the open-ended reimbursement that exists in the current Medicaid program. If the federal government adopts cuts in the Medicaid program, they could affect the program for children and families directly or indirectly by putting increased fiscal pressure on state funds.

Key State Policy Measures. States can promote the stability of the work force and potentially reduce long-term costs to government by expanding access to health insurance. Three primary policies support this goal:

- **9.1 Child eligibility for Medicaid coverage.** States determine the availability of government-funded medical insurance for children primarily through the income eligibility level that they adopt for their Medicaid and S-CHIP programs. Research shows that without insurance, children are less likely to receive health services in a timely manner, and that their health and long-term development can be compromised.[68] As such, children's health insurance can be an important part of a broad strategy toward child development aimed at helping children stay healthy, eager to learn and prepared to succeed.
- **9.2 Co-payments and premiums for children's health services.** States sometimes require cost-sharing by eligible families through premiums and co-payments. States pursue cost-sharing to provide incentives against overuse of health care use and to limit health care costs, but research shows that even small fees can reduce patient access to care.[69]
- **9.3 Parent eligibility for Medicaid.** Parental health insurance coverage is not only important for a parent's own health, research indicates that parental coverage is a strong predictor of a child's use of health services.[70] States determine the income eligibility level for parents separately from decisions about children's eligibility.

Health Insurance Coverage Policy Measures

Measure 9.1: Children's Eligibility for Health Coverage

At what percentage of the federal poverty level (for family earnings) does the state make children eligible for public health insurance?

251% of the federal poverty level (FPL) or above	Conn., Md., Minn., Mo., N.H., N.J., Vt.
201% to 250% of the FPL	Calif., Ga., N.M., N.Y., R.I., Wash.
186% to 200% of the FPL	Ala., Ariz., Ark., Colo., Del., D.C., Fla., Hawaii, Ill., Ind., Iowa, Kan., Ky., La., Maine, Mass., Mich., Miss., Nev., N.C., Ohio, Pa., S.D., Texas, Utah, Va., W.Va., Wyo.
151% to 185% of the FPL	Alaska, Idaho, Neb., Okla., Ore., Wis.
100% to 150% of the FPL	Mont., N.D., S.C., Tenn.

Measure 9.2: Co-payments and Premiums for Children's Health Services

Does the state use cost-sharing mechanisms for Medicaid and S-CHIP-eligible children?

No co-payments or premiums	D.C., Hawaii, La., Neb., Ohio, Okla., Ore., S.C., S.D.
Co-payments only	Alaska, Ark., Miss., Mont., N.M., N.D., Va., W.Va., Wyo.
Premiums only	Ariz., Conn., Del., Ga., Idaho, Ind., Iowa, Kan., Maine, Md., Mass., Mich., Minn., Mo., Nev., N.Y., N.C., Pa., R.I., Vt., Wash., Wis.
Both co-payments and premiums	Ala., Calif., Colo., Fla., Ill., Ky., N.H., N.J., Tenn., Texas, Utah

Measure 9.3: Parent Eligibility for Medicaid

At what percentage of the federal poverty level (for family earnings) does the state make parents and guardians eligible for public health insurance?

151% of the federal poverty level or above	Ariz., Conn., D.C., Ill., Iowa, Maine, Minn., N.M., Pa., R.I., Vt., Wash., Wis.
101% to 150% of the FPL	Calif., Del., Mass., N.Y., Utah
51% to 100% of the FPL	Alaska, Fla., Ga., Hawaii, Ky., Mich., Mont., Neb., Nev., N.H., N.J., N.C., N.D., Ohio, Ore., S.C., S.D., Tenn., Wyo.
Up to 50% of the FPL	Ala., Ark., Colo., Idaho, Ind., Kan., La., Md., Miss., Mo., Okla., Texas, Va., W.Va.

Selected State Health Insurance Coverage Policies

State	9.1 Maximum Family Income for Child Eligibility	9.2 Cost-Sharing Mechanism [a]		9.3 Maximum Family Income for Parent Eligibility
	As a % of Federal Poverty Level	Co-payments Charged for Children's Health Insurance Services	Premiums Charged for Children's Health Insurance Services	As a % of Federal Poverty Level
Alabama	200	Yes [e]	Yes	19
Alaska	175	Yes [e]	–	81
Arizona	200	–	Yes	200
Arkansas	200	Yes	–	19
California	250	Yes	Yes	107
Colorado	200	Yes	Yes	38
Connecticut	300	–	Yes	157
Delaware	200	–	Yes	107
District of Columbia	200	–	–	200
Florida	200	Yes	Yes	60
Georgia	235	–	Yes [f]	56
Hawaii	200 [c]	–	–	100
Idaho	185	–	Yes	30
Illinois	200	Yes	Yes	192
Indiana	200	–	Yes	28
Iowa	200	–	Yes	79/250 [g]
Kansas	200	–	Yes	37
Kentucky	200	Yes [e]	Yes	68
Louisiana	200	–	–	20
Maine	200	–	Yes	157
Maryland	300	–	Yes	39
Massachusetts	200 [d]	–	Yes	133
Michigan	200	–	Yes	58
Minnesota	275	–	Yes	275
Mississippi	200	Yes	–	34
Missouri	300	–	Yes	42
Montana	150	Yes	–	64
Nebraska	185	–	–	60
Nevada	200	–	Yes	84
New Hampshire	300	Yes	Yes	58
New Jersey	350	Yes	Yes	100
New Mexico	235	Yes	–	67/409 [g]
New York	250	–	Yes	150
North Carolina	200	–	Yes	56
North Dakota	140	Yes	–	67
Ohio	200	–	–	90
Oklahoma	185	–	–	44
Oregon	185	–	–	100
Pennsylvania	200 [d]	–	Yes	63/200 [g]
Rhode Island	250	–	Yes	192
South Carolina	150	–	–	97
South Dakota	200	–	–	59
Tennessee	100	Yes	Yes	81
Texas	200	Yes	Yes	30
Utah	200	Yes	Yes	50/150 [g]
Vermont	300	–	Yes	192
Virginia	200	Yes	–	31
Washington	250	–	Yes	81/200 [g]
West Virginia	200	Yes	–	37
Wisconsin	185	–	Yes	192
Wyoming	200	Yes	–	59
Year Data Collected	**2005**	**2005**		**2005**

Data Table Source:

Cohen Ross, Donna and Cox, Laura, Center on Budget and Policy Priorities. *In a Time of Growing Need: State Choices Influence Health Coverage Access for Children and Families: A 50 State Update on Eligibility, Enrollment, Renewal and Cost-Sharing Practices in Medicaid and SCHIP for Children and Families.* Washington, D.C.: Center on Budget and Policy Priorities, October 2005.

Data Table Notes:

a. The premiums and co-payments generally are charged to families with children who receive health care services through a separate state children's health insurance program (S-CHIP) or Medicaid expansion program given authority under Section 1115 waivers to expand Medicaid coverage to low-income people not covered under federal rules of Title XIX. There are stringent rules for cost-sharing under the traditional Medicaid program (Title XIX).

b. Eligibility listed is for working adults, and takes an earnings disregard into account when determining income thresholds.

c. In Hawaii, families enrolled in the program with income between 200 and 300 percent of FPL can purchase coverage through a state program, called QUEST-NET, by paying a monthly premium.

d. Massachusetts and Pennsylvania provide state-financed coverage to children with incomes above S-CHIP levels—Massachusetts (400+) and Pennsylvania (235).

e. Some states like Alabama, Alaska, and Kentucky treat 18-year-olds as adults and subject them to co-payments for various services.

f. Georgia requires families with children age six and older to cost-share on premiums.

g. In Iowa, New Mexico, Pennsylvania, Utah, and Washington, the section 1931 Medicaid eligibility levels precede the state-funded eligibility levels. Limited benefits are provided according to the state waiver program's guidelines.

POLICY 10:

Health Care Benefits

Why Health Care Benefits Policy Matters. As discussed under Policy 9, the productivity of a state's work force is heavily dependent on the physical and mental health of its residents. A key factor determining whether families receive needed health care is health insurance,[71] not only in terms of insurance coverage, but in terms of the benefits included under that coverage. Examples of key medical services that are often excluded from insurance coverage include mental health, family planning, substance abuse treatment and dental services. State policy can improve the availability of important benefits such as these in both public and private health insurance plans.

Challenges for States. The practice of limiting mental health benefits in private insurance plans is still widespread.[72] Mental illnesses affect children as well as adults, and yet approximately one-half of all children with a diagnosable mental health disorder do not receive any level of treatment in a given year.[73] The lack of parity for mental health services also serves as a drag on America's businesses. According to a 2000 report by the Surgeon General, it is estimated that indirect costs of mental illness represent a $79 billion loss for the nation's economy.[74] Dental benefits also are essential to the health of workers, but according to another 2000 Surgeon General report, working adults lose more than 164 million work hours each year due to dental disease.[75] Unintended pregnancies also can create challenges for families in the work force. Research shows that employers providing employees coverage for contraceptive services have substantially reduced the indirect and direct costs of unintended pregnancies among their work force.[76] Additionally, a federal study found that states actually saved money in their health care expenditures with Medicaid programs that covered family planning services.[77]

Federal Policy Context. In response to serious gaps in health care coverage, the federal government now requires most private insurance providers to cover services such as basic prenatal care, child birth care and treatment for "catastrophic" mental health services. For example, in 1996 the Congress enacted the federal *Mental Health Parity Act* (MHPA), which requires that annual or lifetime dollar limits on mental health benefits be no lower than such limits for medical and surgical benefits offered by a group health plan. The federal MPHA provided a key step toward mental health benefit parity for private insurers, but policy gaps remain. For public health insurance programs such as Medicaid, the federal government requires the coverage of some services and allows states broad discretion to provide others.

Key State Policy Measures. States can support the health and productivity of families by filling in the gaps left by conventional health coverage–in both private and public insurance plans. Three key options for improving benefit coverage are highlighted below:

10.1 Mental health and substance abuse treatment. To promote access to mental health and substance abuse treatment, states can enact policies that require private insurance providers to cover these services at a level comparable to coverage for physical ailments. Some states provide comprehensive coverage for these services; some do so with limited exceptions; some cover these services for selected groups only; and some require coverage for basic mental health services, but not at parity with services required for physical health services.

10.2 Dental services for adults. Whereas Medicaid requires dental services for children, states have discretion to provide benefits for adults. Benefit levels vary across states, ranging from comprehensive services to services provided only on an emergency basis.

10.3 Family planning and prescription contraception services. In both private and public insurance plans, states can promote access to family planning and contraception services. Under the Medicaid program, states can receive a federal waiver to use federal funds to provide family planning services. For private health insurance plans, states can set policy that requires insurers to provide benefit coverage for family planning services.

Health Care Benefits Policy Measures

Measure 10.1: Mental Health and Substance Abuse Treatment

What level of benefit coverage does the state require of private health insurance providers in the area of mental health and substance abuse treatment?

Comprehensive coverage of all mental health and substance abuse disorders	Conn., Md., Minn., Vt.
Broad coverage of all such disorders with some limitations and exemptions	Ind., Ky., Maine, N.M., Ore., R.I., Wash.
Coverage for *select groups only,* like the severely mentally ill	Ariz., Ark., Calif., Colo., Del., Hawaii, Ill., Iowa, La., Mass., Mo., Mont., Neb., Nev., N.H., N.J., N.C., Okla., S.C., S.D., Tenn., Texas, Utah, Va., W.Va.
Coverage for *some mental health disorders only,* but not at parity with physical health	Ala., Alaska, D.C., Fla., Ga., Kan., Mich., Miss., N.Y., N.D., Ohio, Pa., Wis.
None	Idaho, Wyo.

Measure 10.2: Dental Services for Adults

Does the state provide dental benefits to adults in the Medicaid program?

Comprehensive dental services, including preventive services	N.C., N.D., Ohio, Ore., S.D., Texas
Most services, with limits only on the frequency of preventive services	Mo., Neb., N.J.
Limitations on preventive, restorative and/or further treatment	Calif., Conn., Idaho, Ill., Ind., Iowa, Ky., La., Minn., Mont., N.M., N.Y., Pa., R.I., Utah, Vt., Wash., Wis.
Emergency dental services only	Alaska, Ariz., Ga., Hawaii, Kan., Maine, Md., Mass., Mich., Miss., Nev., N.H., Okla., S.C., Tenn., Va., W.Va., Wyo.
No adult dental services	Ala., Ark., Colo., Del., D.C., Fla.

Measure 10.3: Family Planning and Prescription Contraception Services

Does the state require coverage for family planning services under the Medicaid program and from private health insurance providers?

Both Medicaid and private insurers	Ariz., Ark., Calif., Del., Ill., Md., Minn., Mo., N.M., N.Y., N.C., Okla., R.I., Wash., Wis.
Private insurers, but not Medicaid	Colo., Conn., Ga., Hawaii, Iowa, Ky., Maine, Mass., Mich., Mont., Nev., N.H., N.J., N.D., Ohio*, Vt., W.Va., Wyo.
Medicaid, but not private insurers	Ala., Fla., Miss., Ore., Pa., S.C., Va.
Neither Medicaid nor private insurers	Alaska, D.C., Idaho, Ind., Kan., La., Neb., S.D., Tenn., Texas, Utah

*Ohio's mandate is limited to medically necessary family planning services.

Selected State Health Care Benefits Policies

State	10.1 Coverage Requirements for Private Insurers in the Area of Mental Health and Substance Abuse	10.2 Dental Benefits for Adults Under Medicaid	10.3 Family Planning Coverage Required Under: Private Insurers	10.3 Family Planning Coverage Required Under: Medicaid
Alabama	Some Mental Health Only	–	–	Yes
Alaska	Some Mental Health Only	Emergency Only	–	–
Arizona	Select Groups Only	Emergency Only	Yes	Yes
Arkansas	Select Groups Only	–	Yes	Yes
California	Select Groups Only	Limited Treatments	Yes	Yes
Colorado	Select Groups Only	–	Small Insurers Only	–
Connecticut	Comprehensive	Limited Treatments	Yes	–
Delaware	Select Groups Only	–	Yes	Yes
District of Columbia	Some Mental Health Only	–	–	–
Florida	Some Mental Health Only	–	–	Yes
Georgia	Some Mental Health Only	Emergency Only	Yes	–
Hawaii	Select Groups Only	Emergency Only	Yes	–
Idaho	–	Limited Treatments	–	–
Illinois	Select Groups Only	Limited Treatments	Yes	Yes
Indiana	Broad	Limited Treatments	–	–
Iowa	Select Groups Only	Limited Treatments	Yes	–
Kansas	Some Mental Health Only	Emergency Only	–	–
Kentucky	Broad	Limited Treatments	Small Insurers Only	–
Louisiana	Select Groups Only	Limited Treatments	–	–
Maine	Broad	Emergency Only	Yes	–
Maryland	Comprehensive	Emergency Only	Yes	Yes
Massachusetts	Select Groups Only	Emergency Only	Yes	–
Michigan	Some Mental Health Only	Emergency Only	HMOs Only	–
Minnesota	Comprehensive	Limited Treatments	HMOs Only	Yes
Mississippi	Some Mental Health Only	Emergency Only	–	Yes
Missouri	Select Groups Only	Limited Prevention	Yes	Yes
Montana	Select Groups Only	Limited Treatments	HMOs Only	–
Nebraska	Select Groups Only	Limited Prevention	–	–
Nevada	Select Groups Only	Emergency Only	Yes	–
New Hampshire	Select Groups Only	Emergency Only	Yes	–
New Jersey	Select Groups Only	Limited Prevention	HMOs & Small Insurers Only	–
New Mexico	Broad	Limited Treatments	Yes	Yes
New York	Some Mental Health Only	Limited Treatments	Yes	Yes
North Carolina	Select Groups Only	Comprehensive	Yes	Yes
North Dakota	Some Mental Health Only	Comprehensive	HMOs Only	–
Ohio	Some Mental Health Only	Comprehensive [b]	HMOs Only [c]	–
Oklahoma	Select Groups Only	Emergency Only	HMOs Only	Yes
Oregon	Broad	Comprehensive	–	Yes
Pennsylvania	Some Mental Health Only	Limited Treatments	–	Yes
Rhode Island	Broad	Limited Treatments	Yes	Yes
South Carolina	Select Groups Only	Emergency Only	–	Yes
South Dakota	Select Groups Only	Comprehensive	–	–
Tennessee	Select Groups Only	Emergency Only	–	–
Texas	Select Groups Only	Comprehensive	–	–
Utah	Select Groups Only	Limited Treatments	–	–
Vermont	Comprehensive	Limited Treatments	Yes	–
Virginia	Select Groups Only	Emergency Only	–	Yes
Washington	Broad	Limited Treatments	Yes	Yes
West Virginia	Select Groups Only	Emergency Only	Yes	–
Wisconsin	Some Mental Health Only	Limited Treatments	Yes	Yes
Wyoming	–	Emergency Only	HMOs Only	–
Year Data Collected	**2005**	**2004**	**2005**	

Data Table Sources:

10.1 National Mental Health Association. "What Have States Done to Ensure Mental Health Parity?" Updated May 2005. Retrieved July 2005. http://www.nmha.org/state/parity/state_parity.cfm.

10.2 Kaiser Commission on Medicaid and the Uninsured. "Benefits by Service: Dental Services, 2004." *Medicaid Benefits: Online Database*. Updated October 2004. Retrieved August 22, 2005. http://www.kff.org/medicaid/benefits.

10.3 Alan Guttmacher Institute. "Insurance Coverage of Contraceptives." *State Policies in Brief*. Updated August 1, 2005. Retrieved August 22, 2005. http://www.guttmacher.org/statecenter/spibs.

Alan Guttmacher Institute. "State Medicaid Family Planning Eligibility Expansions." *State Policies in Brief*. Updated July 1, 2005. Retrieved July 15, 2005. http://www.guttmacher.org/statecenter/spibs.

Data Table Notes:

a. Oregon's parity law is effective January 1, 2007. Limitations have yet to be specified.

b. Ohio recently cut funding for adult dental services by half. The state is in the process of changing eligibility and scope of services in response to the cuts.

c. Ohio's mandate is limited to medically necessary family planning services.

POLICY 11:

School Health and Nutrition

Why School Health and Nutrition Policy Matters. States seeking to promote healthy communities and brighter futures for children can do so by enhancing health education and nutrition in schools. Research shows that investments in school health education can improve health outcomes for children and teenagers.[78]

Challenges for States. Significant health issues are affecting residents of states across the nation, posing a threat to the well-being of the work force, families and communities. In the area of children's nutrition, for example, the prevalence of obesity among children in the last 30 years has more than doubled for preschoolers ages 2 to 5 and adolescents ages 12 to 19, and has almost tripled for children ages 6 to 11.[79] Almost 80 percent of high school students do not eat the recommended servings of fruits and vegetables each day. School age children are heavy consumers of soda; by the time they are age 14 or older, 32 percent of girls and 52 percent of boys are consuming three or more servings of soda a day.[80] Only a quarter of high school students participate in daily physical education, and only 19 percent of high school students are active for at least 20 minutes a day during physical education class.[81]

Being overweight and obese are major risk factors for a range of chronic diseases such as type 2 diabetes, cardiovascular disease, hypertension, osteoporosis and some cancers.[82] Obesity also is costly to the taxpayers in the form of increased health care costs. Annual medical expenditures attributable to obesity nationwide were estimated at $75 billion for 2003.[83]

Teenage sexual activity also continues to raise concerns due to unwanted pregnancies and sexually-transmitted diseases (STDs). Although these outcomes still merit attention, teenage pregnancy rates have declined significantly over the past 10 years, and research indicates that this reduction is due in equal measure to both delayed initiation of sexual intercourse and improved contraceptive practice.[84]

Federal Policy Context. Federal agencies set standards for nutritional content of food provided through federally funded school lunch and breakfast programs, but schools are not required to use those standards for foods sold a la carte or in vending machines. Furthermore, no federal standards govern health education or physical education, leaving these policy domains to the discretion of state and local authorities.

Key State Policy Measures. States seeking to promote healthy communities can do so through policies that include the following:

11.1 Physical education requirements. States can enact policies requiring physical education (PE) programs in public elementary and secondary schools to help reduce and prevent obesity. Some states require PE during high school only, equaling 1 to 3 years of coursework. Other states require PE for 4 to 9 years (typically in kindergarten through grades five or six with some secondary school requirements). Still others require 10 years or more (typically in grades K-8 with some high school requirements) and of those, some allow the substitution of non-exercise oriented classes, whereas others do not.

11.2 Nutritional standards for foods served on school campuses. States can promote good health among youth through nutritional standards that prohibit the sale of high fat and high sugar foods at school. At a minimum, all states must comply with U.S. Department of Agriculture (USDA) standards for subsidized meal programs. Some states take an extra step of limiting the sale of foods of minimal nutritional value until the last lunch period is over. Still others set nutritional standards for all foods available in school.

11.3 Sexual-health education. Comprehensive sexual health education programs promote abstinence as the most effective means of preventing STDs and pregnancy, and also provide medically accurate information about contraceptive use.[85] Studies show that teenagers who received comprehensive school health education were both more knowledgeable about the consequences of risky behaviors and less likely to be engaged in them.[86] Some states require public schools to provide both sexual-health education and STD/HIV education, whereas others require only the latter. Still others offer courses on these topics, but do not mandate them.

School Health and Nutrition Policy Measures

Measure 11.1: Physical Education Requirements

How many years of physical education does the state require in elementary and secondary school?

More than 10 years with no substitutions	Mo., Mont., N.Y., Tenn.
More than 10 years with substitutions permitted	Ala., Ark., Calif., Ga., Ill., Iowa, Ky., Maine, Md., Mass., Neb., N.H., N.M., N.C., N.D., Pa., Texas, Utah, Va., Wash.
4-9 years (typically K-5 or K-6 with some secondary school requirements)	Del., Fla., Kan., La., Okla., R.I., S.C., W.Va., Wyo.
Some high school only (1-3 years)	Alaska, Conn.*, Hawaii, Ind., Minn.*, Miss., Nev., Ore., S.D., Vt.*, Wis.
No specific grades are mandated	Ariz.*, Colo., Idaho*, Mich.*, N.J.*, Ohio

*Ariz., Conn., Idaho, Mich., Minn., N.J., and Vt. mandate physical education as a general part of the state curriculum, but fail to specify any grades beyond limited high school graduation requirements.

Measure 11.2: Nutritional Standards for Food Sold on School Campuses

What methods does the state require to promote healthy eating in public schools?

Sets nutritional standards for all foods sold in school	Ariz., Calif., Hawaii, Ky., La., Maine, N.J., N.C., Okla., S.C., Tenn.,Va., W.Va.
Limits sale of low-nutrition food until the last lunch period is over	Ala., Ark., Colo., Conn., Fla., Ga., Ill., Md., Miss., Neb., N.M., N.Y., Texas
Complies with basic USDA standards only	Alaska, Del., D.C., Idaho, Ind., Iowa, Kan., Mass., Mich., Minn., Mo., Mont., Nev., N.H., N.D., Ohio, Ore., Pa., R.I., S.D., Utah, Vt., Wash., Wis., Wyo.

Measure 11.3: Sexual-Health Education

What type of sexual-health education courses are required by the state in public schools?

Both sexual-health and STD/HIV education	Alaska, Del., D.C., Fla., Ga., Hawaii, Ill., Iowa, Kan., Ky., Maine, Md., Minn., Nev., N.J., N.C., R.I., S.C., Tenn., Utah, Vt., W.Va., Wyo.
STD/HIV education only	Ala., Calif., Conn., Ind., Mich., Mo., N.H., N.M., N.Y., N.D., Ohio, Okla., Ore., Pa., Wash., Wis.
Courses offered but not mandated	Ariz., Ark., La., Miss., Texas, Va.
No policy	Colo., Idaho, Mass., Mont., Neb., S.D.

Selected State School Health and Nutrition Policies

State	11.1 Physical Education (PE) Requirements: Years of PE Required	11.1 PE Substitutions Prohibited	11.1 Specific Grades With Mandated PE	11.2 Nutritional Measures Beyond USDA Compliance	11.3 Sexual Health Education Requirements: General Sexual Health	11.3 HIV/STD Only
Alabama	10+	–	K-8, 1 HS*	Limits Non-nutritional Food	–	Yes
Alaska	1	–	1 HS	USDA Only	Yes	Yes
Arizona	Not Specified	–	Grades Not Specified	Nutrition Standards for All Food	–	–
Arkansas	10+	–	K-8, 1 HS	Limits Non-nutritional Food	–	–
California	10+	–	K-8, 2 HS	Nutrition Standards for All Food	–	Yes
Colorado	0	–	None	Limits Non-nutritional Food	–	–
Connecticut	1	–	1 HS	Limits Non-nutritional Food	–	Yes
Delaware	9	–	1-8, 1 HS	USDA Only	Yes	Yes
District of Columbia	Not Studied	Not Studied	Not Studied	USDA Only	Yes	Yes
Florida	7	–	K-5, 1 HS	Limits Non-nutritional Food	Yes	Yes
Georgia	10+	–	K-8, 1 HS	Limits Non-nutritional Food	Yes	Yes
Hawaii	1	–	1 HS	Nutrition Standards for All Food	Yes	Yes
Idaho	Not Specified	–	Grades Not Specified	USDA Only	–	–
Illinois	10+	–	K-12	Limits Non-nutritional Food	Yes	Yes
Indiana	1	Yes	1 HS	USDA Only	–	Yes
Iowa	10+	–	K-8, 1 HS	USDA Only	Yes	Yes
Kansas	8	Yes	K-6, 1 HS	USDA Only	Yes	Yes
Kentucky	10+	–	K-8, 1 HS	Nutrition Standards for All Food	Yes	Yes
Louisiana	9	–	K-6, 2 HS	Nutrition Standards for All Food	–	–
Maine	10+	–	K-8, 2 HS	Nutrition Standards for All Food	Yes	Yes
Maryland	10+	–	K-12	Limits Non-nutritional Food	Yes	Yes
Massachusetts	10+	–	K-12	USDA Only	–	–
Michigan	Not Specified	–	Grades Not Specified	USDA Only	–	Yes
Minnesota	3	Yes	3 HS	USDA Only	Yes	Yes
Mississippi	1	–	1 HS	Limits Non-nutritional Food	–	–
Missouri	10+	Yes	K-8, 1 HS	USDA Only	–	Yes
Montana	10+	Yes	K-8, 1 HS	USDA Only	–	–
Nebraska	10+	–	K-8, 2 HS	Limits Non-nutritional Food	–	–
Nevada	2	–	2 HS [a]	USDA Only	Yes	Yes
New Hampshire	10+	–	K-8, 1 HS	USDA Only	–	Yes
New Jersey	Not Specified	–	Grades Not Specified	Nutrition Standards for All Food	Yes	Yes
New Mexico	10+	–	K-8, 1 HS	Limits Non-nutritional Food	–	Yes
New York	10+	Yes	K-8, 2 HS	Limits Non-nutritional Food	–	Yes
North Carolina	10+	–	K-8, 1 HS	Nutrition Standards for All Food	Yes	Yes
North Dakota	10+	–	K-8, 1 HS	USDA Only	–	Yes
Ohio	0	–	None	USDA Only	–	Yes
Oklahoma	6	–	K-5	Nutrition Standards for All Food [c]	–	Yes
Oregon	1	–	1 HS	USDA Only	–	Yes
Pennsylvania	10+	–	K-8, 1 HS	USDA Only	–	Yes
Rhode Island	9	–	K-8	USDA Only	Yes	Yes
South Carolina	7	–	K-5, 1 HS [b]	Nutrition Standards for All Food [d]	Yes	Yes
South Dakota	1	–	1 HS [b]	USDA Only	–	–
Tennessee	10+	Yes	K-8, 1 HS	Nutrition Standards for All Food	Yes	Yes
Texas	10+	–	K-8, 1 HS	Limits Non-nutritional Food	–	–
Utah	10+	–	K-6, 7 or 8, 2 HS	USDA Only	Yes	Yes
Vermont	1	–	1 HS	USDA Only	Yes	Yes
Virginia	10+	–	K-8, 2 HS	Nutrition Standards for All Food	–	–
Washington	10+	–	1-8, 2 HS	USDA Only	–	Yes
West Virginia	8	Yes	K-5, 6,7,or 8, 1 HS	Nutrition Standards for All Food	Yes	Yes
Wisconsin	1	–	1 HS	USDA Only	–	Yes
Wyoming	9	–	K-8	USDA Only	Yes	Yes
Year Data Collected	**2005**			**2005**	**2005**	

*HS = The number of years of PE required in high school for graduation.

Data Table Sources:

11.1 National Association of State Boards of Education. "State-by-State Physical Education." *The Safe and Healthy Schools Project Online Database*. Updated continuously. Retrieved August 10, 2005. http://www.nasbe.org/HealthySchools.

11.2 U.S. Department of Agriculture. Food and Nutrition Service. "State Competitive Foods Policies." Updated September 2002. http://www.fns.usda.gov/cnd/Lunch.

Winterfeld, Amy. "Childhood Obesity–2005 Update and Overview of Policy Options." National Conference of State Legislatures. Updated June 20, 2005. Retrieved July 15, 2005. http://www.ncsl.org/programs/health/ChildhoodObesity-2005.htm. Further unpublished data provided by Amy Winterfeld, National Conference of State Legislatures.

11.3 Alan Guttmacher Institute. "Sex and STD/HIV Education." *State Policies in Brief*. Updated July 1, 2005. Retrieved July 15, 2005. http://www.guttmacher.org/statecenter/spibs.

Data Table Notes:

a. Nevada law says that K-8 physical education will be taught as "practicable."

b. South Carolina and South Dakota have passed legislation and will begin implementing the stated requirements in 2006.

c. Oklahoma's restrictions apply to elementary and middle schools, but not high schools.

d. South Carolina's restrictions apply to elementary schools only.

POLICY 12:

Cigarette and Alcohol Taxes

Why Cigarette and Alcohol Taxes Matter. States can promote safe and healthy communities through effective cigarette and alcohol tax policy. Behaviors such as smoking and alcohol consumption are leading contributors to premature death and disability in the United States.[87] Not only do these behaviors endanger the health of the user, they lead to larger family, community and societal costs, whether through second-hand smoke, injuries from drunk driving, or domestic violence.[88]

Levying state taxes on tobacco and alcohol products is a useful tool for discouraging risky behavior. Studies indicate that state taxes on tobacco and alcohol products significantly lower product use, especially among youth and low-wage consumers.[89] For example, research shows that a 10 percent increase in the real price of cigarettes can reduce overall cigarette consumption by 3 to 5 percent, with much more dramatic reductions in target groups like youth and children.[90]

There is also substantial evidence that tobacco cessation and prevention programs work to reduce smoking. The Centers for Disease Control and Prevention (CDC) provides guidelines about how states can use tobacco tax revenue and settlement funds to help reduce smoking, and to counter tobacco companies' investments in marketing their products.[91]

Challenges for States. While cigarette taxes provide additional revenue for states and can discourage unhealthy behavior, they also place a burden on people who have been unable to quit smoking. This challenge highlights the importance of states providing access to cessation services. States face challenges in alcohol tax policy as well. Over time, inflation has reduced the value of existing taxes, thereby limiting their effect on consumption. Since 1951, only the federal tax rate on wine has kept up with inflation. To offset inflation over this period, taxes on beer and liquor would have required a fourfold and eightfold increase, respectively.[92]

Federal Policy Context. The federal government taxes tobacco at 39 cents per pack, beer between 23 and 58 cents per gallon, wine between $1.07 and $3.40 per gallon, and liquor at $13.50 per gallon.[93] States have discretion to levy additional taxes on these products.

Key State Policy Measures. To promote healthier families and decrease the costs associated with alcohol and cigarette consumption, states can levy taxes and invest a portion of earned revenue in treatment and prevention programs.

- **12.1 Cigarette taxes.** States have discretion over setting excise taxes on cigarettes and other tobacco products. Every 10 percent increase in the price of cigarettes can provide substantial reductions in smoking, particularly among youth.[94]
- **12.2 Tobacco prevention and treatment programs.** To reduce preventable illness and tobacco-related health care costs, states can invest tobacco tax and settlement revenue in prevention and treatment programs. The Centers for Disease Control and Prevention issue guidelines for state investments in this area.
- **12.3 Alcohol taxes.** States also can discourage excessive alcohol consumption through excise taxes on beer, wine and liquor.

Cigarette and Alcohol Tax Policy Measures

Measure 12.1: Cigarette Taxes
How much is the state cigarette tax?

$1.01 or more per pack	Alaska, Ariz., Conn., Hawaii, Mass., Maine, Mich., Minn., Mont., N.J., N.Y., Ohio, Okla., Ore., Pa., R.I., Vt., Wash.
$0.51 to $1.00 per pack	Ark., Calif., Colo., Del., D.C., Idaho, Ill., Ind., Kan., Md., Neb., Nev., N.H., N.M., S.D., Utah, W.Va., Wis., Wyo.
$0.01 to $0.50 per pack	Ala., Fla., Ga., Iowa, Ky., La., Miss., Mo., N.C., N.D., S.C., Tenn., Texas, Va.

Measure 12.2: Tobacco Prevention and Treatment Programs
How does the state's investment of its tobacco revenue and tobacco settlement funds into tobacco prevention and treatment compare to CDC guidelines?

100% or more of CDC guidelines	Del., Maine, Miss.
75-99% of CDC guidelines	Ark., Ariz., Hawaii, Ohio, Wash.
50-74% of CDC guidelines	Alaska, Minn., Pa., Vt., Wyo.
25-49% of CDC guidelines	Calif., Ga., Ind., Iowa, La., Md., Mont., Nev., N.M., N.Y., N.C., N.D., R.I., Utah, Va., Wis., W.Va.
Below 25% of CDC guidelines	Ala., Colo., Conn., D.C., Fla., Idaho, Ill., Kan., Ky., Mass., Mich., Mo., Neb., N.H., N.J., Okla., Ore., S.C., S.D., Tenn., Texas

Measure 12.3: Alcohol Taxes
How much is the state tax on beer?

$0.46 or more per gallon	Ala., Alaska, Fla., Ga., Hawaii, N.C., S.C.
$0.31 to 0.45 per gallon	La., Maine, Miss., Neb., N.M., Okla., Utah
$0.16 to $0.30 per gallon	Ariz., Ark., Calif., Conn., Del., Ill., Iowa, Kan., Mich., Nev., N.D., N.H., Ohio, S.D., Texas, Vt., Va., Wash., W.Va.
Up to $0.15 per gallon	D.C., Colo., Idaho, Ind., Ky., Md., Mass., Minn., Mo., Mont., N.J., N.Y., Ore., Pa., R.I., Tenn., Wis., Wyo.

How much is the state tax on liquor?

$6.00 or more per gallon	Alaska, Fla., N.M., N.Y.
$4.01 to $6.00 per gallon	Conn., Hawaii, Ill., Mass., Minn., N.J., Okla., Tenn.
$2.01 to $4.00 per gallon	Ariz., Ark., Calif., Colo., Del., Ga., Ind., Kan., La., N.D., Neb., Nev., R.I., S.C., S.D., Texas, Wis.
Up to $2.00 per gallon	D.C., Ky., Md., Mo.
Sales controlled by state liquor stores, revenues generated through assorted fees, taxes, and pricing	Ala., Idaho, Iowa, Maine, Mich., Miss., Mont., N.H., N.C., Ohio, Ore., Pa., Utah, Vt., Va., Wash., W.Va., Wyo.

How much is the state tax on wine?

$2.01 or more per gallon	Alaska, Fla.
$1.01 to $2.00 per gallon	Ala., Ga., Hawaii, Iowa, Mont., N.M., Tenn., Va., Wash.
$0.76 to $1.00 per gallon	Ariz., Del., N.C., Neb., S.C., S.D., W.Va.
$0.51 to $0.75 per gallon	Ark., Conn., Ill., Mass., Maine, Mich., Nev., N.J., Okla., Ore., R.I., Vt.
Up to $0.50 per gallon	Calif., Colo., D.C., Idaho, Ind., Kan., Ky., La., Md., Minn., Miss., Mo., N.Y., N.D., Ohio, Texas, Wis.
Sales controlled by state liquor stores, revenues generated through assorted fees, taxes, and pricing	N.H., Pa., Utah, Wyo.

Data Table Sources (for page 57):

12.1 McMahon, Katie. "State Cigarette Excise Tax Rates & Rankings." *Campaign for Tobacco-Free Kids.* Updated April 7, 2005. Retrieved June 2005. http://www.tobaccofreekids.org/research/factsheets/pdf/0097.pdf.

12.2 American Heart Association, American Cancer Society, Campaign for Tobacco-Free Kids, and American Lung Association. *A Broken Promise to Our Children: The 1998 State Tobacco Settlement Six Years Later.* Washington, D.C., December 2, 2004.

12.3 Federation of Tax Administrators. "State Beer Excise Tax Rates." *State Comparisons–State Excise Taxes.* Updated January 1, 2005. Retrieved August 22, 2005. http://www.taxadmin.org/fta/rate/beer.html.

Federation of Tax Administrators. "State Liquor Excise Tax Rates." *State Comparisons–State Excise Taxes.* Updated January 1, 2005. Retrieved August 22, 2005. http://www.taxadmin.org/fta/rate/liquor.html.

Federation of Tax Administrators. "State Wine Excise Tax Rates." *State Comparisons–State Excise Taxes.* Updated January 1, 2005. Retrieved August 22, 2005. http://www.taxadmin.org/fta/rate/wine.html.

Data Table Notes:

a. North Carolina passed legislation to increase the per pack cigarette tax to 35 cents effective July 1, 2006.

b. In these states, the government directly controls sales of liquor.

c. In these states, all wine sales are through state stores.

Selected State Cigarette and Alcohol Tax Policies

	12.1	12.2	12.3		
	Cigarette Tax	Tobacco Prevention/ Treatment Funding as a % of CDC Guidelines	Alcohol Taxes		
	$/pack	%	Beer Tax	Liquor Tax	Wine Tax
State			$/gallon	$/gallon	$/gallon
Alabama	$0.425	1.3	$0.53	[b]	$1.70
Alaska	1.60	51.5	1.07	12.80	2.50
Arizona	1.18	83.1	0.16	3.00	0.84
Arkansas	0.59	98.3	0.23	2.50	0.75
California	0.87	44.8	0.20	3.30	0.20
Colorado	0.84	17.5	0.08	2.28	0.32
Connecticut	1.51	0.3	0.19	4.50	0.60
Delaware	0.55	107.8	0.16	3.75	0.97
District of Columbia	1.00	0.0	0.09	1.50	0.30
Florida	0.34	1.3	0.48	6.50	2.25
Georgia	0.37	27.0	0.48	3.79	1.51
Hawaii	1.40	82.6	0.93	5.98	1.38
Idaho	0.57	17.2	0.15	[b]	0.45
Illinois	0.98	16.9	0.19	4.50	0.73
Indiana	0.56	31.1	0.12	2.68	0.47
Iowa	0.36	26.4	0.19	[b]	1.75
Kansas	0.79	4.1	0.18	2.50	0.30
Kentucky	0.30	10.8	0.08	1.92	0.50
Louisiana	0.36	41.7	0.32	2.50	0.11
Maine	2.00	126.9	0.35	[b]	0.60
Maryland	1.00	31.4	0.09	1.50	0.40
Massachusetts	1.51	10.6	0.11	4.05	0.55
Michigan	2.00	0.0	0.20	[b]	0.51
Minnesota	1.23	65.3	0.15	5.03	0.30
Mississippi	0.18	106.4	0.43	[b]	0.35
Missouri	0.17	0.0	0.06	2.00	0.30
Montana	1.70	26.7	0.14	[b]	1.06
Nebraska	0.64	21.8	0.31	3.75	0.95
Nevada	0.80	32.6	0.16	3.60	0.70
New Hampshire	0.80	0.0	0.30	[b]	[c]
New Jersey	2.40	24.4	0.12	4.40	0.70
New Mexico	0.91	36.5	0.41	6.06	1.70
New York	1.50	41.2	0.11	6.44	0.19
North Carolina	0.30 [a]	35.2	0.53	[b]	0.79
North Dakota	0.44	38.0	0.16	2.50	0.50
Ohio	1.25	86.3	0.18	[b]	0.30
Oklahoma	1.03	22.0	0.40	5.56	0.72
Oregon	1.18	16.6	0.08	[b]	0.67
Pennsylvania	1.35	70.3	0.08	[b]	[c]
Rhode Island	2.46	25.3	0.10	3.75	0.60
South Carolina	0.07	0.0	0.77	2.72	0.90
South Dakota	0.53	17.3	0.28	3.93	0.93
Tennessee	0.20	0.0	0.14	4.40	1.21
Texas	0.41	7.2	0.19	2.40	0.20
Utah	0.70	46.0	0.41	[b]	[c]
Vermont	1.19	58.9	0.27	[b]	0.55
Virginia	0.30	33.5	0.26	[b]	1.51
Washington	2.03	81.6	0.26	[b]	1.80
West Virginia	0.55	41.3	0.18	[b]	1.00
Wisconsin	0.77	32.1	0.06	3.25	0.25
Wyoming	0.60	51.5	0.02	[b]	[c]
Year Data Collected	**2005**	**2004-05**	**2005**	**2005**	**2005**

50-STATE POLICY OVERVIEW

EDUCATION POLICIES

POLICY 13:

Prekindergarten Education

Why Prekindergarten Policy Matters. States can achieve a stronger work force, more efficient government spending, and healthier communities by expanding access to prekindergarten (pre-k) education. Research demonstrates that early-childhood education in a quality setting significantly improves the education, employment and positive life outcomes of participants.[95] This research also shows that funding for public prekindergarten is particularly cost-effective, producing economic benefits to society (through higher employment rates and lower reliance on government services) that far exceed the initial investment.

Challenges for States. Historically, the requirements and funding for public education have been a local responsibility, typically at the county or municipal level. While many local districts have opted to expand public education to the prekindergarten level, many others have not. Likewise, the quality of programs varies significantly. Because critical brain development occurs during the prekindergarten years,[96] many states are opting to play a stronger role in providing funding for public pre-k programs and in setting quality standards. Through these measures, pre-k can serve as a key part of a broad strategy toward child development aimed at helping children become healthy, eager to learn, and prepared to succeed.

Federal Policy Context. The federal government provides annual funding primarily through the Head Start program and the Child Care and Development Fund. In administering the child care fund, states have wide discretion in targeting funds to specific age groups, although there are certain funding set-asides required for school-age children and for infants and toddlers. With the exception of the Head Start program, federal policy sets few requirements for the quality of early childhood education programs. For example, the federal *Child Care and Development Block Grant Act* requires only four percent of funds to be set aside for making quality improvements. States can choose to spend more of their block grants for that purpose. States also can supplement quality investments with their own funds and with federal and state Temporary Assistance for Needy Families (TANF) block grant funds (as long as the programs are not universally available to all four-year-olds in the state).

Key State Policy Measures. The following key policies are important for promoting quality, broadly accessible prekindergarten:

13.1 Access to pre-k for four-year-olds. A key policy driver of access to pre-k is state funding, as measured by the annual funding amount per four-year-old in the state. This policy measure reflects the level of access provided, and presents a standard measure for comparison across states. It differs from the measure of funding per four-year-old *enrollee*, which measures the amount invested for each child enrolled in pre-k, as opposed to each child in the state. Some reports refer to spending-per-enrollee as a measure of quality, on the assumption that greater per-child spending yields higher-quality programs. While there may be some correlation between spending levels and quality, a more precise measure of quality is presented below.

13.2 Quality of pre-k programs. Research indicates that to achieve long-term social and economic benefits, the quality of pre-k programs is essential.[97] This research tends to focus on several key factors, which include a comprehensive curriculum, teachers with at least a Bachelor's degree, sufficient teacher compensation to attract qualified teachers, and a high degree of teacher-student interaction as measured by class sizes under 21 and a staff-to-child ratio of 1:10 or better.

13.3 Access to pre-k for three-year-olds. States have typically focused their efforts on expanding pre-k for four-year-olds, seeking to establish broad access for that age group before expanding services to three-year-olds. Given the important brain development that occurs at younger ages, some states have targeted access to quality pre-k to three-year-old children as well.

13.4 Eligibility requirements for state funded pre-k. Many states target funding for pre-k programs to children in low-wage families. However, research shows that universal access programs can provide needed services more effectively for both low-income children and children who are not included in special-needs categories.[98] While some states provide state-funded pre-k for all children in the state, others limit access through income eligibility criteria or special risk factor requirements, such as low birth weight, teen parents, developmental delays and limited English proficiency.

Prekindergarten Policy Measures

Measure 13.1: Access to Pre-k for Four-year-olds

How much does the state invest per four-year-old in the state to expand pre-k access?

Above $900	Ga., N.J., N.Y., Okla., Texas, W.Va.
$600-$899	Ill.,* Ky., La., Mich., Wis.
$300-$599	Colo., Conn., Del., Mass., Ohio,* Ore., S.C.
$100-$299	Ark.,* Ariz., Calif., Hawaii, Iowa, Kan., Maine, Md., Minn., N.C., Tenn., Vt., Va., Wash.
$1-$100	Ala., Mo., Neb., Nev., N.M.*
$0	Alaska, Fla.,* Idaho, Ind., Miss., Mont., N.H., N.D., R.I., S.D., Utah, Wyo.

Note: D.C. and Pa. did not have funding information provided in the data source.

*Ark., Fla., N.M., Ohio, and Ill. have enacted substantial new appropriations for pre-k in the past year, and these funding increases are not reflected in this report.

Measure 13.2: Quality of Pre-k Programs

How many of the four key pre-k quality measures does the state meet? These measures are: 1) comprehensive curriculum, 2) teachers with at least a Bachelor's degree, 3) sufficient teacher compensation to attract qualified teachers, and 4) a high degree of teacher-student interaction as measured by class sizes under 21 and a staff-to-child ratio of 1:10 or better.

All 4 standards	Ark.,* Ill.,* La., Md., N.J., N.Y., Okla.
3 standards	Ala., Ky., Mass., N.C., S.C., Tenn., Texas, Vt., W.Va.
2 standards	Ariz., Conn., Iowa, Kan., Minn., Mo., Neb., Nev., Ore., Va., Wis.
1 standard	Colo., Del., Ga., Hawaii, Maine, Mich., Ohio,* Pa.
No standards	Calif., N.M.,* Wash.
No pre-k program	Alaska, Fla.,* Idaho, Ind., Miss., Mont., N.H., N.D., R.I., S.D., Utah, Wyo.

Note: D.C. did not have funding information provided in the data source.

*Ark., Fla., N.M., Ohio, and Ill. have enacted substantial new appropriations for pre-k in the past year, and these funding increases are not reflected in this report.

Measure 13.3: Access to Pre-k for Three-year-olds

How much does the state invest per three-year-old in the state to expand pre-k access?

Above $350	Mass., N.J.
$250-$349	Ky., Ohio,* W.Va.
$150-$249	Conn., Ill.,* Ore.
$50-$149	Ark.,* Calif., Minn., Mo., Texas, Vt., Wash.
Below $50	Colo., Iowa, Md., Neb., Nev., N.M.,* N.Y., S.C., Tenn., Wis.
$0	Ala., Alaska, Ariz., Del., Fla.,* Ga., Hawaii, Idaho, Ind., Kan., La., Maine, Mich., Miss., Mont., N.H., N.C., N.D., Okla., R.I., S.D., Utah, Va., Wyo.

Note: D.C. and Pa. did not have funding information provided in the data source.

*Ark., Fla., N.M., Ohio, and Ill. have enacted substantial new appropriations for pre-k in the past year, and these funding increases are not reflected in this report.

Measure 13.4: Eligibility Requirements for State Funded Pre-k

Does the state limit eligibility for subsidized prekindergarten to families that meet income requirements or possess specific risk factors?

No limitations on eligibility	Ala., Ga., La., Maine, Mo., Nev., N.J., N.M.,* Okla., Pa., Va., W.Va., Wis.
Limit on income eligibility, but no risk factor requirements	Ariz., Conn., Del., N.Y.
Risk factor requirements, but no limit on income eligibility	Colo., Ill.,* Md., Neb., N.C., Ohio* S.C.
Limits on both income eligibility and risk factor requirements	Ark.,* Calif., Hawaii, Iowa, Kan., Ky., Mass., Mich., Minn., Ore., Tenn., Texas, Vt., Wash.
No program	Alaska, Fla.,* Idaho, Ind., Miss., Mont., N.H., N.D., R.I., S.D., Utah, Wyo.

Note: D.C. did not have funding information provided in the data source.

*Ark., Fla., N.M., Ohio, and Ill. have enacted substantial new appropriations for pre-k in the past year, and these funding increases are not reflected in this report.

Selected State Policies for Prekindergarten

	13.1		13.2				13.3		13.4	
	Pre-k Access for 4-Year-olds		Pre-k Quality Standards:				Pre-k Access for 3 Year-olds		Eligibility Requirements	
State	Funding Per 4 year-old in State	Percent Enrolled in State Pre-k	Comprehensive Curriculum Standards	Teacher Required to have BA	Max. Class Size <21 and Staff: Child Ratio 1:10 or Better	Teachers Required to be Paid on Public School Salary Scale	Funding Per 3 Year-old in State	Percent Enrolled in State Pre-k	Income Limits	Risk Factor Limits
Alabama	$79	2.2%	–	Yes	Yes	Yes	$0	N/A	–	–
Alaska	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Arizona	$123	5.1%	Yes	–	Yes [c]	–	$0	N/A	Yes	–
Arkansas [o]	$184	6.1%	Yes	Yes	Yes	Yes	$70	2.4%	Yes	Yes
California	$288	8.7%	–	–	–	–	$72	2.2%	Yes	Yes
Colorado	$395	13.8%	–	–	Yes	–	$42	1.5%	–	Yes
Connecticut	$584	10.4%	–	–	Yes	Yes (public); No (nonpublic)	$191	3.4%	Yes	–
Delaware	$449	8.5%	–	–	Yes	–	$0	N/A	Yes	–
District of Columbia*	No Data	No Data	No Data	No Data	No Data	No Data	No Data	No Data	No Data	No Data
Florida [o]	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Georgia	$2,075	54.3%	–	–	Yes	–	$0	N/A	–	–
Hawaii	$215	6.2%	Yes	–	–	–	$0	N/A	Yes	Yes
Idaho	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Illinois [o]	$708	24.4%	Yes	Yes	Yes	Yes	$231	8.0%	–	Yes
Indiana	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Iowa	$133	4.5%	–	–	Yes	Yes (public); No (nonpublic)	$39	1.3%	Yes	Yes
Kansas	$253	14.7%	–	Yes	–	Yes	$0	N/A	Yes	Yes
Kentucky	$688	27.7%	–	Yes [b]	Yes	Yes (public); No (nonpublic)	$261	10.5%	Yes	Yes
Louisiana	$820	20.9%	Yes	Yes	Yes	Yes (public); No (nonpublic) [e]	$0	N/A	[k]	[k]
Maine	$203	10.8%	–	Yes	–	–	$0	N/A	–	–
Maryland	$246	26.3%	Yes	Yes	Yes	Yes	$19	2.0%	–	Yes
Massachusetts	$430	10.5%	Yes	–	Yes	Yes (public); No (nonpublic)	$436	10.6%	Yes	Yes
Michigan	$636	19.2%	–	–	Yes	–	$0	N/A	Yes	Yes
Minnesota	$149	2.1%	Yes	–	Yes	–	$96	1.3%	Yes	Yes
Mississippi	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Missouri	$95	4.3%	–	–	Yes	Yes (public); No (nonpublic)	$52	2.4%	–	–
Montana	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Nebraska	$49	2.5%	–	Yes	Yes	–	$28	1.5%	–	Yes
Nevada	$57	1.5%	–	Yes	–	Yes	$25	0.7%	–	–
New Hampshire	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
New Jersey	$2,009	24.1%	Yes	Yes	Yes	Yes [f]	$1,373	14.6%	–	–
New Mexico [o]	$44	2.5%	–	–	–	[g]	$14	0.8%	–	–
New York	$996	29.7%	Yes	Yes	Yes	Yes [h]	$20	0.6%	[l]	–
North Carolina	$271 [a]	5.6%	–	Yes	Yes	Yes (public); No (nonpublic) [i]	$0	N/A	–	Yes
North Dakota	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Ohio [o]	$416	9.5%	–	–	Yes	–	$292	6.2%	Yes	[m]
Oklahoma	$1,406	59.4%	Yes	Yes	Yes	Yes	$0	N/A	–	–
Oregon	$379	5.8%	–	–	Yes	Yes (public); No (nonpublic)	$197	3.0%	Yes	Yes
Pennsylvania**	No Data	1.8%	–	Yes	–	–	No Data	No Data	–	–
Rhode Island	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
South Carolina	$421	32.3%	–	Yes	Yes	Yes	$25	1.9%	–	Yes
South Dakota	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Tennessee	$147	3.2%	–	Yes	Yes	Yes (public); No (nonpublic)	$49	1.1%	Yes	Yes
Texas	$1,192	43.0%	Yes	Yes	–	Yes	$112	4.1%	Yes	Yes
Utah	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Vermont	$117	9.8%	–	Yes	Yes	Yes (public); No (nonpublic)	$84	7.0%	Yes	Yes
Virginia	$195	6.3%	–	–	Yes	Yes (public); No (nonpublic)	$0	N/A	–	[n]
Washington	$270	6.9%	–	–	–	–	$69	1.8%	Yes	Yes
West Virginia	$957	28.9%	Yes	Yes	Yes	–	$313	9.5%	–	–
Wisconsin	$700	24.8%	–	Yes	[d]	Yes (public); No (nonpublic) [j]	$44	1.0%	–	–
Wyoming	$0	N/A	N/A	N/A	N/A	N/A	$0	N/A	N/A	N/A
Year Data Collected	**2002–03**		**2002–03**				**2002–03**		**2002–03**	

*The District of Columbia's pre-kindergarten policies were not provided in the data source.

**Pennsylvania's funding information was not provided in the data source.

Data Source:

Barnett, W. Steven, Hustedt, Jason T., Robin, Kenneth B., and Schulman, Karen L. *The State of Preschool: 2004 State Preschool Yearbook.* New Brunswick, N.J.: The National Institute for Early Education Research, 2004.

Data Table Notes:

a. Funding for North Carolina's Smart Start program, a locally controlled state funded early childhood initiative, is not included in the calculation of pre-k spending for three- and four-year-olds.

b. In 2004, Kentucky passed legislation requiring newly hired pre-k teachers to have received a bachelor's degree.

c. This requirement represents National Association for the Education of Young Children (NAEYC) standards, one of several different accreditation standards in Arizona. Not all pre-k programs meet NAEYC standards, although all programs must be accredited.

d. Wisconsin requires small class sizes and high staff-child ratios in Head Start programs, but not in their 4K programs.

e. Louisiana offers four pre-k programs: 8(g), a program funded by the Louisiana Education Quality Trust Fund; LA 4, a program for at-risk four-year-olds; Starting Points, a program funded through a TANF block grant; and Louisiana Nonpublic Schools Early Childhood Development Program (NSECD). Some programs require payment on a public school salary scale and some do not.

f. New Jersey's Abbott program requires payment on a public school salary scale, but otherwise only public programs are required.

g. New Mexico does not require payment on a public school salary scale, unless directly employed by a public school district.

h. New York's Experimental Pre-kindergarten (EPK) program requires all providers to pay on a public school salary scale. New York's Universal Pre-kindergarten (UPK) program only requires public providers to pay on the public school scale.

i. North Carolina requires nonpublic providers to pay on a public school salary scale if the nonpublic provider has a birth-K license.

j. Wisconsin's 4K program requires only public providers to pay on a public school salary scale. Wisconsin's Head Start programs are not required to pay on a public school salary scale.

k. Louisiana does not set income eligibility limits or risk factor requirements for its 8(g) program, but does limit enrollment in the LA 4 and Starting Points programs to children below 185 percent of FPL. The 8(g) program is targeted to students with risk factors, unlike Louisiana's other pre-k programs.

l. New York does not set income eligibility limits on its UPK program, but does limit enrollment in the EPK program to children who come from economically disadvantaged families.

m. Ohio does not require families to possess risk factors in order to be eligible for its Public School Preschool Program, but does require that at least 10 percent of students enrolled in state-funded Head Start programs have an identified disability.

n. In Virginia, risk factor requirements are determined locally.

o. Arkansas, Florida, Illinois, New Mexico, and Ohio have enacted substantial new appropriations for pre-kindergarten in the past year that are not reflected in the data.

POLICY 14:
Kindergarten

Why Kindergarten Policy Matters. States can enhance opportunity for children by improving access to and the quality of kindergarten. Kindergarten is an important and often overlooked link between early childhood and elementary education. Research indicates that children who attend full-day kindergarten show significantly greater academic gains before first grade than those who attend half-day programs.[99] Studies also suggest that compared to children in half-day kindergarten, children who attend full-day kindergarten have higher academic achievement in later grades, show faster gains in literacy and language, display better behavior, and remain on grade going forward, thereby lowering the cost of retention and remediation.[100] Some states have invested in broad access to full-day kindergarten, yet in 2000, only 63 percent of kindergartners attended a full-day program.[101]

Challenges for States. Traditional state approaches to education policy focus early childhood education on prekindergarten services, and therefore do not integrate kindergarten into a consistent, quality approach to education.[102] Likewise, education standards for elementary and secondary school either ignore children below the third grade or address their education through broad K-12 standards, thereby failing to recognize young children's particular needs.[103]

Federal Policy Context. The recent *No Child Left Behind Act* requires that states develop education standards for grades 3 through 12, and leave to state discretion whether to develop standards for earlier grades. States and local school districts also have discretion over spending, statutory attendance requirements, and the duration of school days.

Key State Policy Measures. State leaders can support the development of children into productive adults by ensuring that kindergarten serves as an effective transition from early childhood to elementary school. The following policies can play a key role in enhancing early education in this way:

- **14.1 Financial incentives for full-day kindergarten.** State funding formulas can create incentives for local districts to provide full-day kindergarten by providing a funding amount to cover the full-day cost. Alternately, state formulas can create a disincentive for local districts to offer full-day programs by forcing local districts to supplement state money with local funds to cover the cost difference between full-day and half-day programs.[104]
- **14.2 Statutory definition of "full-day."** Many states have not defined the meaning of "full-day," and thereby do not set a standard that may maximize the benefit of a child's exposure to kindergarten programs.[105] Research indicates that a kindergarten day that is not consistent with pre-k and first grade days can disrupt the routine of young children.[106] States can therefore enhance the value of kindergarten programs by defining the length of the kindergarten day by statute in a manner consistent with pre-k and first grade activities.

Kindergarten Policy Measures

Measure 14.1: Financial Incentives for Full-day Kindergarten

Does the state funding formula provide an incentive or disincentive for local districts to offer full-day kindergarten?

Incentive	Alaska, Ga., Ill., Neb., N.M., N.Y., Wis.
Neutral	Ala., Ark., Calif., Conn., D.C., Fla., Iowa, La., Maine, Mass., Mich., Miss., Mo., N.C., S.C., S.D., Tenn., Texas, Vt., Va., Wash., W.Va.
Disincentive	Ariz., Colo., Del., Idaho, Ind., Kan., Ky., Md., Minn., Mont., Nev., N.H., N.J., N.D., Ohio, Okla., Ore., Utah, Wyo.
States do not use traditional formulas to determine kindergarten funding	Hawaii, Pa., R.I.

Measure 14.2: Statutory Definition of "Full-day"

Does the state define in statute the length of a "full-day" kindergarten class in a manner consistent with a first grade class?

Yes	Conn., Fla., Ill., La., Minn., Miss., Neb., N.M., Ohio, Wis.
Statutorily defined but not aligned with first grade activities	Ala., Alaska, Calif., Colo., D.C., Ga., N.J., Okla., S.D., Va.
Not specified in statute	Ariz., Ark., Del., Hawaii, Idaho, Ind., Iowa, Kan., Ky., Maine, Md., Mass., Mich., Mo., Mont., Nev., N.H., N.Y., N.C., N.D., Ore., Pa., R.I., S.C., Tenn., Texas, Utah, Vt., Wash., W.Va., Wyo.

Selected State Kindergarten Policies

State	14.1 Incentive Provided for Full-day Kindergarten in State Funding Formula	14.2 Minimum Number of Hours in Full-day Kindergarten: Statutorily Defined	Consistent with 1st Grade	Specific Standard
Alabama	Neutral	Yes	–	6 hours/day
Alaska	Incentive	Yes	–	Minimum of 4 hours/day
Arizona	Disincentive	–	–	N/A
Arkansas	Neutral	–	–	N/A
California	Neutral	Yes	–	More than 4 hours, but not to exceed the length of the primary school day
Colorado	Disincentive	Yes	–	900 hours/year (Shorter than 1st grade)
Connecticut	Neutral	Yes	Yes	900 hours/year (5 hours/day) (Same as 1st grade)
Delaware	Disincentive	–	–	N/A
District of Columbia	Neutral	Yes	–	No Data
Florida	Neutral	Yes	Yes	720 hours/year (Same as 1st grade)
Georgia	Incentive	Yes	–	4.5 hours/day for 180 days/year
Hawaii	N/A [a]	–	–	N/A
Idaho	Disincentive	–	–	N/A
Illinois	Incentive	Yes	Yes	4 hours/day (Same as 1st grade)
Indiana	Disincentive	–	–	N/A
Iowa	Neutral	–	–	N/A
Kansas	Disincentive	–	–	N/A
Kentucky	Disincentive	–	–	N/A
Louisiana	Neutral	Yes	Yes	6 hours/day (Same as 1st grade)
Maine	Neutral	–	–	N/A
Maryland	Disincentive	–	–	N/A
Massachusetts	Neutral	–	–	N/A
Michigan	Neutral	–	–	N/A
Minnesota	Disincentive	Yes	Yes	935 hours/year (Same as 1st grade)
Mississippi	Neutral	Yes	Yes	Same length of school day as that of other elementary grades
Missouri	Neutral	–	–	N/A
Montana	Disincentive	–	–	N/A
Nebraska	Incentive	Yes	Yes	1,032 hours/year (Same as 1st grade)
Nevada	Disincentive	–	–	N/A
New Hampshire	Disincentive	–	–	N/A
New Jersey	Disincentive	Yes	–	Minimum of 4 hours/day
New Mexico	Incentive	Yes	Yes	5.5 hours/day or 990 hours/year (Same as 1st grade)
New York	Incentive	–	–	N/A
North Carolina	Neutral	–	–	N/A
North Dakota	Disincentive	–	–	N/A
Ohio	Disincentive	Yes	Yes	Same number of hours per day as grades 1–6
Oklahoma	Disincentive	Yes	–	6 hours/day
Oregon	Disincentive	–	–	N/A
Pennsylvania	N/A [b]	–	–	N/A
Rhode Island	N/A [c]	–	–	N/A
South Carolina	Neutral	–	–	N/A
South Dakota	Neutral	Yes	–	Determined by district
Tennessee	Neutral	–	–	N/A
Texas	Neutral	–	–	N/A
Utah	Disincentive	–	–	N/A
Vermont	Neutral	–	–	N/A
Virginia	Neutral	Yes	–	540 hours/year
Washington	Neutral	–	–	N/A
West Virginia	Neutral	–	–	N/A
Wisconsin	Incentive	Yes	Yes	Same length of school day as 1st grade
Wyoming	Disincentive	–	–	N/A
Year Data Collected	**2001-02**			**2001-02**

Data Table Source:

14.1 Education Commission of the States. "How States Fund Full-day Kindergarten." *State Notes.* Updated April 2005. Retrieved July 15, 2005. http://www.ecs.org/clearinghouse/63/10/6310.htm.

14.2 Kauerz, Kristie. *Full-Day Kindergarten: A Study of State Policies in the United States.* Denver: Education Commission of the States, June 2005.

Data Table Notes:

a. Hawaii operates as a single school district and, hence, there is no state formula for distribution of funds in the traditional sense.

b. Pennsylvania state statute contains a formulaic incentive for providing full-day kindergarten, but this formula is not used for funding allocations in practice.

c. Rhode Island school districts receive state funding based on the amount received in FY 1997-1998 with state mandated increases and adjustments for categorical funds. Because there is no "foundation formula," there are no weights for various grades.

POLICY 15:

Elementary and Secondary Education

Why Elementary and Secondary Education Policy Matters. A strong state work force and the financial success of families are dependent on a quality education. Alan Greenspan, Chairman of the Federal Reserve Board, cites a strong education system as a key component to developing a strong work force and a strong, growing economy.[107] For an individual, a high school diploma, on average, results in additional income of $7,000 per year, a community college degree adds $14,800 per year, and college graduation adds $28,800 in annual income.[108]

Challenges for States. States across the country face major challenges in improving the quality of public education. Historically, locally elected or appointed school boards have driven the management of public schools. However, the 2001 *No Child Left Behind Act* (NCLB) tied federal funding to new quality requirements, accountability measures and student testing. NCLB requires governors and state legislators to play a greater role in driving educational improvements, and to focus on helping local schools meet the new accountability standards. To further complicate matters, since 2000, 36 states faced lawsuits concerning school finance equity.[109] Litigation over funding equity has dominated state discussions in recent years, but now states are moving toward a discussion of funding and education adequacy, i.e., whether funding levels, school practices and early education practices sufficiently support student achievement.[110]

Federal Policy Context. Through the *No Child Left Behind Act*, the federal government established new requirements for state-level testing, reporting and accountability.[111] Among these provisions is a requirement that state government play a much greater role in ensuring the adequacy of education. The NCLB requirements and the risk of federal financial penalties have become primary drivers of state elementary and secondary school policy discussions.

Key State Policy Measures. States can begin improving the effectiveness and fairness of K-12 public education by enhancing teacher quality, and by ensuring that resources are distributed equitably and adequately.

15.1 Teacher quality standards. Substantial research evidence indicates that students with highly-qualified teachers make the best academic progress, without regard to socioeconomic factors, and that an undergraduate major in the subject matter taught can have a greater effect on teacher quality and student performance than teacher certification.[112] New federal standards require all *new* teachers to pass a competency test or have a college major in the subject taught. For *current* teachers, however, states have flexibility to define standards for teacher quality. To match the rigors of the NCLB provisions for new teachers, states can require that current teachers demonstrate appropriate expertise in the subject matter and for the age range they teach. Research shows that the most effective teachers in higher grades possess at least a minor in the subject they teach (particularly in math and science) or can pass a competency test that reflects generally equivalent knowledge.[113] Some states employ this standard, whereas others allow teachers to demonstrate content knowledge through professional development in the subject taught, which is a standard with far less support from research. At the lowest level of rigor is the standard of professional development in any subject. Finally, some states opted not to develop new standards under NCLB, and therefore cannot be compared in this analysis.[114]

15.2 Funding equity among districts. As recently as 2002, research shows that most states have a significant funding gap between students in high-income districts who receive more education funding than students in low-income districts.[115] Financial resources are essential to support the professional development of teachers, lower the pupil-teacher ratio, and support other education investments that research shows are essential for improving educational performance, particularly in low-wage and minority communities.[116] State policy determines the degree of funding equity among districts through the interaction of three major mechanisms: state funding formulas, categorical grants and limits on property taxes as a source of local income for school districts.[117] The interaction of these three factors determines the equity of a state's school finance system, which can be measured by an "equity index." This index measures the degree to which state policies perpetuate inequitable funding relative to a standard of equity and relative to other states. A higher equity index indicates greater funding equity between districts.

15.3 Funding adequacy. In addition to equity, the adequacy of funding is an essential consideration for states seeking to improve the effectiveness of public schools. Research suggests that a key element of promoting education adequacy is to determine a foundation level of funding necessary to achieve a performance standard specified by the state, and for the state to assume responsibility for providing that funding level.[118] In general, this approach requires that states provide a greater proportion of school funding, and localities provide a smaller portion.

15.4 Funding equity for students in public charter schools. Many states have established public charter schools in an effort to supplement or reform traditional public schools. These schools generally bear the same responsibilities for educating public school students, and research indicates charter schools' positive impact on student performance is no different from the impact of traditional public schools.[119] Research also shows, however, that students in public charter schools are funded at lower levels than students in traditional public schools.[120] State leaders can remedy this inequity by changing state policy to ensure equal funding in a manner that does not undermine adequate funding for students in the traditional public school system.

Elementary and Secondary Education Policy Measures

Measure 15.1: Teacher Quality Standards

What standard does the state use for determining whether current teachers (hired pre-NCLB) have sufficient expertise in the subject-matter taught?

A college major or passing a test of knowledge in the subject matter taught	Colo.
A college minor or passing a test of knowledge in the subject matter taught	Ala., Hawaii, Kan., Md.
Recognizes professional development only in the subject matter taught	Ark., Ill., Ind., Minn., N.M., Okla., Ore., Pa., R.I., Texas, Vt., Wyo.
Requires some professional development in the subject matter taught in addition to recognizing professional development in other subjects	Alaska, Ariz., Ga., Ky., La., Mass., Mich., N.J., N.Y., N.C., N.D., Va.
Recognizes any professional development (including non-subject related courses such as diversity training)	Calif., Conn., Del., Fla., Maine, Nev., Ohio, S.C., Tenn., W.Va.
State chose not to develop new standards in this area and therefore is not included in this analysis	D.C., Idaho, Iowa, Miss., Mo., Mont., Neb., N.H., S.D., Utah, Wash., Wis.

Measure 15.2: Funding Equity Among Districts

To what extent do state school financing policies provide funding equity among school districts? (The index scores below measure the level of equity, with a higher score indicating a greater degree of equity.)

90 or above	Hawaii, Iowa, Nev., Utah
80 to 89	Conn., Del., Fla., Kan., La., Minn., Neb., N.M., N.Y., Okla., Ore., S.C., S.D., W.Va., Wis., Wyo.
70 to 79	Ala., Alaska, Ariz., Ark., Colo., Calif., Ga., Ill., Ind., Ky., Maine, Md., Mass., Mich., Miss., Mo., N.J., N.C., N.D., Ohio, Pa., R.I., Tenn., Texas, Va., Wash.
Below 70	Idaho, Mont., N.H., Vt.

Measure 15.3: Funding Adequacy

What share of total funding for school districts is provided by the state?

Above 60%	Del., Hawaii, Mich., Minn., N.M., N.C., Vt., Wash., W.Va.
50 to 59.9%	Ala., Alaska, Ark., Calif., Idaho, Ind., Kan., Ky., Miss., Okla., Ore., Utah, Wis., Wyo.
40 to 49.9%	Ariz., Colo., Fla., Ga., Iowa, La., Maine, Mass., Mont., N.H., N.J., N.Y., Ohio, R.I., S.C., Tenn., Texas
30 to 39.9%	Conn., Ill., Md., Mo., Neb., Nev., N.D., Pa., S.D., Va.

DC was not included in the data source.

Measure 15.4: Funding Equity for Students in Public Charter Schools

Compared to funding for students in traditional public schools, what funding level does the state require for students in public charter schools?

At least 100% of the amount for traditional public school students	Alaska, Ariz., Conn., Calif., Del., D.C., Fla., Hawaii, Iowa, Idaho, Ind., La., Mass., Mich., Miss., Mo., N.C., Nev., Ohio, S.C., Tenn., Texas, Va., Wash.
80-99%	Colo., Okla., Ore., N.M., N.H., N.J., R.I., Wyo.
60-79%	Ill., Minn., Pa., N.Y., Utah
Funding negotiated or received from district	Ark., Ga., Kan., Md., Wis.
No legislation establishing charter schools	Ala., Ky., Maine, Mont., Neb., N.D., S.D., Vt., W.Va.

Selected Elementary and Secondary Education Policies

State	15.1 Minimum Standard for Current Teacher Qualification	15.2 Funding Equity Among Districts Index Score	15.3 Percentage of District Revenue Provided by State	15.4 Funding Equity for Public Charter Schools (% Regular FTE)
Alabama	College minor or subject matter test	76	57.6	0
Alaska	Some professional development in subject matter	77	56.8	100
Arizona	Some professional development in subject matter	75	48.4	100
Arkansas	Professional development in subject matter	79	55.2	Local or State Discretion
California	Any professional development	78	58.9	100
Colorado	College major or subject matter test	77	43.1	85 Rural, 95 Otherwise
Connecticut	Any professional development	81	37.4	110
Delaware	Any professional development	83	63.4	100
District of Columbia	Plan Unavailable	N/A [a]	N/A	100
Florida	Any professional development	83	43.6	100
Georgia	Some professional development in subject matter	73	48.2	Local or State Discretion
Hawaii	College minor or subject matter test	100	90.1	100
Idaho	Plan Unavailable	65	59.1	100
Illinois	Professional development in subject matter	70	33.0	75-125
Indiana	Professional development in subject matter	75	58.8	100
Iowa	Plan Unavailable	90	46.6	100
Kansas	College minor or subject matter test	83	57.1	Local or State Discretion
Kentucky	Some professional development in subject matter	76	58.8	0
Louisiana	Some professional development in subject matter	85	49.1	100
Maine	Any professional development	72	42.9	0
Maryland	College minor or subject matter test	72	38.3	Local or State Discretion
Massachusetts	Some professional development in subject matter	70	40.9	100
Michigan	Some professional development in subject matter	72	63.3	100
Minnesota	Professional development in subject matter	83	73.8	61 (state portion only)
Mississippi	Plan Unavailable	73	53.8	100
Missouri	Plan Unavailable	72	35.8	100
Montana	Plan Unavailable	65	46.3	0
Nebraska	Plan Unavailable	81	34.4	0
Nevada	Any professional development	93	30.2	100
New Hampshire	Plan Unavailable	62	48.9	80 (minimum)
New Jersey	Some professional development in subject matter	74 [b]	43.5	90
New Mexico	Professional development in subject matter	83	72.1	98 (minimum)
New York	Some professional development in subject matter	83	45.6	66-80
North Carolina	Some professional development in subject matter	78	63.7	100
North Dakota	Some professional development in subject matter	71	36.8	0
Ohio	Any professional development	77	44.8	100
Oklahoma	Professional development in subject matter	82	54.7	95 (minimum)
Oregon	Professional development in subject matter	80	50.9	80 (K-8); 95 (9-12)
Pennsylvania	Professional development in subject matter	71	36.6	70-82
Rhode Island	Professional development in subject matter	77	42.0	95
South Carolina	Any professional development	80	48.1	100
South Dakota	Plan Unavailable	84	33.7	0
Tennessee	Any professional development	72	43.8	100
Texas	Professional development in subject matter	75	40.9	100
Utah	Plan Unavailable	91	56.4	75
Vermont	Professional development in subject matter	58 [c]	67.8	0
Virginia	Some professional development in subject matter	70	39.6	100
Washington	Plan Unavailable	76	61.8	100
West Virginia	Any professional development	86	61.4	0
Wisconsin	Plan Unavailable	82	53.4	Local or State Discretion
Wyoming	Professional development in subject matter	82	50.9	95
Year Data Collected	**2004**	**2002**	**2002-03**	**2004**

Data Table Sources:

15.1 Walsh, Kate and Snyder, Emma. *Searching the Attic: How States Are Responding to the Nation's Goal of Placing a Highly Qualified Teacher in Every Classroom.* Washington, D.C.: National Council on Teacher Quality, December 2004.

15.2 Education Week. *Quality Counts 2005–No Small Change: Targeting Money Toward Student Performance.* Editorial Projects in Education, Bethesda, Md., January 6, 2005.

15.3 Hill, J.G., and Johnson, F. *Revenues and Expenditures for Public Elementary and Secondary Education: School Year 2002-03.* U.S. Department of Education, National Center for Education Statistics, NCES 2005-353. Washington, D.C., 2005.

15.4 The Center for Education Reform. "Charter Law." *Online Database of State Charter School Laws.* Retrieved May 2, 2005. http://www.edreform.com/index.cfm?fuseAction=cLaw.

Data Table Notes:

a. The District of Columbia includes only one school district, therefore measures of equity between school districts do not apply.

b. The equity index favors states that have smaller per pupil spending variations across school districts. A 1998 New Jersey Supreme Court ruling ordered New Jersey to provide additional funds to 31 of the state's poorer school districts, but there is still significant per pupil spending variations in school districts across the state.

c. The equity index favors states that have smaller per pupil spending variations across school districts. A 1997 Vermont Supreme Court ruling required the state to provide equal access to funding resources for all school districts. While per pupil spending variances are permitted in Vermont, all districts that spend the same amount per pupil have the same property tax.

POLICY 16:

Higher Education

Why Higher Education Policy Matters. A strong economy is driven in significant part by the continuing education of the work force. On a national level, research suggests that one extra year of education for a population can improve economic growth by 5 to 15 percent.[121] At an individual level, research also shows that a two-year or four-year college degree is increasingly necessary for meaningful employment.[122]

Those who earn a community college degree make, on average, $14,800 per year more than those with only a high school diploma, and college graduation adds $28,800 in annual income.[123] Higher education also benefits communities because people with more formal education have greater opportunities to work without having to depend on public assistance. They are also more likely to pay taxes, vote, provide for their children, and be law-abiding members of society.[124] Therefore, states seeking to build a strong economy have a major interest in expanding access to higher education.

Challenges for States. States play a major role in supporting colleges and universities for state residents through both direct funding to institutions and through aid to students. Between 1982 and 2000, the percentage of state aid for post-secondary education allocated on the basis of need fell almost 15 percent.[125] This decline occurred at the same time as a nearly 10 percent increase in tuition costs.[126] Research shows that even a $100 increase in tuition can have a negative impact on enrollment, particularly for low-wage students.[127] Therefore, as some states seek to increase access to higher education, the impact of tuition levels and need-based aid remain primary considerations.

Federal Policy Context. The federal government provides aid to some low-wage students enrolling in college through grants, and also through tax credits that target students of two-year degree programs. The *Higher Education Act*, which authorizes various federal education programs, was scheduled for reauthorization by the Congress in 2005.

Key State Policy Measures. State leaders can improve access to higher education through a coordinated policy focused on controlling or reducing tuition costs while maintaining or enhancing need-based aid.

16.1 Tuition at four-year colleges. In addition to expanding need-based financial aid, states can set tuition levels that minimize barriers for prospective students. One approach is to lower tuition while simultaneously increasing need-based aid. Another approach is to maintain tuition levels, and use the revenue generated by the higher tuition levels to expand need-based aid. This latter approach could be used to target financial aid to those students most in need, while minimizing the impact on state costs.[128]

Need-based financial aid. Research shows that expanding need-based and non-need-based financial aid expands college enrollment, but that the impact of need-based aid is significantly greater, given that this aid is focused on low-wage students for whom tuition levels present a greater barrier.[129] A recent study estimates that a $1,000 increase in need-based aid can produce an 11.5 percent increase in college enrollment.[130] Therefore, need-based aid can be an effective tool for states to promote economic development and financial success for families. The measure of need-based financial aid used in this report computes the amount of state-funded aid as a percentage of federally funded aid. By doing so, it controls for variation in the number of low-wage students in each state, and therefore allows for comparison of funding levels across states. This measure of aid also applies to two-year colleges.

16.2 Tuition at two-year colleges. Two-year degree programs can provide critical training as part of a state's work force development strategy, particularly when degree programs are integrated with high job-growth industries.[131] Currently, almost one-half of all undergraduate students are attending a community college, 54 percent of community college students are working full-time and 34 percent have children or other dependents.[132] Therefore, state leaders seeking to enhance the economy and the earnings of families in their state can do so through lower tuition and higher need-based aid.

Higher Education Policy Measures

Measure 16.1: Tuition and Need-based Financial Aid at Four-year Colleges

In public *four-year* colleges, does the combination of state-defined tuition levels and need-based aid result in greater or lower affordability of higher education?

Greater affordability (*Tuition is lower* than national median *and aid is higher* than national median)	Ark., Calif., Colo., Ky., N.C., Texas, W.Va.
Moderate affordability (*Tuition is higher* than national median *but aid is higher* than national median too)	Conn., Ill., Ind., Iowa, Maine, Md., Mass., Mich., Minn., N.J., N.Y., Ohio, Pa., S.C., Vt., Va., Wash., Wis.
Moderate affordability (*Tuition is lower* than national median *but aid is lower* than national median too)	Ala., Alaska, Ariz., Fla., Ga., Hawaii, Idaho, Kan., La., Miss., Mont., Nev., N.M., N.D., Okla., Tenn., Utah, Wyo.
Lower affordability (*Tuition is higher* than national median *and aid is lower* than national median)	Del., Mo., Neb., N.H., Ore., R.I., S.D.

Measure 16.2: Tuition and Need-based Financial Aid at Two-year Colleges

In public *two-year* colleges, does the combination of state-defined tuition levels and need-based aid result in greater or lower affordability of higher education?

Greater affordability (*Tuition is lower* than national median *and aid is higher* than national median)	Ark., Calif., Colo., Ill., Mich., N.C., Texas, Va., W.Va.
Moderate affordability (*Tuition is higher* than national median *but aid is higher* than national median too)	Conn., Ind., Iowa, Ky., Maine, Md., Mass., Minn., N.J., N.Y., Ohio, Pa., S.C., Vt., Wash., Wis.
Moderate affordability (*Tuition is lower* than national median *but aid is lower* than national median too)	Alaska, Ariz., Fla., Ga., Hawaii, Idaho, Kan., La., Miss., Mo., Neb., Nev., N.M., Okla., Utah, Wyo.
Lower affordability (*Tuition is higher* than national median *and aid is lower* than national median)	Ala., Del., Mont., N.H., N.D., Ore., R.I., S.D., Tenn.

Selected State Higher Education Policies

STATE	16.1 Four-Year Colleges/Universities: State Need-Based Financial Aid as a % of Federal Aid	16.1 Four-Year Colleges/Universities: Tuition	16.1 Four-Year Colleges/Universities: Relative Affordability	16.2 Two-Year Colleges: State Need-Based Financial Aid as a % of Federal Aid	16.2 Two-Year Colleges: Tuition	16.2 Two-Year Colleges: Relative Affordability
Alabama	1%	$3,978	Moderate (Low Aid)	1%	$2,479	Lower
Alaska	0%	$3,425	Moderate (Low Aid)	0%	$1,942	Moderate (Low Aid)
Arizona	<1%	$3,586	Moderate (Low Aid)	<1%	$1,140	Moderate (Low Aid)
Arkansas	24%	$4,041	Greater	24%	$1,618	Greater
California	48%	$3,797	Greater	48%	$493	Greater
Colorado	41%	$3,453	Greater	41%	$1,784	Greater
Connecticut	44%	$5,767	Moderate (High Tuition)	44%	$2,307	Moderate (High Tuition)
Delaware	5%	$6,177	Lower	5%	$1,992	Lower
District of Columbia*	No Data	No Data	No Data	No Data	No Data	No Data
Florida	13%	$2,553	Moderate (Low Aid)	13%	$1,639	Moderate (Low Aid)
Georgia	1%	$3,223	Moderate (Low Aid)	1%	$1,404	Moderate (Low Aid)
Hawaii	0%	$3,242	Moderate (Low Aid)	0%	$1,118	Moderate (Low Aid)
Idaho	3%	$3,323	Moderate (Low Aid)	3%	$1,658	Moderate (Low Aid)
Illinois	78%	$5,662	Moderate (High Tuition)	78%	$1,783	Greater
Indiana	85%	$5,394	Moderate (High Tuition)	85%	$2,483	Moderate (High Tuition)
Iowa	36%	$4,991	Moderate (High Tuition)	36%	$2,686	Moderate (High Tuition)
Kansas	13%	$3,688	Moderate (Low Aid)	13%	$1,792	Moderate (Low Aid)
Kentucky	40%	$3,869	Greater	40%	$2,264	Moderate (High Tuition)
Louisiana	<1%	$3,190	Moderate (Low Aid)	<1%	$1,226	Moderate (Low Aid)
Maine	29%	$5,019	Moderate (High Tuition)	29%	$2,772	Moderate (High Tuition)
Maryland	33%	$6,242	Moderate (High Tuition)	33%	$2,601	Moderate (High Tuition)
Massachusetts	62%	$6,089	Moderate (High Tuition)	62%	$2,725	Moderate (High Tuition)
Michigan	36%	$5,997	Moderate (High Tuition)	36%	$1,870	Greater
Minnesota	87%	$5,738	Moderate (High Tuition)	87%	$3,415	Moderate (High Tuition)
Mississippi	1%	$3,755	Moderate (Low Aid)	1%	$1,392	Moderate (Low Aid)
Missouri	12%	$5,386	Lower	12%	$1,940	Moderate (Low Aid)
Montana	8%	$4,155	Moderate (Low Aid)	8%	$2,580	Lower
Nebraska	12%	$4,241	Lower	12%	$1,678	Moderate (Low Aid)
Nevada	0%	$2,728	Moderate (Low Aid)	0%	$1,507	Moderate (Low Aid)
New Hampshire	12%	$7,640	Lower	12%	$4,828	Lower
New Jersey	87%	$7,345	Moderate (High Tuition)	87%	$2,444	Moderate (High Tuition)
New Mexico	20%	$3,162	Moderate (Low Aid)	20%	$997	Moderate (Low Aid)
New York	90%	$4,892	Moderate (High Tuition)	90%	$2,949	Moderate (High Tuition)
North Carolina	34%	$3,251	Greater	34%	$1,166	Greater
North Dakota	4%	$3,838	Moderate (Low Aid)	4%	$2,419	Lower
Ohio	31%	$6,609	Moderate (High Tuition)	31%	$2,828	Moderate (High Tuition)
Oklahoma	16%	$3,204	Moderate (Low Aid)	16%	$1,650	Moderate (Low Aid)
Oregon	15%	$4,680	Lower	15%	$2,421	Lower
Pennsylvania	86%	$7,631	Moderate (High Tuition)	86%	$2,514	Moderate (High Tuition)
Rhode Island	21%	$5,396	Lower	21%	$2,120	Lower
South Carolina	23%	$6,065	Moderate (High Tuition)	23%	$2,635	Moderate (High Tuition)
South Dakota	0%	$4,446	Lower	0%	$2,812	Lower
Tennessee	18%	$4,043	Moderate (Low Aid)	18%	$2,076	Lower
Texas	36%	$3,596	Greater	36%	$1,171	Greater
Utah	5%	$2,906	Moderate (Low Aid)	5%	$1,946	Moderate (Low Aid)
Vermont	86%	$8,264	Moderate (High Tuition)	86%	$3,604	Moderate (High Tuition)
Virginia	35%	$5,073	Moderate (High Tuition)	35%	$1,799	Greater
Washington	59%	$4,629	Moderate (High Tuition)	59%	$2,230	Moderate (High Tuition)
West Virginia	28%	$3,176	Greater	28%	$1,754	Greater
Wisconsin	49%	$4,675	Moderate (High Tuition)	49%	$2,584	Moderate (High Tuition)
Wyoming	1%	$3,090	Moderate (Low Aid)	1%	$1,613	Moderate (Low Aid)
Year Data Collected	2002-03			2002-03		

*The District of Columbia's tuition and aid information were not provided in the data source.

Data Table Source:

Measuring Up 2004: The National Report Card on Higher Education. San Jose: The National Center for Public Policy and Higher Education, 2004. Assessments of relative affordability based on computations by the Center for the Study of Social Policy.

50-STATE POLICY OVERVIEW

FAMILY RELATIONSHIPS AND SUPPORT POLICIES

POLICY 17:

Healthy Marriage and Relationship Education

Why Healthy Marriage and Relationship Education Policy Matters. States that seek to promote financial stability for families and brighter futures for children can do so by promoting healthy family relationships. Evidence indicates that healthy marriages are associated with significantly better outcomes for both children and parents. More specifically, research shows that the economic advantages of marriage 1) surpass those achieved by cohabitating couples, 2) can accrue to low-wage couples and 3) lower poverty among children and women.[133] Consequently, state policy to strengthen families could include supporting healthy marriages among adults who consider marriage an option. Research indicates that marriage preparation and marriage skills training can promote healthy marriages by enhancing communication, conflict management and satisfaction among couples.[134]

Challenges for States. The possibility of a government role in promoting healthy marriages inevitably results in difficult debates over the cultural value of marriage and the perceived devaluation of single parents and their children. Within this environment, some states have developed programs and services aimed at informing potential couples of the challenges of marriage and helping existing and potential couples develop relationship skills that can increase the chance of a healthy marriage. Their goals are to decrease the number of marriages that are likely to end in divorce, particularly among very young couples, and to increase the capacity of married couples to manage the challenges of married life and parenthood. Advocates of these approaches must respond to concerns about states' involvement in personal relationships, the threat of domestic violence among couples in relationship education, the difficulty of designing marriage and relationship education that is sensitive to diverse cultural settings, the danger of coercion of public assistance recipients, and the role that faith-based organizations could play in these programs.

Federal Policy Context. The federal government has established a Healthy Marriages Initiative for states and community-based programs to "help couples develop the skills and knowledge to form and sustain healthy marriages."[135] As part of this initiative, two large-scale demonstration programs are being launched to evaluate the effects of marriage and couples education on low-wage married and unmarried couples. This evaluation will take place at multiple sites over the course of several years, and is expected to yield new lessons in the field of publicly sponsored marriage education. The reauthorization of the Temporary Assistance to Needy Families program also may include substantial new funding for state and community marriage education efforts.

Key State Policy Measures. States can work to promote healthy marriages, and thereby strengthen families, through the following research-tested marriage and relationship education policies:

17.1 Couples and marriage education for adults. Research indicates that couples education and marriage preparation can enhance couples' communication and conflict management skills.[136] These studies also provide evidence that couples participating in programs that address domestic violence demonstrate greater relationship satisfaction and fewer instances of spousal physical violence. Some states sponsor marriage counseling and education through programs available across the state; others sponsor programs only in targeted cities; and still others provide very limited or no such services. To promote these positive outcomes, states can initiate or expand couples education and marriage preparation programs.

17.2 Relationship education for youth. Research indicates that marriage education in high school can enhance the relationship skills of young people at a critical time when their behavior patterns are forming.[137] This research also suggests that certain education programs can reduce violence in dating relationships, and reduce factors that place youth at risk for adolescent pregnancy. To promote these benefits, states can initiate or expand relationship and marriage education programs in public high schools.

Healthy Marriage and Relationship Education Policy Measures

Measure 17.1: Couples and Marriage Education for Adults

Has the state begun offering relationship skill-building services for adult couples?

Yes	Ariz., Ark., Calif., D.C., Fla., Idaho, Ill., Iowa, Ky., La., Mass., Mich., Minn., Neb., N.M., Ohio, Okla., S.C., Texas, Tenn., Utah, Va.
No	Ala., Alaska, Colo., Conn., Del., Ga., Hawaii, Ind., Kan., Maine, Md., Miss., Mo., Mont., Nev., N.H., N.J., N.Y., N.C., N.D., Ore., Pa., R.I., S.D., Vt., Wash., W.Va., Wis., Wyo.

Measure 17.2: Relationship Education for Youth

Has the state begun offering relationship skill-building services for high school students?

Yes	Fla., Okla., Pa., S.D., Tenn., Texas, Utah
No	Ala., Alaska, Ariz., Ark., Calif., Colo., Conn., Del., D.C., Ga., Hawaii, Idaho, Ill., Ind., Iowa, Kan., Ky., La., Maine, Md., Mass., Mich., Minn., Miss., Mo., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Ohio, Ore., R.I., S.C., Vt., Va., Wash., W.Va., Wis., Wyo.

Selected State Policies on Healthy Marriage and Relationship Education

State	17.1 Relationship and Marriage Education for Adult Couples	17.2 Relationship Education for Youth
Alabama	Yes	–
Alaska	–	–
Arizona	Yes	–
Arkansas	Yes	–
California	Yes [a]	–
Colorado	–	–
Connecticut	–	–
Delaware	–	–
District of Columbia	Yes	–
Florida	Yes	Yes
Georgia	–	–
Hawaii	–	–
Idaho	Yes [b]	–
Illinois	Yes	–
Indiana	–	–
Iowa	Yes	–
Kansas	–	–
Kentucky	Yes	–
Louisiana	Yes	–
Maine	–	–
Maryland	–	–
Massachusetts	Yes [c]	–
Michigan	Yes [d]	–
Minnesota	Yes	–
Mississippi	–	–
Missouri	Yes	–
Montana	–	–
Nebraska	Yes	–
Nevada	–	–
New Hampshire	–	–
New Jersey	–	–
New Mexico	Yes	–
New York	–	–
North Carolina	–	–
North Dakota	–	–
Ohio	Yes	–
Oklahoma	Yes	Yes
Oregon	–	–
Pennsylvania	–	Yes
Rhode Island	–	–
South Carolina	Yes	–
South Dakota	–	Yes
Tennessee	Yes [e]	Yes [e]
Texas	Yes	Yes
Utah	Yes	Yes
Vermont	–	–
Virginia	Yes	–
Washington	–	–
West Virginia	–	–
Wisconsin	–	–
Wyoming	–	–
Year Data Collected	**2005**	**2005**

Data Sources:

Ooms, Theodora, Bouchet, Stacey, and Parke, Mary. *Beyond Marriage Licenses: Efforts in States to Strengthen Marriage and Two-Parent Families.* Washington, D.C., Center for Law and Social Policy, April 2004.

U.S. Department of Health and Human Services. Administration for Children and Families. *Healthy Marriage Initiative Activities and Accomplishments 2002-2004.* Washington, D.C., June 2005.

Updated with unpublished data from the National Conference of State Legislatures, July 2005.

Data Table Notes:

a. California offers programs only in Orange County.

b. Idaho offers programs only in the City of Nampa.

c. Massachusetts offers programs only in Boston.

d. Michigan is running a five county pilot program.

e. Tennessee offers programs only in Shelby County (Memphis).

POLICY 18:

Family and Medical Leave

Why Family and Medical Leave Policy Matters. States can enhance opportunities for families, the stability of the work force, and the futures of children by advancing policies that promote job security and worker retention. Research shows that paid parental leave helps keep parents in the work force and significantly increases their likelihood of returning to the pre-birth workplace, thereby reducing company turnover and increasing staff retention.[138] These studies also show that parental leave policies result in better health outcomes for both mothers and infants, and increased parental bonds.

Challenges for States. Increasingly, families are supported by two employed parents or by a single mother employed outside of the home. Seventy-eight percent of today's families are two-income households, where both spouses work for pay, and over 65 percent of mothers with children under age six have entered the work force.[139] Research shows that this trend comes at a cost for families and employers. Overworked parents report more conflicts in work and life; less successful relationships with spouses, partners or children; loss of sleep; higher stress levels and difficulty coping.[140] Overwork also produces higher rates of chronic illness and more disciplinary actions on the job.[141]

Federal Policy Context. The 1993 federal *Family and Medical Leave Act* (FMLA) entitles employees to 12 weeks of unpaid leave from work in the event of childbirth, adoption or foster care placement, serious health conditions for immediate family members, or health conditions rendering the employee unable to work.[142] The FMLA applies to businesses employing at least 50 employees. However, 45 percent of the work force in America work for employers with fewer than 50 employees, and therefore are not covered by FMLA.[143] In addition, many employees are financially unable to take the leave for which they are eligible because the federal FMLA does not require or provide any wage replacement benefits to employees.

Key State Policy Measures. States can promote the economic and family benefits of FMLA by extending selected provisions through state law.

18.1 Extended job protections. States can extend the job protection coverage of FMLA by creating broader definitions for justified leave, extending leave periods, and expanding the definition of covered employees. State policies that incorporate key lessons from research include the following:

- **a.** extending job protection for new parents caring for infants to include parents working for employers with fewer than 50 employees;
- **b.** extending job protection for women with pregnancy-related disabilities (and/or who are recovering from childbirth);
- **c.** extending the duration of job protected leave for new parents beyond the 12-week minimum; and
- **d.** extending job protected leave to cover parental involvement in a child's school activities.

18.2 Wage replacement benefits. Many working families are legally eligible for family or medical leave but cannot financially afford to take it. While there was no growth in the 17 percent of U.S. employees taking leave between 1995 and 2000, the percentage of workers who reported that they needed leave but did not take it because they could not afford to go without wages rose from 64 percent in 1995 to 77 percent in 2000.[144] Without wage replacement benefits, family leave policies are often impractical and fail to support low-wage families needing temporary time off to care for family members. In response, some states have begun to establish wage replacement funds.

Family and Medical Leave Policy Measures

Measure 18.1: Extended Job Protections

Which of the following four key expansions of federal FMLA policy has the state enacted:

1) expanded job protection for parents working for organizations with fewer than 50 employees;
2) expanded job protection for maternity-related medical leave;
3) extended length of family and medical leave; and
4) job protected leave for parental involvement in school activities?

All 4 job protections	D.C.
3 of the 4	Calif., La., Mass., Ore., Vt.
2 of the 4	Conn., Maine, Minn., R.I., Wash.
1 of the 4	Hawaii, Ill., Iowa, Mont., Nev., N.H., N.J., N.C., S.C., Tenn.
None	Ala., Alaska Ariz., Ark., Colo., Del., Fla., Ga., Idaho, Ind., Kan., Ky., Md., Mich., Miss., Mo., Neb., N.M., N.Y., N.D., Ohio, Okla., Pa., S.D., Texas, Utah, Va., W.Va., Wis., Wyo.

Measure 18.2: Wage Replacement Benefits

Does the state fund a wage replacement benefit for families taking family and medical leave?

Yes	Calif., Hawaii, N.J., N.Y., R.I.
No	Ala., Alaska, Ariz., Ark., Colo., Conn., Del., D.C., Fla., Ga., Idaho, Ill., Ind., Iowa, Kan., Ky., La., Maine, Md., Mass., Mich., Minn., Miss., Mo., Mont., Neb., Nev., N.H., N.M., N.C., N.D., Ohio, Okla., Ore., Pa., S.C., S.D., Tenn., Texas, Utah, Vt., Va., Wash., W.Va., Wis., Wyo.

Selected State Family and Medical Leave Policies

State	18.1 State Extends Job Protection Provided by Federal Law to Include: Employees of Organizations With Fewer than 50 Employees	Pregnancy Related Disabilities	Leave Beyond the 12-Week Minimum for New Parents	Parental Involvement in School Activities	18.2 State Funds Wage Replacement Benefit
Alabama	–	–	–	–	–
Alaska	–	–	–	–	–
Arizona	–	–	–	–	–
Arkansas	–	–	–	–	–
California	–	Yes	Yes	Yes	Yes
Colorado	–	–	–	–	–
Connecticut	–	Yes	Yes	–	–
Delaware	–	–	–	–	–
District of Columbia	Yes	Yes	Yes	Yes	–
Florida	–	–	–	–	–
Georgia	–	–	–	–	–
Hawaii	–	Yes	–	–	Yes
Idaho	–	–	–	–	–
Illinois	–	–	–	Yes	–
Indiana	–	–	–	–	–
Iowa	–	Yes	–	–	–
Kansas	–	–	–	–	–
Kentucky	–	–	–	–	–
Louisiana	–	Yes	Yes	Yes	–
Maine	Yes	Yes	–	–	–
Maryland	–	–	–	–	–
Massachusetts	Yes	Yes	–	Yes	–
Michigan	–	–	–	–	–
Minnesota	Yes	–	–	Yes	–
Mississippi	–	–	–	–	–
Missouri	–	–	–	–	–
Montana	–	Yes	–	–	–
Nebraska	–	–	–	–	–
Nevada	–	–	–	Yes	–
New Hampshire	–	Yes	–	–	–
New Jersey	–	–	Yes	–	Yes
New Mexico	–	–	–	–	–
New York	–	–	–	–	Yes
North Carolina	–	–	–	Yes	–
North Dakota	–	–	–	–	–
Ohio	–	–	–	–	–
Oklahoma	–	–	–	–	–
Oregon	Yes	Yes	Yes	–	–
Pennsylvania	–	–	–	–	–
Rhode Island	–	–	Yes	Yes	Yes
South Carolina	–	Yes	–	–	–
South Dakota	–	–	–	–	–
Tennessee	–	–	Yes	–	–
Texas	–	–	–	–	–
Utah	–	–	–	–	–
Vermont	Yes	Yes	–	Yes	–
Virginia	–	–	–	–	–
Washington	–	Yes	Yes	–	–
West Virginia	–	–	–	–	–
Wisconsin	–	–	–	–	–
Wyoming	–	–	–	–	–
Year Data Collected	**2005**				**2005**

Data Table Sources:

18.1 Grant, Jodi, Hatcher, Taylor and Patel, Nirali. *Expecting Better: A State-by-State Analysis of Parental Leave Programs.* Washington, D.C.: National Partnership for Women and Families, 2005.

"Job-Protected Leave for Parental Involvement in School Activities." *Legislative Update.* Washington, D.C.: National Partnership for Women and Families, June 2005.

18.2 Grant, Jodi, Hatcher, Taylor and Patel, Nirali. *Expecting Better: A State-by-State Analysis of Parental Leave Programs.* Washington, D.C.: National Partnership for Women and Families, 2005.

POLICY 19:

Child Support

Why Child Support Policy Matters. States can promote the academic achievement of youth and financial opportunity for families through policies that facilitate child support payments by non-custodial parents. Child support is an important source of income for families, representing an average of 26 percent of total family income among low-wage families.[145] In 2004, 15.9 million children were served by child support programs, which collected $21.9 billion in private child support dollars.[146] Studies indicate that reliable child support improves children's academic achievement and helps reduce conflict between parents.[147] In addition, there is clear evidence that receipt of child support is especially important to families as they transition from public assistance. If child support payments are reliable, these low-wage families are less likely to return to the welfare rolls.[148] Depending on the choices made by state leaders, however, state policy can encourage or discourage non-custodial parents from making child-support payments.

Challenges for States. For some families receiving public assistance, child support collection has been used as a mechanism for state and federal governments to offset the costs of social programs. States that retain child support proceeds can diminish the emotional bond between non-custodial parents and their children. Similarly, states sometimes penalize unemployed or incarcerated parents for failing to provide regular child support by requiring the payment of accumulated arrearages and accrued interest. These penalties can prove discouraging to non-custodial parents seeking to return to the work force. Research shows that if non-custodial parents view child support distribution rules as fair–as is the case with child support pass-through options and arrearage forgiveness–they are more likely to be involved in the parenting of their children, and to comply with child support orders.[149]

Federal Policy Context. Federal child support laws require strong state efforts to collect child support obligations, particularly for children who receive cash assistance, while providing states only limited flexibility in designing their child support programs. States are required to pay the federal government all child support collected for families currently or formerly receiving Temporary Assistance for Needy Families (TANF) benefits as reimbursement for these benefits. States may choose to pass child support payments through to custodial parents, but then must identify alternate funding for this reimbursement to the federal government. Current proposals in the Congress would change this provision, allowing states to pass child support through without having to reimburse the federal government.

Key State Policy Measures. States seeking to improve educational outcomes for children and financial opportunity for families can do so through the following policies:

19.1 Pass-through and disregard of child support payments. By allowing parents to retain child support paid to them and disregard this amount in benefits calculation, states can promote family bonds and encourage greater economic opportunity for families. States may limit the amount of child support passed through to the custodial parent and disregarded for benefit determination. Some states set a cap at $25, $50, or higher. Other states provide a greater pass-through/disregard by setting the limit at the "standard of need," which is a standard defined by the state (at a level above the federal poverty line) that allows families to earn more (or receive more in child support) beyond their traditional benefits eligibility in order to better meet their basic needs.

19.2-3 Forgiveness or suspension of arrears and interest. To encourage both work force participation and child support compliance among non-custodial parents, states could forgive or suspend arrears or interest accrual on child support within reasonable limits. This policy would to allow non-custodial parents to avoid the trap of escalating and often uncollectible debt. These forgiveness or suspension policies are often contingent on positive behavior by non-custodial parents. For example, some states forgive or suspend arrears or interest accrual when child support payments are made regularly, and other states forgive arrears altogether if parents marry or reunite. Though there is growing interest in arrears forgiveness, most forgiveness policies have focused on the *interest* collected on arrears, so policy options in both areas are presented.

19.4 Modification of child support for the incarcerated. To assist ex-offenders as they reenter the work force and reassume the duties of family life, a number of states allow child support orders to be modified to ensure child support arrearages do not become insurmountable. For example, in some states inmates earn, on average, approximately $1 or $2 a day while their child support arrearages average several hundred dollars a month. These policies often create an overwhelming amount of child support debt for incarcerated non-custodial parents when they are released, and serve as a significant barrier to their successful community reentry.[150] States can implement policies to help ensure a more successful re-entry for incarcerated non-custodial parents and increased compliance with child support payments by allowing incarceration to be considered complete justification or one factor in decisions to suspend the child support arrearages of non-custodial parents.

Child Support Policy Measures

Measure 19.1: Pass-through and Disregard of Child Support Payments

What amount of child support does the state pass through to the custodial parent and disregard for the purpose of benefits eligibility?

Full amount of child support payment	Wis.
Any amount up to the state-defined "standard of need"	Del., Ga., Maine, S.C., Tenn.
Above $50	D.C., Mont., Va.
Up to $50	Alaska, Calif., Conn., Ill., Mass., Mich., N.J., N.M., N.Y., Pa., R.I., Texas
Up to $25	W.Va.
No pass-through	Ala., Ariz., Ark., Colo., Fla., Hawaii, Idaho, Ind., Iowa, Kan., Ky., La., Md., Minn.*, Miss.**, Mo., Neb., Nev., N.H., N.C., N.D., Ohio, Okla., Ore., S.D., Utah, Vt., Wash., Wyo.

*Minn. does allow the full amount to pass through, but none of the payment is disregarded when determining TANF benefits.

**Miss. allows TANF recipients receiving child support to keep the difference between the child support payment and TANF cash assistance payment to family.

Measure 19.2: Forgiveness or Suspension of Arrears and Interest

Which of the following three child support arrears forgiveness policies for low-wage custodial parents do states utilize:
1) arrears forgiveness;
2) forgiveness or suspension of interest; and
3) forgiveness of suspension of arrears when family reunites?

All 3	None
2 of the 3	Conn., Iowa, Mass., Mich., Minn., N.M., Ore., Texas, Wash., Wis.
1 of the 3	Alaska, Calif., Colo., La., Maine, N.Y., N.D., Okla., Pa., S.C., S.D., Tenn., Utah, Vt., Va., W.Va.
None	Ala., Ariz., Ark., Del., Fla., Ga., Hawaii, Idaho, Ill., Ind., Kan., Ky., Md., Miss., Mo., Mont., Neb., Nev., N.H., N.J., N.C., Ohio, R.I., Wyo.

Measure 19.3: Interest Charges on Arrears and Retroactive Support

Does the state charge interest on child support arrears, adjudicated arrears, and retroactive support?

No interest	Conn., D.C., Del., Hawaii, Idaho, La., Mont., Nev., N.H., N.J., N.C., Pa., S.C., Tenn.
Have provision but not enforced	Iowa, Maine, Mass., Mich., Miss., Ohio, Ore., S.D.
Charge interest only on adjudicated arrears	Ark., Ky., Md., N.Y., Utah, Vt.
Charge interest on all arrears, but not on retroactive support	Fla., Ga., Minn., N.M., N.D.
Charge interest on all arrears and retroactive support	Ala., Alaska, Ariz., Calif., Colo., Ill., Ind., Kan., Mo., Neb., Okla., R.I., Texas, Va., Wash., W.Va., Wis., Wyo.

Measure 19.4: Modification of Child Support for the Incarcerated

Does the state allow incarceration to be considered complete justification or one factor in decisions to suspend the child support arrearages of non-custodial parents?

Complete Justification	Calif., Conn., D.C., Idaho, Maine, Md., Mass., Mich., Minn., N.C., Ore., Tenn., Wash., Wyo.
One Factor	Ala., Alaska, Colo., Ill., Iowa, Mo., N.M., R.I., Texas, Wis.
No Justification	Ariz., Ark., Del., Fla., Ind., Kan., Ky., La., Mont., Neb., N.H., N.Y., N.D., Ohio, Okla., Pa., S.C., S.D., Utah, Va.
Data Not Available	Ga., Hawaii, Miss., Nev., N.J., Vt., W.Va.

Selected State Child Support Policies

State	19.1 Pass-Through and Disregards		19.2 Forgiveness Program			19.3 Interest Sought by State for Unpaid Child Support					19.4 Effect of Incarceration on Child Support Suspension
	Maximum Pass-Through Amount	Pass-Through Disregarded	Arrears Forgiveness	Forgiveness or Suspension of Interest	Forgiveness or Suspension of Arrears when Family Reunites	No Interest Sought	Not Enforced	Adjudicated Arrears Only	Arrears but not Retroactive Support	Interest on All	
Alabama	–	–	–	–	–	–	–	–	–	Yes	One Factor
Alaska	Up to $50	Yes	Yes	–	–	–	–	–	–	Yes	One Factor
Arizona	–	–	–	–	–	–	–	–	–	Yes	No Justification
Arkansas	–	–	–	–	–	–	–	Yes	–	–	No Justification
California	Up to $50	Yes	Yes	–	–	–	–	–	–	Yes	Complete Justification
Colorado	–	–	–	Yes	–	–	–	–	–	Yes	One Factor
Connecticut	Up to $50	Yes	Yes	–	Yes[g]	Yes	–	–	–	–	Complete Justification
Delaware	Up to Need[a]	Yes	–	–	–	Yes	–	–	–	–	No Justification
District of Columbia	Limit Above $50	Yes	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Complete Justification
Florida	–	–	–	–	–	–	–	–	Yes	–	No Justification
Georgia	Up to Need[a]	Yes	–	–	–	–	–	–	Yes	–	No Data
Hawaii	–	–	–	–	–	Yes	–	–	–	–	No Data
Idaho	–	–	–	–	–	Yes	–	–	–	–	Complete Justification
Illinois	Up to $50	Yes	–	–	–	–	–	–	–	Yes	One Factor
Indiana	–	–	–	–	–	–	–	–	–	Yes[j]	No Justification
Iowa	–	–	Yes	–	Yes	–	Yes	–	–	–	One Factor
Kansas	–	–	–	–	–	–	–	–	–	Yes[j]	No Justification
Kentucky	[b]	–	–	–	–	–	–	Yes	–	–	No Justification
Louisiana	–	–	–	Yes	–	Yes	–	–	–	–	No Justification
Maine	Up to Need[a]	Yes	–	–	Yes	–	Yes	–	–	–	Complete Justification
Maryland	–	–	–	–	–	–	–	Yes	–	–	Complete Justification
Massachusetts	Up to $50[c]	Yes	Yes	Yes	–	–	Yes	–	–	–	Complete Justification
Michigan	Up to $50	Yes	Yes	–	Yes	–	Yes	–	–	–	Complete Justification
Minnesota	Full Amount	–	–	Yes	Yes	–	–	–	Yes	–	Complete Justification
Mississippi	[d]	–	–	–	–	–	Yes	–	–	–	No Data
Missouri	–	–	–	–	–	–	–	–	–	Yes[j]	One Factor
Montana	Limit Above $50	Yes	–	–	–	Yes	–	–	–	–	No Justification
Nebraska	–	–	–	–	–	–	–	–	–	Yes	No Justification
Nevada	–	–	–	–	–	Yes	–	–	–	–	No Data
New Hampshire	–	–	–	–	–	Yes	–	–	–	–	No Justification[m]
New Jersey	Up to $50	Yes	–	–	–	Yes	–	–	–	–	No Data
New Mexico	Up to $50	Yes	Yes[h]	Yes	–	–	–	–	Yes	–	One Factor
New York	Up to $50	Yes	Yes[i]	–	–	–	–	Yes	–	–	No Justification
North Carolina	–	–	–	–	–	Yes	–	–	–	–	Complete Justification
North Dakota	–	–	–	–	Yes	–	–	–	Yes[k]	–	No Justification
Ohio	–	–	–	–	–	–	Yes	–	–	–	No Justification
Oklahoma	–	–	–	Yes	–	–	–	–	–	Yes	No Justification
Oregon	–	–	Yes	–	Yes	–	Yes	–	–	–	Complete Justification
Pennsylvania	Up to $50	Yes	Yes[h]	–	–	Yes	–	–	–	–	No Justification
Rhode Island	Up to $50	Yes	–	–	–	–	–	–	–	Yes	One Factor
South Carolina	Up to Need[a]	Yes	–	–	–	Yes	–	–	–	–	No Justification
South Dakota	–	–	Yes	–	–	–	Yes	–	–	–	No Justification
Tennessee	Up to Need[a]	Yes	–	–	Yes	Yes	–	–	–	–	Complete Justification
Texas	Up to $50[e]	Yes	Yes	Yes	–	–	–	–	–	Yes	One Factor
Utah	–	–	–	–	Yes	–	–	Yes	–	–	No Justification
Vermont	–	–	Yes	–	–	–	–	Yes	–	–	No Data
Virginia	Limit Above $50[f]	Yes	–	–	Yes	–	–	–	–	Yes	No Justification
Washington	–	–	Yes	–	Yes	–	–	–	–	Yes	Complete Justification
West Virginia	Up to $25[e]	Yes	–	Yes	–	–	–	–	–	Yes	No Data
Wisconsin	Full Amount	Yes	Yes[h]	Yes	–	–	–	–	–	Yes	One Factor
Wyoming	–	–	–	–	–	–	–	–	–	Yes[l]	Complete Justification
Year Data Collected	**2005**		**2005**			**2004–05**					**2003**

Data Table Sources:

19.1 Roberts, Paula and Vinson, Michelle. "State Policy Regarding Pass-Through and Disregard of Current Month's Child Support Collected for Families Receiving TANF-Funded Cash Assistance." *Center for Law and Social Policy.* Updated August 31, 2004. Retrieved April 2005. http://www.clasp.org/publications/pass_thru3.pdf. Updated with unpublished data from the National Conference of State Legislatures, July 2005.

19.2 California Department of Child Support Services. *Arrears Forgiveness Programs in Other States.* Sacramento, August 2005. Updated with unpublished data from the National Conference of State Legislatures in consultation with the Center for Law and Social Policy, August 2005.

19.3 U.S. Department of Health and Human Services. Administration for Children and Families. "Intergovernmental Referral Guide (IRG)." *Office of Child Support Enforcement.* Updated various dates 2004-05. Retrieved August 2005. http://ocse.acf.hhs.gov/ext/irg.

19.4 Pearson, Jessica. "Building Debt While Doing Time: Child Support and Incarceration" *Judges' Journal, American Bar Association* 43, no. 1 (Winter 2004): 5-12. American Bar Association, 2004.

Data Table Notes:

a. Delaware, Georgia, Maine, South Carolina, and Tennessee pass through some or all support for the purposes of "fill-the-gap" budgeting.

b. Kentucky disregards the first $50 in its gross income test for TANF eligibility. If the test is met, full amounts are disregarded for eligibility and benefits.

c. Massachusetts disregards child support payments except when a child is excluded from TANF grant by a family cap, then $90 is disregarded.

d. Mississippi allows TANF recipients to receive the difference in child support payment if the child support is more than the cash assistance payment to the custodial family.

e. Texas and West Virginia retain all support collected, but increase the family's TANF grant by the amounts shown.

f. In addition to a disregard, Virginia TANF payments are increased by 85 percent of the child support retained.

g. Connecticut allows for arrears liquidation if the obligor is living with the child.

h. New Mexico, Pennsylvania and Wisconsin are operating pilot or trial programs in a few locations.

i. New York caps arrears at $500 for obligors with income below the poverty level.

j. Indiana, Kansas, Missouri and Washington charge interest only on retroactive support and adjudicated arrears.

k. North Dakota's IV-D agency does not calculate interest of retroactive support. However, it may be done through the court.

l. Wyoming charges interest on retroactive support and adjudicated arrears. Interest on arrears is discretionary.

m. New Hampshire pursues modification in public assistance cases and seeks impositions of statutory obligations of $50 per month. In nonpublic assistance cases, the obligor would pursue a court modification.

POLICY 20:

Child Welfare

Why Child Welfare Policy Matters. Through effective child welfare policy, states can improve the futures of children who are abused or neglected. Research studies and agency reports have consistently reported negative outcomes from the abuse and neglect of children. These outcomes include short- and long-term negative consequences for children's physical and mental health, cognitive skills, educational attainment, and social and behavioral development.[151] As a result of these effects, children who experience abuse and neglect are at risk for a variety of adverse outcomes as they mature and develop into adolescents and adults.[152] Without timely, supportive interventions, maltreated children are more likely to be involved in the juvenile justice system, suffer from mental health problems, become homeless and either lag behind in school or experience school failure. These poor outcomes follow children into adulthood where long-term costs also occur, such as unemployment, poor health conditions, drug addiction, homelessness, and incarceration. One estimate is that the cost of these poor outcomes amounts to an additional $10 billion annually beyond the costs to the child welfare system.[153] States can implement effective policies to help prevent these negative outcomes for these children, their families and the community at large.

Challenges for States. The magnitude of child abuse and neglect is an enormous challenge for states. Nationally, more than three million reports of child abuse and neglect concerning over five million children are received annually by state or county-based child protection service agencies.[154] Today, over 550,000 children are in foster care because of abuse and neglect, and states are responsible for their safety, permanency and well-being. The child welfare system also is responsible for providing supervision, support and services to thousands of other children who remain in their homes. Nearly 50 percent of the children in foster care wait at least two years for a safe and permanent home, and 20 percent wait more than five years.[155] On average, children in foster care experience three different placements. These frequent moves disrupt a child's connection to family, school and to their local communities.[156] Many children in foster care who cannot safely return home are not adopted because there are too few adoptive parents,[157] and many children face other barriers to adoption such as mental or physical health problems.

Children who are not adopted and remain in foster care as wards of the state grow up without a permanent family and eventually "age out" of the system. Research indicates that the age at which foster care children "age out" is a critical period of transition for youth, and state leaders can influence policy decisions that determine this age. States have the authority to establish the age when court jurisdiction over foster youth terminates, and this age varies among states from ages 18 to 21. Studies show that, among the general population, most 18-year-olds are ill-prepared to achieve financial independence, and 18-year-olds who are former foster care youth face even greater challenges that include unemployment, homelessness, substance abuse, inadequate education, and unwanted pregnancies.[158] For example, research shows that youth who left the foster care system at age 18–by force or by choice–were over 50 percent more likely to be unemployed and out of school as compared to their peers who remained in the foster care system until age 21.[159]

Federal Policy Context. In the *Adoption and Safe Families Act* of 1997, the Congress identified adoption as the primary permanency solution for abused and neglected children, and provided federal subsidies for adoption, but also included legal guardianship as a legitimate, although unsubsidized, option for permanence. The federal *Foster Care Independence Act* of 1999 (John F. Chafee Foster Care Independence Program) requires states to continue some services to former foster youth until age 21, but does not require states to maintain the full complement of services that is provided to youth under age 18. Building on these policies, states can help improve both the short- and long-term prospects for abused and neglected children and youth by expanding support for these children and increasing their opportunities to be placed with families who will provide for their well-being.

Key State Policy Measures. Based on research, states can improve the outcomes of abused and neglected children, and help ensure that they grow up in loving homes, are healthy, and are prepared to make positive contributions to society, through the following policies:

20.1 Subsidized guardianship. States can implement a subsidized guardianship program, which promotes more permanent placements for abused and neglected children than foster care. Legal guardianship provides an alternative option for permanency by allowing children to find a permanent placement with friends or relatives without severing legal parental ties. The termination of parental custody is required for adoption, and is a legally complicated measure that is sometimes opposed by older children and other family members. Research shows that the option of guardianship offers important advantages over foster care and is a good permanency option in addition to adoption. It eases separation trauma for the child, reduces legal liability for the state, reduces the costs of foster care casework, and maintains the responsibility of birth parents for child support payments.[160] Studies also show that in states with subsidized guardianship programs, placements tend to be more permanent.[161] Some states make this support available for all children in the foster care system up to age 18. Other states provide it only for children in a narrowly defined age range—often ages 12 to 18.

20.2 Subsidy level for guardianship. States provide varying levels of subsidy payments to legal guardians. A key component of a successful subsidized guardianship is whether a state's subsidy levels are the same as foster care subsidies, ensuring no financial disadvantage for families choosing guardianship over foster care.

20.3 Public health insurance coverage for children in guardianship programs. Not all children in subsidized guardianship programs have access to health insurance. States can establish a policy that automatically provides these children with eligibility for public health insurance.

20.4 Continuing court jurisdiction over foster care youth. There is a growing body of research showing that foster care youth who continue to receive services beyond age 18 have better outcomes than their counterparts who are cut off from services at a younger age. While continuing court jurisdiction over foster care youth does not guarantee that services will be provided, there is a higher likelihood that services will be provided to foster care youth if courts are still involved in their cases. This policy measure examines state statutes to see if they set an age limit for court jurisdiction for foster care youth. Some states continue court jurisdiction until age 19, 20 or 21. In these states, the juvenile or family court maintains oversight to help ensure that youth receive needed transitional services. Other states do not specify an age limit, leaving the termination of court jurisdiction up to agency precedent or regulatory measures.

Prevention Is Key. There is consensus among policy experts that the best child welfare policy is to help families and their children avoid involvement with the child welfare system in the first place. States have promoted a number of strategies to prevent child abuse and neglect, including home visitation services. These programs vary in scope, but their core mission is to promote the safety of children in vulnerable situations by connecting families in need to programs that help support their health and financial stability.

There are a number of national models of home visiting that have been replicated throughout the country, from Healthy Families America, which provides home visiting services to expectant and new families with children up to age five, to the Nurse-Family Partnership program that offers home visiting by nurses to at-risk, low-income, first-time pregnant young mothers. These approaches are promising and have a solid research basis, but data on state approaches to these programs are not available for inclusion in this report. Home visiting and other approaches to child abuse prevention are included to emphasize the need to focus on prevention in any discussion of child welfare policy.

Child Welfare Policy Measures

Measure 20.1: Subsidized Guardianship

For what age range of foster care children does the state provide a subsidized guardianship program?

Birth to 18 years	Ariz., Calif., Colo., Conn., Fla., Ga., Hawaii, Idaho, La., Md., Minn., Nev., N.J., N.M., N.C., Pa., W.Va., Wyo.
A more narrow age range (often age 12 to 18)	Alaska, Del., D.C., Ill., Ind., Kan., Ky., Mass., Mont., Neb., N.D., Okla., Ore., S.D., Utah
No subsidized guardianship program	Ala., Ark., Iowa, Maine, Mich., Mo., Miss., N.H., N.Y., Ohio, R.I., S.C., Tenn., Texas, Va., Vt., Wash., Wis.

Measure 20.2: Subsidy Level for Guardianship

How do state guardianship subsidies compare to foster care payments?

Equal to or above foster care payments	Calif., Colo., Conn., Del., D.C., Idaho, Ill., Mass., Okla., Ore.
Below or equal to foster care payments depending on circumstances	Alaska, Hawaii, Neb., N.J., N.M., N.C., Pa., S.D., Utah, W.Va.
Less than foster care payments	Ariz., Fla., Ga., Ind.,* Kan., Ky., La., Md., Minn., Mont., Nev., N.D., Wyo.
No subsidized guardianship program	Ala., Ark., Iowa, Maine, Mich., Miss., Mo., N.H., N.Y., Ohio, R.I., S.C., Tenn., Texas, Vt., Va., Wash., Wis.

*Ind. varies by county

Measure 20.3: Public Health Insurance Coverage for Children in Guardianship Programs

Does the state extend public health insurance coverage to children in subsidized guardianship programs?

Yes	Calif., Colo., Conn., Del., D.C., Fla., Hawaii, Idaho, Ill., Kan., Ky., Md., Mass., Mont., Neb., Nev., N.M., N.C., N.D., Okla., Ore., Pa., R.I., Utah, W.Va.
No	Alaska, Ariz., Ga., Ind., La., Minn., N.J., S.D., Wyo.
No subsidized guardianship program	Ala., Ark., Iowa, Maine, Mich., Mo., Miss., N.H., N.Y., Ohio, S.C., Tenn., Texas, Vt., Va., Wash., Wis.

Measure 20.4: Continuing Court Jurisdiction over Foster Care Youth

Until what age are foster care youth statutorily authorized to remain under the oversight of juvenile courts?

Age 21	Ala., Ark., Calif., Colo., D.C., Ill., Ind., Kan., Md., Mo., Neb., N.H., N.Y., Ohio, Ore., Pa., S.D., Va.
Age 20	Alaska, Mich., Miss., N.D.
Age 19	Hawaii, Minn.
Age 18	Fla., Ga., Idaho, Iowa, Ky., N.M., N.C., Utah
Age not specified	Ariz., Conn., Del., La., Maine, Mass., Mont., Nev., N.J., Okla., R.I., S.C., Tenn., Texas, Vt., Wyo., W.Va. Wash., Wis.

Selected State Child Welfare Policies

State	20.1 Age Range of Eligibility for Subsidized Guardianship Program	20.2 Subsidy Amount Relative to Foster Care Payment (FCP)	20.3 Children Under Guardianship Eligible for Health Insurance	20.4 Age at Which Youth Are No Longer Authorized to Remain Under the Oversight of Juvenile Courts
Alabama	No Program	No Program	No Program	21
Alaska	10 and Older	Below or Equal To FCP	–	20 [e]
Arizona	0-18	Less Than FCP	–	Not Specified
Arkansas	No Program	No Program	No Program	21
California	0-18	Above FCP	Yes	21
Colorado	0-18	Above FCP	Yes	21
Connecticut	0-18	Above FCP	Yes	Not Specified
Delaware	12 and Older	Above FCP	Yes	Not Specified
District of Columbia	2 and Older	Above FCP	Yes	21
Florida	0-18	Less Than FCP	Yes	18
Georgia	0-18	Less Than FCP	–	18
Hawaii	0-18	Below or Equal To FCP	Yes	19
Idaho	0-18	Above FCP	Yes	18
Illinois	12 and Older	Above FCP	Yes	21
Indiana	13 and Older	Varies by County	–	21
Iowa	No Program [a]	No Program	No Program	18
Kansas	14 and Older	Less Than FCP	Yes	21
Kentucky	15 and Younger	Less Than FCP	Yes	18 [f]
Louisiana	0-18	Less Than FCP	–	Not Specified
Maine	No Program [a]	No Program	No Program	Not Specified
Maryland	0-18	Less Than FCP	Yes	21
Massachusetts	12 and Older	Above FCP	Yes	Not Specified
Michigan	No Program	No Program	No Program	20
Minnesota	0-18	Less Than FCP	–	19
Mississippi	No Program	No Program	No Program	20
Missouri	No Program [b]	No Program	No Program	21
Montana	12 and Older	Less Than FCP	Yes	Not Specified
Nebraska	12 and Older	Below or Equal To FCP	Yes	21
Nevada	0-18	Less Than FCP	Yes	Not Specified
New Hampshire	No Program	No Program	No Program	21
New Jersey	0-18	Below or Equal To FCP	–	Not Specified
New Mexico	0-18	Below or Equal To FCP	Yes	18 [g]
New York	No Program	No Program	No Program	21 [h]
North Carolina	0-18	Below or Equal To FCP	Yes	18
North Dakota	12 and Older	Less Than FCP	Yes	20
Ohio	No Program [c]	No Program [3]	No Program	21
Oklahoma	12 and Older	Above FCP	Yes	Not Specified
Oregon	12 and Older	Above FCP	Yes	21
Pennsylvania	0-18	Below or Equal To FCP	Yes	21 [e]
Rhode Island	No Program	No Program	Yes	Not Specified
South Carolina	No Program	No Program	No Program	Not Specified
South Dakota	12 and Older	Below or Equal To FCP	–	21 [i]
Tennessee	No Program [d]	No Program [4]	No Program	Not Specified
Texas	No Program	No Program	No Program	Not Specified
Utah	12 and Older	Below or Equal To FCP	Yes	18
Vermont	No Program	No Program	No Program	Not Specified
Virginia	No Program [a]	No Program	No Program	21
Washington	No Program	No Program	No Program	Not Specified
West Virginia	0-18	Below or Equal To FCP	Yes	Not Specified
Wisconsin	No Program	No Program	No Program	Not Specified
Wyoming	0-18	Less Than FCP	–	Not Specified
Year Data Collected	**2004**	**2004**	**2004**	**2004**

Data Table Sources:

20.1 – 20.3 Children's Defense Fund. *State's Subsidized Guardianship At A Glance.* Washington, D.C.: Children's Defense Fund, October, 2004.

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Data Table Notes:

a. Iowa, Maine and Virginia have passed authorizing language for a subsidized guardianship program and are waiting for a federal IV-E waiver. No state funds have been appropriated.

b. Missouri enacted legislation in 2005 eliminating subsidies for guardianship and limiting adoption subsidies to children eligible for IV-E.

c. In 2005, Ohio established the Kinship Permanency Incentive Program, which will provide financial support for grandparents, relatives, or other kinship caregivers. Eligible families will receive an initial payment of $1,000 per child, followed by $500 per child every six months up to a $3,500 limit.

d. In 2005, Tennessee enacted legislation to establish a subsidized guardianship program and received a Title IV-E waiver to implement the program.

e. Alaska and Pennsylvania require the foster care youth to request continued jurisdiction.

f. Kentucky state statute allows a foster care youth to request continued court oversight up to age 21. However, the agency (Kentucky Cabinet) must agree to the continued role of the courts in the case. Therefore, ultimate control of continued jurisdiction past age 18 remains in the hands of the Cabinet.

g. New Mexico allows continued eligibility for transitional services beyond age 18, although jurisdiction is not extended.

h. New York requires the consent of the child for continued jurisdiction.

i. South Dakota maintains jurisdiction for the purpose of termination of parental rights through final adoption.

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APPENDIX A

Data Source List

In addition to the data sources identified below, data tables were selectively reviewed and updated by member organizations of the Annie E. Casey Foundation Kids Count Network, and member organizations of Voices for America's Children.

Income and Asset Growth Policies

Policy 1: Protection Against Predatory Lending

Policy Measure	Data Source(s)
Measure 1.1 Does state law include prohibitions against predatory mortgage lending that exceed basic protection in federal law?	The Corporation for Enterprise Development. "Predatory Lending Norms and Standards." *Assets and Opportunity Scorecard.* Retrieved August 5, 2005. http://www.cfed.org. **Year Data Collected: 2005**
Measure 1.2: Does state law restrict payday lending and prohibit local lending companies from partnering with out-of-state banks to avoid restrictions?	The Corporation for Enterprise Development. "Predatory Lending Norms and Standards." *Assets and Opportunity Scorecard.* Retrieved August 5, 2005. http://www.cfed.org. **Year Data Collected: 2005**

Policy 2: Targeted Tax Relief

Policy Measure	Data Source(s)
Measure 2.1: At what percentage of the federal Earned Income Tax Credit (EITC) does the state offer a refundable state EITC?	The Hatcher Group. "50 State Resource Map." *State EITC Online Resource Center.* Retrieved April 2005. http://www.stateeitc.com/map/2005_stateeitc_chart.xls; Updated with unpublished data from the Center on Budget and Policy Priorities. **Year Data Collected: 2005**
Measure 2.2: At what percentage of the federal Child and Dependent Care (CADC) tax credit does the state offer a refundable state CADC tax credit?	Donahue, Elisabeth Hirschhorn and Campbell, Nancy Duff. *Making Care Less Taxing: Improving State Child and Dependent Care Tax Provisions.* Washington, D.C.: National Women's Law Center, 2002. Donahue, Elisabeth Hirschhorn and Campbell, Nancy Duff. *2005 Supplement to Making Care Less Taxing.* Washington, D.C.: National Women's Law Center, 2005. **Year Data Collected: 2004**
Measure 2.3: At what percentage of the federal poverty level does the state set its personal income tax threshold?	Source for income tax thresholds: Llobrera, Joseph and Zahradnik, Robert. *The Impact of State Income Taxes on Low-Income Families in 2004.* Washington, D.C.: Center on Budget and Policy Priorities, April 12, 2005. Percentages of the federal poverty level computed by the Center for the Study of Social Policy. **Year Data Collected: 2004**

Policy 3: State Minimum Wage

Policy Measure	Data Source(s)
Measure 3.1: How does the state minimum wage compare to the federal minimum wage?	U.S. Department of Labor, Employment Standards Administration, Wage and Hours Division. *Minimum Wage Laws in the States.* As published on the Department of Labor's website (updated January 1, 2005): http://www.dol.gov/esa/minwage/america.htm Updated with unpublished data from the National Conference of State Legislatures, July 2005. Also updated based on New Jersey Policy Perspective, "Minimum Wage Fact Sheet: Latest Developments in the States" (updated October 11, 2005). **Year Data Collected: July 2005**
Measure 3.2: What adjustment method does the state use to update the state minimum wage (SMW)?	U.S. Department of Labor, Employment Standards Administration, Wage and Hours Division. *Minimum Wage Laws in the States.* As published on the Department of Labor's website (updated January 1, 2005): http://www.dol.gov/esa/minwage/america.htm Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: July 2005**

Employment Policies

Policy 4: Child Care Subsidies

Policy Measure	Data Source(s)
Measure 4.1: At what percentage of the state's median income does the state set eligibility levels for child care assistance?	Schulman, Karen and Blank, Helen. *Child Care Assistance Policies 2005: States Fail to Make Up Lost Ground, Families Continue to Lack Critical Supports.* Washington, D.C.: National Women's Law Center, September 2005. **Year Data Collected: 2005**
Measure 4.2: In setting reimbursement rates for child care, does the state use the federal guideline of the 75th percentile of a recent market rate survey or above?	Schulman, Karen and Blank, Helen. *Child Care Assistance Policies 2005: States Fail to Make Up Lost Ground, Families Continue to Lack Critical Supports.* Washington, D.C.: National Women's Law Center, September 2005. **Year Data Collected: 2005**
Measure 4.3: What percentage of families' income does the state charge as a co-payment for families with earnings equal to 100 percent of the federal poverty level?	Schulman, Karen and Blank, Helen. *Child Care Assistance Policies 2005: States Fail to Make Up Lost Ground, Families Continue to Lack Critical Supports.* Washington, D.C.: National Women's Law Center, September 2005. **Year Data Collected: 2005**
Measure 4.4: What percentage of families' income does the state charge as a co-payment for families with earnings equal to 150 percent of the federal poverty level?	Schulman, Karen and Blank, Helen. *Child Care Assistance Policies 2005: States Fail to Make Up Lost Ground, Families Continue to Lack Critical Supports.* Washington, D.C.: National Women's Law Center, September 2005. **Year Data Collected: 2005**

Policy 5: Income and Work Support

Policy Measure	Data Source(s)
Measure 5.1: Does the state pursue strong collaboration between the TANF and work force systems at the state and local levels?	U.S. Department of Labor, Employment and Training Administration, "WIA Reauthorization–Policy Issuance and Documents," 2002. Retrieved July 27, 2005. www.doleta.gov/usworkforce/reauthorization/survey-text.htm; Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: 2005**
Measure 5.2: For parents working 20 hours per week at minimum wage, what percentage of earnings does the state disregard for TANF benefit calculations in the 12th month of work?	National Conference of State Legislatures. Unpublished data, July 2005. **Year Data Collected: 2005**
Measure 5.3: Does the state provide TANF support to legal immigrants during the five-year federal waiting period?	*Guide to Immigrant Eligibility for Federal Programs.* 4th ed. Washington, D.C.: National Immigration Law Center, 2002; Excerpt published by the National Immigration Law Center. "State Funded TANF Replacement Programs" Guide Updates. Updated March 2004. Retrieved July 2005. http://www.nilc.org/pubs/guideupdates/tbl8_state-tanf_0304_a.pdf. **Year Data Collected: March 2004**
Measure 5.4: At what percentage of the federal poverty level does the state set its TANF cash benefit levels?	National Conference of State Legislatures. Unpublished data, July 2005. **Year Data Collected: July 2005**

Policy 6: Food Security

Policy Measure	Data Source(s)
Measure 6.1: Does the state promote access to food stamps through a) transitional benefits for families leaving cash assistance or b) the use of simplified definitions of income and/or resources for eligibility?	U.S. Department of Agriculture. Food and Nutrition Service. *Food Stamp Program: State Options Report.* 4th ed. Washington, D.C., September 2004. Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: 2005**
Measure 6.2: Does the state operate a food stamp replacement program for legal immigrants?	*Guide to Immigrant Eligibility for Federal Programs.* 4th ed. Washington, D.C.: National Immigration Law Center, 2002; Excerpt published by the National Immigration Law Center. "State Funded Food Programs" *Guide Updates.* Updated January 2004. Retrieved July 2005. http://www.nilc.org/pubs/guideupdates/tbl8_state-tanf_0304_a.pdf. **Year Data Collected: January 2004**

Policy 7: Unemployment Insurance

Policy Measure	Data Source(s)
Measure 7.1: Does the state extend unemployment benefit eligibility to workers seeking part-time work?	U.S. Department of Labor, Employment and Training Administration, *Comparison of State Unemployment Insurance Laws, 2005.* Washington, D.C., 2005. Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: July 2005**
Measure 7.2: Does the state extend unemployment benefit eligibility to cover an alternate base period?	U.S. Department of Labor, Employment and Training Administration, *Comparison of State Unemployment Insurance Laws, 2005.* Washington, D.C., 2005. Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: July 2005**
Measure 7.3: Does the state ensure that families with unemployed workers have adequate resources to assist with the transition from unemployment by: 1) providing a children's allowance; 2) indexing benefit levels; and 3) adopting extended benefit triggers?	Stettner, Andrew, Smith, Rebecca, and McHugh, Rick. *Changing Workforce, Changing Economy: State Unemployment Insurance Reforms for the 21st Century.* Washington, D.C.: National Employment Law Project, 2004. Updated by telephone conversation with National Employment Law Project to reflect 2005 status. **Year Data Collected: 2005**

Policy 8: Housing Location and Affordability

Policy Measure	Data Source(s)
Measure 8.1: Does the state promote access to housing through statutes prohibiting discrimination against voucher holders?	National Housing Law Project. "Source of Income Protections in the U.S.: Statutes, Cases, Reference Materials." *Section 8 Housing.* Updated 2005. Retrieved July 2005. http://www.nhlp.org/html/sec8. **Year Data Collected: 2005**
Measure 8.2: Does the state promote access to housing by financing a state housing trust fund?	National Council of State Housing Agencies. *State HFA Fact Book: NCSHA 2003 Annual Survey Results.* Washington, D.C.: National Council of State Housing Agencies, 2004; Updated by Karen Shakira Kali, Center for Community Change, July 2005. **Year Data Collected: July 2005**
Measure 8.3: Does the state leverage private markets by providing developer tax credits for the production of affordable housing?	National Council of State Housing Agencies. *State HFA Fact Book: NCSHA 2003 Annual Survey Results.* Washington, D.C.: National Council of State Housing Agencies, 2004. **Year Data Collected: 2003**
Measure 8.4: Does the state target federal tax credits to increase the supply of affordable housing for families with restricted access to private housing markets? (This includes families who are/have: 1) special needs, 2) very low-wage–i.e., below 50 percent of area median income, 3) large families, 4) homeless, 5) at-risk, and 6) minority.)	Gustafson, Jeremy and Walker, J. Christopher. *Analysis of State Qualified Allocation Plans for the Low Income Housing Tax Credit Program.* Analysis prepared by the Urban Institute for the U.S. Department of Housing and Urban Development, May 2002. **Year Data Collected: 2001**

Health Policies

Policy 9: Health Insurance Coverage

Policy Measure	Data Source(s)
Measure 9.1: At what percentage of the federal poverty level does the state make children eligible for public health insurance?	Cohen Ross, Donna and Cox, Laura, Center on Budget and Policy Priorities. *In a Time of Growing Need: State Choices Influence Health Coverage Access for Children and Families: A 50 State Update on Eligibility, Enrollment, Renewal and Cost-Sharing Practices in Medicaid and SCHIP for Children and Families.* Washington, D.C.: Kaiser Commission on Medicaid and the Uninsured, October 2005. **Year Data Collected: 2005**
Measure 9.2: Does the state use cost-sharing mechanisms for Medicaid and S-CHIP-eligible children?	Cohen Ross, Donna and Cox, Laura, Center on Budget and Policy Priorities. *In a Time of Growing Need: State Choices Influence Health Coverage Access for Children and Families: A 50 State Update on Eligibility, Enrollment, Renewal and Cost-Sharing Practices in Medicaid and SCHIP for Children and Families.* Washington, D.C.: Kaiser Commission on Medicaid and the Uninsured, October 2005. **Year Data Collected: 2005**
Measure 9.3: At what percentage of the federal poverty level does the state make parents and guardians eligible for public health insurance?	Cohen Ross, Donna and Cox, Laura, Center on Budget and Policy Priorities. *In a Time of Growing Need: State Choices Influence Health Coverage Access for Children and Families: A 50 State Update on Eligibility, Enrollment, Renewal and Cost-Sharing Practices in Medicaid and SCHIP for Children and Families.* Washington, D.C.: Kaiser Commission on Medicaid and the Uninsured, October 2005. **Year Data Collected: 2005**

Policy 10: Health Care Benefits

Policy Measure	Data Source(s)
Measure 10.1: What level of benefit coverage does the state require of private health insurance providers in the area of mental health and substance abuse treatment?	National Mental Health Association. "What Have States Done to Ensure Mental Health Parity?" Updated May 2005. Retrieved July 2005. http://www.nmha.org/state/parity/state_parity.cfm. **Year Data Collected: 2005**
Measure 10.2: Does the state provide dental benefits to adults in the Medicaid program?	Kaiser Commission on Medicaid and the Uninsured. "Benefits by Service: Dental Services, 2004." *Medicaid Benefits: Online Database.* Updated October 2004. Retrieved August 22, 2005. http://www.kff.org/medicaid/benefits. **Year Data Collected: October 2004**
Measure 10.3: Does the state require coverage for family planning services under the Medicaid program and from private health insurance providers?	Alan Guttmacher Institute. "Insurance Coverage of Contraceptives." *State Policies in Brief.* Updated August 1, 2005. Retrieved August 22, 2005. http://www.guttmacher.org/statecenter/spibs. **Year Data Collected: August 2005** Alan Guttmacher Institute. "State Medicaid Family Planning Eligibility Expansions." *State Policies in Brief.* Updated July 1, 2005. Retrieved July 15, 2005. http://www.guttmacher.org/statecenter/spibs. **Year Data Collected: July 2005**

Policy 11: School Health and Nutrition

Policy Measure	Data Source(s)
Measure 11.1: How many years of physical education does the state require in elementary and secondary school?	National Association of State Boards of Education. "State-by-State Physical Education." *The Safe and Healthy Schools Project Online Database.* Updated continuously. Retrieved August 10, 2005. http://www.nasbe.org/HealthySchools. **Year Data Collected: August 2005**
Measure 11.2: What methods does the state require to promote healthy eating in public schools?	U.S. Department of Agriculture, Food and Nutrition Service. "State Competitive Foods Policies." Updated September 2002. http://www.fns.usda.gov/cnd/Lunch. Winterfeld, Amy. "Childhood Obesity–2005 Update and Overview of Policy Options." National Conference of State Legislatures. Updated June 20, 2005. Retrieved July 15, 2005. http://www.ncsl.org/programs/health/ChildhoodObesity-2005.htm. Further unpublished data provided by Amy Winterfeld, National Conference of State Legislatures. **Year Data Collected: July 2005**
Measure 11.3: What type of sexual health education courses are required by the state in public schools?	Alan Guttmacher Institute. "Sex and STD/HIV Education." *State Policies in Brief.* Updated July 1, 2005. Retrieved July 15, 2005. http://www.guttmacher.org/statecenter/spibs. **Year Data Collected: July 2005**

Policy 12: Cigarette and Alcohol Taxes

Policy Measure	Data Source(s)
Measure 12.1: How much is the state cigarette tax?	McMahon, Katie. "State Cigarette Excise Tax Rates & Rankings." Campaign for Tobacco-Free Kids. Washington, DC: Campaign for Tobacco-Free Kids. http://www.tobaccofreekids.org/research/factsheets/pdf/0097.pdf. **Year Data Collected: April 2005**
Measure 12.2: How does the state's investment of its tobacco revenue and tobacco settlement funds into tobacco prevention and treatment compare to CDC guidelines?	American Heart Association, American Cancer Society, Campaign for Tobacco-Free Kids, and American Lung Association. *A Broken Promise to Our Children: The 1998 State Tobacco Settlement Six Years Later.* Washington, D.C., December 2, 2004. **Year Data Collected: 2004-05**
Measure 12.3: What are the state's tax policies on alcohol? • How much is the state tax on beer? • How much is the state tax on liquor? • How much is the state tax on wine?	Federation of Tax Administrators. "State Beer Excise Tax Rates." *State Comparisons–State Excise Taxes.* Updated January 1, 2005. Retrieved August 22, 2005. http://www.taxadmin.org/fta/rate/beer.html. Federation of Tax Administrators. "State Liquor Excise Tax Rates." *State Comparisons–State Excise Taxes.* Updated January 1, 2005. Retrieved August 22, 2005. http://www.taxadmin.org/fta/rate/liquor.html. Federation of Tax Administrators. "State Wine Excise Tax Rates." *State Comparisons–State Excise Taxes.* Updated January 1, 2005. Retrieved August 22, 2005. http://www.taxadmin.org/fta/rate/wine.html. **Year Data Collected: January 2005**

Education Policies

Policy 13: Prekindergarten

Policy Measure	Data Source(s)
Measure 13.1: How much does the state invest per four-year-old in the state to expand pre-k access?	Barnett, W. Steven, Hustedt, Jason T., Robin, Kenneth B., and Schulman, Karen L. *The State of Preschool: 2004 State Preschool Yearbook.* New Brunswick, N.J.: The National Institute for Early Education Research, 2004. **Year Data Collected: 2002-03**
Measure 13.2: How many of the four key quality measures does the state meet? These measures are: 1) comprehensive curriculum, 2) teachers with at least a Bachelor's degree, 3) sufficient teacher compensation to attract qualified teachers, and 4) a high degree of teacher-student interaction as measured by class size under 21 and a staff-to-child ratio of 1:10 or better.	Barnett, W. Steven, Hustedt, Jason T., Robin, Kenneth B., and Schulman, Karen L. *The State of Preschool: 2004 State Preschool Yearbook.* New Brunswick, N.J.: The National Institute for Early Education Research, 2004. **Year Data Collected: 2002-03**
Measure 13.3: How much does the state invest per three-year-old in the state to expand pre-k access?	Barnett, W. Steven, Hustedt, Jason T., Robin, Kenneth B., and Schulman, Karen L. *The State of Preschool: 2004 State Preschool Yearbook.* New Brunswick, N.J.: The National Institute for Early Education Research, 2004. **Year Data Collected: 2002-03**
Measure 13.4: Does the state limit eligibility for state funded pre-kindergarten to families that meet income requirements or possess specific risk factors?	Barnett, W. Steven, Hustedt, Jason T., Robin, Kenneth B., and Schulman, Karen L. *The State of Preschool: 2004 State Preschool Yearbook.* New Brunswick, N.J.: The National Institute for Early Education Research, 2004. **Year Data Collected: 2002-03**

Policy 14: Kindergarten

Policy Measure	Data Source(s)
Measure 14.1: Does the state funding formula provide an incentive or disincentive for local districts to offer full-day kindergarten?	Education Commission of the States. "How States Fund Full-day Kindergarten." *State Notes.* Updated April 2005. Retrieved July 15, 2005. http://www.ecs.org/clearinghouse/63/10/6310.htm. **Year Data Collected: 2001-02**
Measure 14.2: Does the state define in statute the length of a "full-day" kindergarten class in a manner consistent with a first grade class?	Kauerz, Kristie. *Full-Day Kindergarten: A Study of State Policies in the United States.* Denver: Education Commission of the States, June 2005. **Year Data Collected: 2001-02**

Policy 15: Elementary and Secondary Education

Policy Measure	Data Source(s)
Measure 15.1: What standard does the state use for determining whether current teachers (hired previous to NCLB) have sufficient expertise in the subject-matter taught?	Walsh, Kate and Snyder, Emma. *Searching the Attic: How States Are Responding to the Nation's Goal of Placing a Highly Qualified Teacher in Every Classroom.* Washington, D.C.: National Council on Teacher Quality, December 2004. **Year Data Collected: 2004**
Measure 15.2: To what extent do state school financing policies provide funding equity among school districts?	Education Week. *Quality Counts 2005–No Small Change: Targeting Money Toward Student Performance.* Bethesda, Md.: Editorial Projects in Education, January 6, 2005. **Year Data Collected: 2002**
Measure 15.3: What share of total funding for school districts is provided by the state?	Hill, J.G., and Johnson, F. *Revenues and Expenditures for Public Elementary and Secondary Education: School Year 2002-03.* Washington, D.C.: U.S. Department of Education, National Center for Education Statistics, NCES 2005: 353. **Year Data Collected: 2002-03**
Measure 15.4: Compared to funding for students in traditional public schools, what funding level does the state require for students in public charter schools?	The Center for Education Reform. "Charter Law." *Online Database of State Charter School Laws.* Retrieved May 2, 2005. http://www.edreform.com/index.cfm?fuseAction=cLaw. **Year Data Collected: 2004**

Policy 16: Higher Education

Policy Measure	Data Source(s)
Measure 16.1: In public four-year colleges, does the combination of state-defined tuition levels and need-based aid result in greater or lower affordability of higher education?	*Measuring Up 2004: The National Report Card on Higher Education.* San Jose: The National Center for Public Policy and Higher Education, 2004. **Year Data Collected: 2002-03**
Measure 16.2: In public two-year colleges, does the combination of state-defined tuition levels and need-based aid result in greater or lower affordability of higher education?	*Measuring Up 2004: The National Report Card on Higher Education.* San Jose: The National Center for Public Policy and Higher Education, 2004. **Year Data Collected: 2002-03**

Family Relationships and Support Policies

Policy 17: Healthy Marriage and Relationship Education

Policy Measure	Data Source(s)
Measure 17.1: Has the state begun offering relationship skill-building services for adult couples?	Ooms, Theodora, Bouchet, Stacey, and Parke, Mary. *Beyond Marriage Licenses: Efforts in States to Strengthen Marriage and Two-Parent Families.* Washington, D.C.: Center for Law and Social Policy, April 2004. U.S. Department of Health and Human Services. Administration for Children and Families. *Healthy Marriage Initiative Activities and Accomplishments 2002-2004.* Washington, D.C., June 2005. Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: 2005**
Measure 17.2: Has the state begun offering relationship skill-building services for high school students?	Ooms, Theodora, Bouchet, Stacey, and Parke, Mary. *Beyond Marriage Licenses: Efforts in States to Strengthen Marriage and Two-Parent Families.* Washington, D.C.: Center for Law and Social Policy, April 2004. Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: July 2005**

Policy 18: Family and Medical Leave

Policy Measure	Data Source(s)
Measure 18.1: Which of the following four key expansions of federal FMLA policy has the state enacted: 1) expanded job protection for family leave; 2) expanded job protection for medical/maternity leave; 3) extended length of family and medical leave; and 4) job protected leave for parental involvement in school activities?	Grant, Jodi, Hatcher, Taylor and Patel, Nirali. *Expecting Better: A State-by-State Analysis of Parental Leave Programs.* Washington, D.C.: National Partnership for Women and Families, 2005. **Year Data Collected: 2005** "Job-Protected Leave for Parental Involvement in School Activities." *Legislative Update.* Washington, D.C.: National Partnership for Women and Families, June 2005. **Year Data Collected: 2005**
Measure 18.2: Does the state fund a wage replacement benefit for families taking family and medical leave?	Grant, Jodi, Hatcher, Taylor and Patel, Nirali. *Expecting Better: A State-by-State Analysis of Parental Leave Programs.* Washington, D.C.: National Partnership for Women and Families, 2005. **Year Data Collected: 2005**

Policy 19: Child Support

Policy Measure	Data Source(s)
Measure 19.1: What amount of child support does the state pass-through to the custodial parent and disregard for the purpose of benefits eligibility?	Roberts, Paula and Vinson, Michelle. "State Policy Regarding Pass-Through and Disregard of Current Month's Child Support Collected for Families Receiving TANF-Funded Cash Assistance." *Center for Law and Social Policy.* Updated August 31, 2004. Retrieved April 2005. http://www.clasp.org/publications/pass_thru3.pdf. Updated with unpublished data from the National Conference of State Legislatures, July 2005. **Year Data Collected: July 2005**
Measure 19.2: Which of the following three child support arrears forgiveness policies for low-wage custodial parents do states utilize: • Arrears forgiveness; • Forgiveness or suspension of interest; and • Forgiveness and suspension of arrears when the family reunites?	California Department of Child Support Services. *Arrears Forgiveness Programs in Other States.* Sacramento, August 2005. Updated with unpublished data from the National Conference of State Legislatures in consultation with the Center for Law and Social Policy, August 2005. **Year Data Collected: 2005**
Measure 19.3: Does the state charge interest on child support arrears, adjudicated arrears and retroactive support?	U.S. Department of Health and Human Services. Administration for Children and Families. "Intergovernmental Referral Guide (IRG)." *Office of Child Support Enforcement.* Updated various dates 2004-05. Retrieved August 2005. http://ocse.acf.hhs.gov/ext/irg. **Year Data Collected: 2004-05**
Measure 19.4: Does the state assess the effect of incarceration on child support obligations of non-custodial parents?	Pearson, Jessica. "Building Debt While Doing Time: Child Support and Incarceration" *Judges' Journal, American Bar Association* 43, no. 1 (Winter 2004): 5-12. Washington, D.C.: American Bar Association, 2004. **Year Data Collected: 2003**

Policy 20: Child Welfare

Policy Measure	Data Source(s)
Measure 20.1: For what age range of foster care children does the state provide a subsidized guardianship program?	Children's Defense Fund. *State's Subsidized Guardianship At A Glance.* Washington, D.C.: Children's Defense Fund, October, 2004. **Year Data Collected: 2004**
Measure 20.2: How do state guardianship subsidies compare to foster care payments?	Children's Defense Fund. *State's Subsidized Guardianship At A Glance.* Washington, D.C.: Children's Defense Fund, October, 2004. **Year Data Collected: 2004**
Measure 20.3: Does the state extend public health insurance coverage to children in subsidized guardianship programs?	Children's Defense Fund. *State's Subsidized Guardianship At A Glance.* Washington, D.C.: Children's Defense Fund, October, 2004. **Year Data Collected: 2004**
Measure 20.4: Until what age are foster care youth statutorily required to remain under the oversight of juvenile courts?	Kim, Jane, Sobcyzk, Kevin and Davidson, Howard, ed. *Continuing Court Jurisdiction for 18 to 21 Year-Old Foster Youth.* Washington, D.C.: American Bar Association Center on Children and the Law, July 2004. **Year Data Collected: 2004**

APPENDIX B

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Notes

Notes

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