

The State Examiner: March 2024

A monthly, national look at State-by-State legislative issues, trends, and tips, empowering AESA members as education advocates

The State Examiner is a monthly report curated by the Association of Educational Service Agencies (AESA). It provides legislative monitoring, news articles, and related content gathered from our fifty states. The purpose of the monthly report is to ensure AESA members are aware of the latest state-level education legislative policy, funding issues and trends, and state-level news that are impacting educational service agencies (ESAs), their client schools, and districts. Each report also includes advocacy tips to activate and empower our members to be informed, effective education advocates.

STATE LEGISLATIVE ISSUE MONITORING

In each edition of the *State Examiner*, AESA monitors state-level legislation impacting educational service agencies and their client schools and districts. This month's report for March 2024 will examine what is happening in statehouses around the country regarding **technology and student smart phone use**.

Inside this Edition

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States Move to Limit Distractions and Reduce Negative Effects of Technology on Student Health

According to the Education Commission of the States' *State Education Policy Watch List*, 16 states saw introduction of 22 separate pieces of legislation related to education technology in the 2023 and 2024 legislative sessions, ranging from requiring district adoption of AI policies and funding of broadband, to setting age restrictions for social media and limiting mobile phone use in schools. The latter examples appear directly related to ongoing student well-being concerns and continued efforts to address non-academic barriers to learning and learning recovery efforts post-COVID.

Earlier this year, U.S. Surgeon General Vivek Murthy issued a public health advisory highlighting social media's potential harms to young people's mental health. These concerns existed pre-pandemic but have intensified as more students appear to be struggling with behavioral health challenges. It has also raised questions by some policy makers and education leaders about what role schools can play in addressing the issue.

According to a recent study by Common Sense Media, 97% of 11 to 17-year-olds used their phones during the school day. The amount of daily in-school screen time ranged from less than a minute to 6 and a half hours. Students picked up their phones a median of 51 times per day per the study's findings.

In the United States, many school districts have taken a proactive approach to the problem. More than three-quarters of schools, 76.9 percent, prohibited non-academic use of cellphones or smartphones

during school hours during the 2019-20 school year, according to the most recent data from the National Center for Education Statistics, up from 70.3 percent in 2017-18.

Nevertheless, some legislative bodies have taken up the issue recently, believing the situation is dire enough to warrant state policy adoption. Last year, Florida became the first state to require all its public schools to bar students from using their phones during class with the passage of [CS/HB 379](#). Now governors and legislators in at least a half-dozen other states are pushing their schools to follow suit — through persuasion or by law.

Indiana followed suit with [Senate Bill 185](#) and bills have now been introduced in the following states:

- Oklahoma - [SB 1314](#),
- Kansas - [HB2641](#), and
- Vermont - [S284](#).

Meanwhile, states like Utah and Ohio have leaders in their states calling on districts to enact bans without advancing legislative action yet, sending letters to school district leaders and holding press conferences calling on districts to restrict use during the school day.

Ohio Governor Mike DeWine's plea to schools builds on efforts adopted in 2023 in Ohio's *Social Media Parental Notification Act* that was passed as part of the state's two-year budget and would have made it so parents have to allow children under the age of 16 to use certain social media sites — a government oversight that goes further than some pending federal laws on the topic. The restrictions would apply to new accounts being created on gaming platforms, message boards and social media companies such as Facebook, Instagram, TikTok, YouTube and Snapchat and requires them to get verifiable parental permission for children under age 16 to create new accounts on the sites. However, a U.S. District Court judge issued a temporary restraining order in December to block the law from going into effect for now, after a group representing social media companies filed a federal lawsuit earlier this month.

Concerns are not limited to the states. The issue has also garnered the attention of Congress with two U.S. senators — Tom Cotton (R-Arkansas) and Tim Kaine (D-Virginia) — introduced bipartisan legislation in December 2023. The [Focus on Learning Act](#) would require the U.S. Department of Education to complete a study on the effects of cellphone use in K-12 classrooms on students' mental health and academic performance. There is one of several bipartisan alliances calling for stiffer rules for social media companies and greater online safety for kids.

Evidence supports the efficacy of policies that eliminate these distractions. A 2021 Australian study found that test scores increased by 6.4 percent after schools banned cellphones, and the effect was doubled for low-achieving students. In Spain, banning mobile phones has been shown to increase students' scores in math and science as well as a documented decrease in incidences of bullying. Policymakers in the states are hoping for the same results here.

It is anticipated this debate will continue to gain momentum and become a focus of deliberation at statehouses across the country. The debate will revolve, at least in part, around whether such policies should be determined at the state level or left to local control. Lawmakers will argue for uniformity and consistency across all schools. Local officials and school boards will argue for flexibility and the ability to tailor policies to their specific needs and community norms. Stay tuned as the debate continues to unfold.

To monitor education and education funding related issues across the fifty states, including those related to education technology, check out:

- National Governors Association - <https://www.nga.org/>
- Education Commission of the States: <https://www.ecs.org/>

STATE BUDGET & FINANCE MONITORING

AESA monitors state level budget and finance news impacting preschool and primary and secondary education. The latest state budget and finance-related news for March 2024 follows below.

States Rethink Ambitious Projects as Tax Revenues Shrink and Pandemic Aid Ends

State legislators are finding themselves in an uncomfortable situation as economies cool and the federal fiscal cliff looms: raise taxes or reduce services. Analysts warn tax revenues dipped 4% in 32 states last year and failed to keep up with inflation in 40 states and the District of Columbia, according to the Stateline analysis. Revenue is still up since 2019 by about 28%, though, higher than the inflation rate of about 18% in that time. Nevertheless, tough decisions are ahead. From health care for immigrants in California to universal school vouchers in Tennessee, states are being forced to rethink expensive projects as tax revenues decline and federal pandemic aid ends.

To learn more, go to the Stateline analysis at the following link: <https://tinyurl.com/yfjnnycr>

States look to AI for its Potential to Help with State Finances

Last year, 18 states passed AI-related legislation or resolutions, including a handful that established [task forces to make AI policy recommendations](#) or mandated assessments of the technology's probable impacts on government operations. Among those was Louisiana, which created a committee to study how AI might affect various government functions as well as legislative, regulatory, and fiscal decisions. In addition, several governors have announced new policy directives around exploring AI, most recently in Maryland, New York, and Ohio. Many other AI-related bills that were introduced last year are still pending in state legislatures.

For the full article go to: <https://tinyurl.com/ct6e85u6>

STATEHOUSE NEWS: EDUCATION POLICY

Each month AESA finds representative examples (with links) of **news items** coming out of the states or impacting the states that may be of interest to ESAs and their client schools and districts:

[O/N BOCES hears from recent CTE grads on their success](#)

O/N BOCES Press Release – 24 March 2024

[Gov. DeWine announces \\$3.3M awarded to local project](#)

Times Leader – 23 March 2024

[Ulster BOCES teaches empathy interview process](#)

Mid Huson News – 23 March 2024

[Secretary of Education tours NTCC, discusses technical education](#)

The Daily Review – 23 March 2024

[Jefferson County ESC a high achiever again](#)

Herald Star – 23 March 2024

[AEA bill, school funding discussed at Sioux City Community Schools legislative forum](#)

KTIV.COM– 23 March 2024

[House sends back to the Senate a newly amended AEA bill as talks continue](#)

Ottumwa Courier - Iowa Capital Dispatch – 22 March 2024

[Youth Apprenticeship Day Recognizes Future Workforce at Mini Business World Event](#)

Business North – 22 March 2024

[House Republicans pass Area Education Agency overhaul omnibus in party-line vote](#)

The Daily Iowan – 21 March 2024

[Gov. Reynolds statement on AEA reform passing Iowa Senate](#)

The Albia Newspapers – 21 March 2024

[Jacobson Seeks More Funding for Roads, Education](#)

Times Hudson Valley – 20 March 2024

[Dept. of Public Instruction: Herb Kohl Educational Foundation announces 2024 scholarship and award recipients](#)

WisPolitics – 19 March 2024

[Arkansas education co-ops concerned about effect of reduced funding](#)

Arkansas Advocate – 18 March 2024

[Education Secretary Jacob Oliva says educational cooperatives' funding will be reevaluated](#)

Arkansas Times – 8 March 2024

[Orange County feud shows how school boards became a key front for culture wars](#)

Cal Matters – 5 March 2024

NATIONAL REPORTS IMPACTING EDUCATION

AESA monitors national reports highlighting state-level information of interest to ESAs. As always, it is important to view these reports through a critical lens with attention to research design, methodology, data sources and citations, peer review, and publication venue. This month AESA spotlights a report from Education Commission of the States.

Governors' Top Education Priorities In 2024 State of the State Addresses

Each year since 2005, Education Commission of the States (ECS) has monitored the top education priorities of the nation's governors. State of the State addresses offer time for new and incumbent governors to outline policy priorities and celebrate state accomplishments.

ECS tracks, analyzes and identifies education policy trends in governors' State of the State addresses to help educators and education stakeholders better understand trending education issues across states. This year's Special Report includes 42 addresses that highlight a continued focus on six top trends:

1. workforce development and career and technical education;
2. K-12 funding;
3. teacher workforce;
4. early care and education;
5. academic achievement and literacy.
6. physical and mental health.

For the full report go to: <https://tinyurl.com/yeym355v>

MARCH 2024 MONTHLY ADVOCACY TIP

In the realm of education advocacy, one of the most impactful tools at your disposal is the legislative office visit. These visits provide a crucial opportunity for educators and education advocates to directly engage with policymakers and legislative staff, advocate for their positions on education policy and funding, and ultimately influence decision-making processes. However, mastering the art of the legislative office visit requires more than just showing up – it demands strategic planning, effective communication, and confidence in making the “ask.” This month's advocacy tip focuses on making your visit to the statehouse an impactful and successful experience.

Effective Advocacy Tips: Mastering the Office Visit

In his *27 Fundamentals for More Effective State Government Affairs*, author Robert Guyer says, your threshold question for each meeting with a lawmaker is, “Why would this lawmaker give me his or her vote? How does what I'm asking for advance their interests as well?” Until you can answer that fundamental question, Guyer states, you are not likely to get the vote.

While maybe a bit hyperbolic, this is an important word of caution to education advocates and would-be lobbyists. It demonstrates the importance of being prepared when you visit the state capital to make your case and reiterates a central component to effective advocacy: appeal to your audiences' own self-interests.

In this month's State Examiner, we explore key strategies and tactics that educators can utilize to maximize the impact of their legislative office visits.

1. **Research and Preparation:** Know your audience. Before scheduling a legislative office visit, take the time to research the policymaker's background, including their stance on education issues, voting record, and any relevant committees they serve on. This knowledge will help tailor your talking points and demonstrate that you've done your homework. Important in this step is also understanding any opposition positions and being prepared to address those positions.
2. **Craft Your Message:** Develop a clear and concise message that highlights the importance of your cause and its impact on students, teachers, and the community. Focus on key talking points that align with the policymaker's priorities and frame your message in a way that resonates with their values and constituents.

As educational service agencies, it is possible to share your story, on the merits, in two very different ways. For example, when discussing direct student services with legislators on the more progressive end of the political spectrum one might focus more on *what* services their agency delivers and how they impact the education of preschoolers, students with disabilities, incarcerated youth and other high-risk student populations to improve outcomes. While more conservative policymakers may be interested in *how* you deliver the services through itinerant staff or other shared service delivery models that demonstrate efficiency and cost-savings along with greater accountability for improved outcomes. Again, sharing the same story in different ways that appeal to the particular audience you are seeking to influence can boost your success rate.

3. **Build Relationships:** Building relationships with policymakers and their staff is essential for long-term advocacy success. Take the time to introduce yourself, establish rapport, and express your willingness to serve as a resource on education issues. Personal connections can often be the difference-maker in gaining support for your cause. Never underestimate the influence of legislative staff. While they may not always be able to advance your cause directly – as they don't have power to cast a vote – they do have the power to deny access to policymakers you are trying to influence. Last, and most importantly, remember that the best time to build relationships and lobby is when you don't need anything.
4. **Be Solution-Oriented:** Instead of simply presenting problems, offer constructive solutions that address the challenges facing education. Present data, research, and best practices to support your recommendations and demonstrate credibility. Legislators are people too. They do not want to get beat up in every meeting. When you have concerns provide solutions. When you are at an impasse, seek compromise. When compromise cannot be reached, remember that policy making is incremental and there will be other opportunities down the road to advance your priorities.
5. **Bring Personal Stories:** Humanize your message by sharing personal anecdotes and stories that illustrate the real-world impact of education policies and funding decisions. Stories have a powerful emotional appeal and can help policymakers connect on a personal level with the issues you're advocating for.
6. **Practice Effective Communication:** Practice delivering your message with confidence and clarity. Be prepared to articulate your points succinctly and respond to questions or objections thoughtfully. Remember to listen actively and engage in two-way dialogue with the policymaker to foster understanding and collaboration. This is where having done your research in advance

can be most effective. Once exercise to help here is mastering the elevator speech. Elevator speeches can vary a lot depending on the goal, audience, and circumstances but they should all contain the following elements:

- **Pertinent Facts**—The five W's: who, what, where, when, why (and how);
- **Less is More** - Provide enough information to engage your listeners in conversation;
- **Differentiation**—What makes your issue compelling or unique;
- **Impact**—Statistics and stories that show results;
- **Simplicity**—Jargon-free language that anyone can understand;
- **Passion**—Show that you care about what you're pitching;
- **Flexibility**—Use a framework but adjust your speech to your audience;
- **Preparation**—Practice your speech and ask for feedback;
- **Buyer-Driven** - Focus on what THEY want or get when they work with you; the benefits and value to what they care about and their district constituents.

7. **Make the Ask:** Don't shy away from making a specific ask or request during your legislative office visit. Whether it's advocating for increased funding, supporting a particular piece of legislation, or taking action on a specific issue, clearly articulate what you're asking the policymaker to do and why it matters. Get past "nice" to get lawmakers' votes. A lawmaker's being nice isn't a vote. Do not ever leave a visit without knowing exactly where that legislator is on your issue. It is important to know if they are for you, against you, or neutral. Ideally, you want to convert your cynics. But, at a minimum, silence their concerns. In the end, effective advocacy is increasing the number of decisions makers that are knowledgeable about your organization and policy concerns and have positive feelings about the idea.
8. **Follow-Up:** After the meeting, send a thank-you note expressing your appreciation for the opportunity to meet and reiterating your key messages. Stay engaged with the policymaker's office by providing updates, offering additional information or resources, and continuing to build the relationship over time. When possible, get decision makers to visit your programs and experience the impact of your services first hand.

It is critical to remember. While professional associations and lobbyists play a critical role in supporting your efforts, don't outsource your advocacy. Be engaged. Nobody cares about your issue as much as you do. Neither money nor the best contractors can win your battles for you. If you don't make it happen, then it won't.

By mastering the legislative office visit and effectively "making the ask," educators can amplify their voices, shape education policy, and advocate for the resources and support needed to ensure all students have access to a high-quality education. With careful planning, strategic communication, and a commitment to building relationships, educators can make a meaningful difference in the lives of students and communities across the country.

SHARE YOUR ADVOCACY SUCCESS STORIES

AESA would like to highlight successful state-level advocacy campaigns. Share your triumphs in state advocacy with fellow members! Contribute to our newsletter by submitting your success stories – your experiences can enlighten and inspire others in navigating the often complex landscape of state

advocacy. Together, we can amplify our collective knowledge for the benefit of the entire AESA membership. Send your stories to info@aesa.us

STAY CONNECTED & INVOLVED

Have feedback for the AESA state advocacy team? Would you like to see a particular issue area addressed in future issues? Send feedback to info@aesa.us

STAY CONNECTED

