

CHILDREN AND FAMILIES

State Legislators: Who They Are and How to Work with Them

A Guide for Infant-Toddler Professionals



The National Conference of State Legislatures is the bipartisan organization dedicated to serving the lawmakers and staffs of the nation's 50 states, its commonwealths and territories.

NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues, and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

- Improve the quality and effectiveness of state legislatures
- Promote policy innovation and communication among state legislatures
- Ensure state legislatures a strong, cohesive voice in the federal system

The conference operates from offices in Denver, Colorado and Washington, D.C.

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Why You Should Care About State Legislatures

State legislators take positions and vote on legislation that affects infants and toddlers. Because of the variety and complexity of the policy issues before them, state legislators often rely on their staff, the National Conference of State Legislatures (NCSL), academic researchers, advocates, practitioners and community members to present information and propose policies that address a need or respond to an opportunity (e.g., new federal funds). They also rely on experts in the field—people like you—for first-hand perspectives about the effects of laws and public funding of early childhood programs and services. These include child care, Early Head Start, paid family leave, home visits, early intervention and early childhood mental health.

This guide is designed to:

- Help infant-toddler professionals (e.g., child care providers, home visitors, Early Head Start teachers, mental health clinicians and early interventionists) understand how state legislatures work and how state legislators gather information and develop policies related to early childhood.
- Identify how people outside state capitols—specifically, infant-toddler professionals—can communicate effectively with their elected leaders and provide constructive input throughout the legislative process.

What Was on the Docket in 2018?

In 2018, state legislators considered over 1,000 bills on a range of early care and education legislation with at least 124 bills signed into law in 36 states. Most bills addressed one or more of the following topics:

- Child care
- Paid family leave
- Early childhood governance and financing
- Home visiting and parent education
- Prenatal, infants and toddlers
- Early childhood workforce

A 2019 NCSL [report](#) looks at recently enacted legislation to improve services and supports for infants, toddlers and their families.

Source: NCSL, 2019. For more information please see NCSL's [Early Care and Education Legislative Database](#), [Maternal and Child Health Legislative Database](#), and resources on [paid family leave](#).

Early Childhood Programs and Services

Legislators make policy and funding decisions for many early childhood programs. Below are descriptions of the most common programs.

For the purposes of this publication, [child care](#) refers to care that allows parents or other primary caregivers to work outside the home and pursue education and training opportunities. Child care arrangements for infants and toddlers vary widely based on families' needs and circumstances. The most common types are center-based child care, family or home-based child care, informal care and Early Head Start. Low-income families with infants and toddlers may be eligible to receive [child care assistance](#) to purchase safe and reliable high-quality child care.

■ **Early Head Start** is a federal program that provides comprehensive child development and family support services to low-income pregnant women, infants, and toddlers and their families. Some states provide additional resources to [enrich or expand](#) this program.

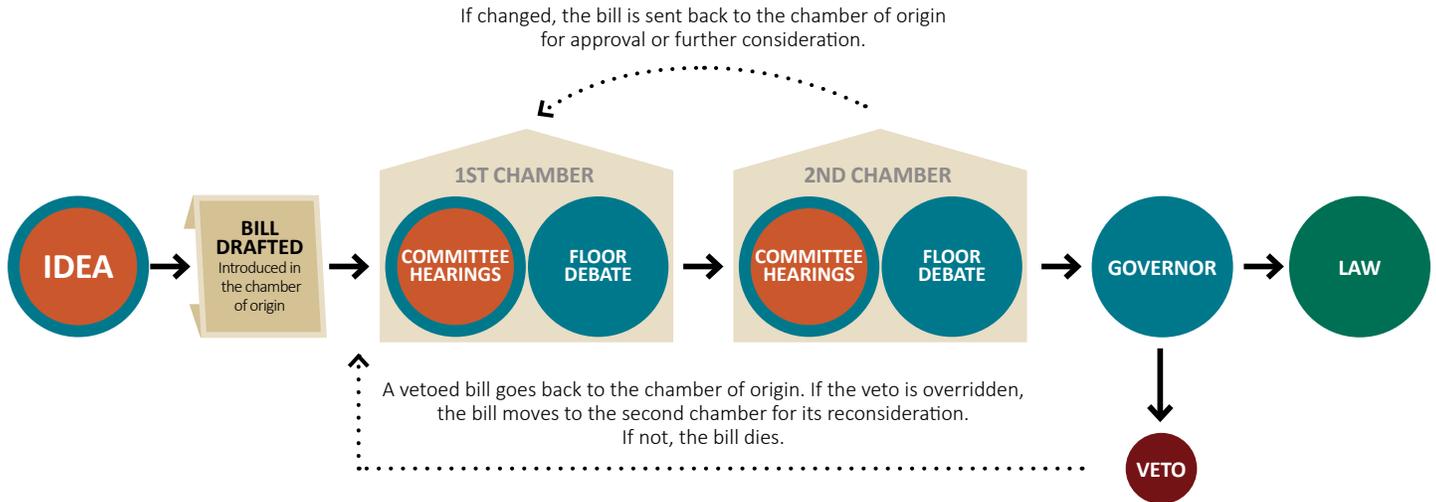
■ **Early intervention services** are supported by Part C of the federal Individuals with Disabilities Education Act to help children meet their developmental milestones. States establish criteria for children's eligibility and contribute funding toward this program.

■ **Early childhood mental health** refers to how well a child develops socially and emotionally from birth to age 3. Many states have examined policies regarding mental health consultation in early childhood settings, infant and early childhood mental health professional competencies, as well as eligibility and payment for treatment.

■ **Home visiting** programs are voluntary and support pregnant women and parents by linking them with prenatal care, promoting strong parent-child attachment, and teaching learning activities that foster their child's development. [Home visiting](#) programs operate in all 50 states, the District of Columbia and five U.S. territories.

■ **Paid family leave** policies provide paid, job-protected leave so working parents can bond with a newborn or newly adopted child or employees can take care of a seriously ill family member. Six states—California, Massachusetts, New Jersey, New York, Rhode Island, and Washington—and the District of Columbia have [paid family leave laws](#).

State Legislative Process



Get Involved

The colors indicate when and how the public can affect legislation at different points in the legislative process above:

Ways to Contact Legislators	Legislature's website	Letters	Emails	Social media	Phone calls	Town halls	Face-to-face meeting
Ways to Participate	Learn the process	View livestream of hearing or floor session	Attend Committee hearing/floor session	Provide committee testimony	Contact your legislator		

Understanding Legislatures and the Legislative Process

State legislatures vary from state to state, with differences in the number of legislative members and staff, time spent in session, legislative procedures, political makeup and so on. Despite these differences, the general legislative process is similar across states. This section summarizes the basics of the legislative process, including how bills become laws and the people involved in the legislative process. See NCSL's [glossary of terms](#) for more information.

Legislative Process

There are 99 legislative chambers in the 50 states. In theory, the legislative process follows a predictable, rational path that goes something like this in all states except Nebraska, which is unicameral, meaning the process takes place in one chamber only:

1. A legislator introduces a bill.
2. The bill is assigned to a committee.
3. The committee holds public hearings.
4. The committee acts on the bill (i.e., amends it, sends it to the full House or Senate for debate, or kills it).

5. Legislators debate the bill's merits, possibly amend it, and vote it up or down.
6. If it is approved, the bill then goes to the other chamber, where the process is repeated.
7. If the bill is amended during consideration by the second chamber, the changes must be approved by the first chamber, and it may go to a conference committee to resolve differences between the two chambers.
8. Once enacted by the legislature, the governor may sign it, veto it, or in some states, let it become law without explicit approval through signature.
9. If the governor vetoes the bill, the legislature can sustain the veto or attempt to override it.

In addition to understanding how policies are made, stakeholders should also be ready to engage in the budget process. Depending on the bill, enacted legislation without a corresponding budget allocation to implement it could render the bill essentially moot. NCSL's [Guide to Better State Budgeting Practices](#) provides general background on the budgeting process.

The human factor is another significant part of the legislative process. "Missing from the preceding list of steps in the legislative game is the human equation," Tommy Neal wrote in NCSL's 2005 book, "Learning the Game: How the Legislative Process Works." "State legislators come from all walks of life and bring with them a smorgasbord of priorities, agendas, alliances, personalities and biases."

Legislators and Staff

The nation's 7,383 state legislators are elected to represent the constituents in their districts. Most legislators are policy generalists, not experts, though some have expertise in one or more policy areas. Regardless, they vote on issues from A to Z—agriculture to zoning—and may benefit from your first-hand experience working with infants and toddlers and their families.

Some legislators hold leadership positions within the legislature. They generally are the speaker of the house, speaker pro tempore, senate president, senate president pro tempore, majority and minority leaders and whips, and committee and caucus chairs. Knowing leaders' agendas can help you identify shared policy priorities and determine which proposals are most likely to gain support.

Know Your Legislators

It is wise to be familiar with the personal and professional backgrounds of state legislators. This will help you make authentic connections as you build your relationship with them.

Financial compensation for legislators varies widely; however, most legislators receive only small stipends and have other jobs. In fact, in many states, a legislator's paycheck does not cover his or her job-related expenses. In 2017, salaries ranged from as low as \$100 per legislative session in New Hampshire to more than \$104,000 per year in California's full-time legislature. Only 12% of state legislators classify their full-time occupation as legislator. Common occupations for legislators include attorneys, educators, consultants, farmers and ranchers, and other forms of self-employment. In 2015, approximately 8% of legislators were retired from their primary occupation.

While we don't have data on how many infant-toddler professionals serve as legislators, one can assume the number is small, making your job as a resource even more important. On the other hand, many state legislators are parents and grandparents, and connecting to their personal experiences with infants and toddlers can be helpful.

To learn more about the demographics of your state legislature, visit NCSL's [Legislatures At-A-Glance](#).

Source: [Who We Elect: The Demographics of State Legislatures](#), NCSL, 2015.

Legislative staff also play important roles in the legislative process. Many legislatures employ permanent, nonpartisan staff to conduct research on issues that may be considered during the legislative session. In addition, legislatures have legal staff, librarians and fiscal analysts. Permanent professional staff, particularly in the 15 states with term limits, are the keepers of institutional memory.

Some legislators have personal staff who, like their members, come and go with elections. They often will be your first point of contact.

Legislative Sessions

States vary in how long legislators are in session, from nearly year-round legislatures like California, Illinois, Massachusetts, Michigan, New Jersey, Ohio, Pennsylvania and Wisconsin, to sessions that last less than two months, such as in Florida, Louisiana, Utah and Wyoming. Montana, Nevada, North Dakota and Texas meet every other year. Knowing when your state legislature is in session is critical. See NCSL's [State Legislative Session Calendar](#) for more information.

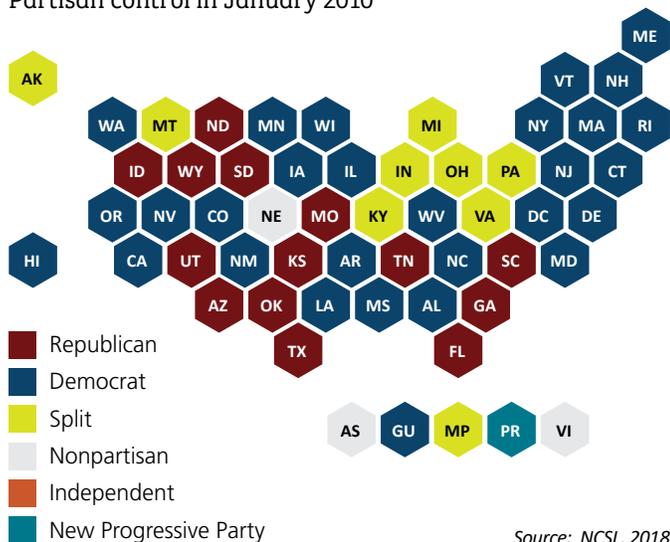
The Importance of Elections and Partisan Composition

Infant-toddler professionals looking to communicate with legislators should not underestimate the role of elections and political makeup within each state and across the nation. In 2018, 6,069 of 7,383 state legislative seats nationwide were up for election. In the same election, 36 states chose governors. About 1,500 of the elected legislators were new to the legislature after the 2018 elections. On average, 20% of legislators are new each election cycle, which can make it difficult to build deep knowledge about wide-ranging policy issues, budgets and the legislative process. The maps below show stark differences in the political makeup of the country between 2010 and 2018.

State politics can change dramatically with just one election, and with that so do your opportunities to advance prenatal-to-three legislation. The day after an election, people in the state legislature face new colleagues, shifts in the balance of power and executive priorities. Consequently, your strategies for communicating with legislators may need to change. At a minimum, the work you did to educate legislative leaders, committee chairs or your own representative last year will need to be updated and repeated.

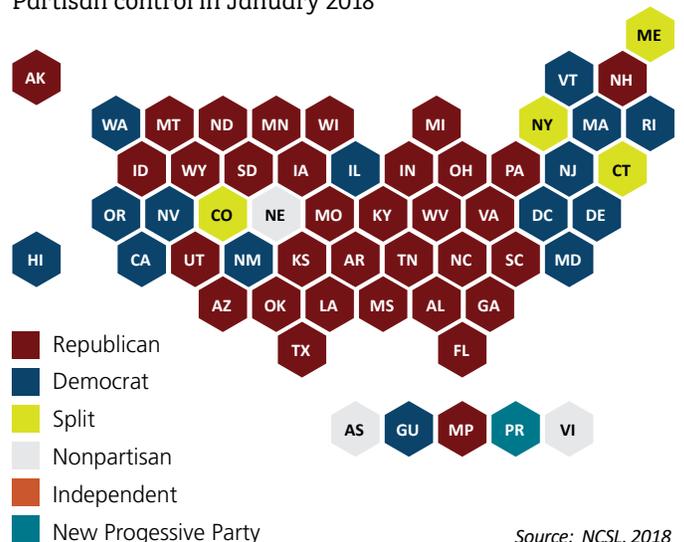
2010 Legislative Partisan Composition

Partisan control in January 2010



2018 Legislative Partisan Composition

Partisan control in January 2018



Know the Rules of the Legislature

Every legislative body has rules that affect the legislative process, including limits on how many bills a legislator can introduce in a session, deadlines for introducing bills, and the process for assigning bills to a committee. Understanding the rules in your state is critical because they determine the timing and flow of bills through the legislative process and shed light on the pressures legislators face.

If you want to provide input on a bill before a committee, you need to know when committee hearings take place and the rules for presenting testimony. While the process may seem cumbersome, the rules were designed to protect against a rush to judgment and ensure policies are reviewed by many people before going into effect. Learn more about how to testify before a committee on infant and toddler issues [here](#).

How Can I Learn About My Legislature?

Now that you understand state legislatures in general, it's time to learn more about the people and processes in your own state. A good place to start is your state legislature's website, which typically includes personal pages for each legislator, links to bills and statutes, the state constitution, session calendars, and in many states, options to livestream or watch recorded committee hearings. (NCSL's [Legislatures At-A-Glance](#) has links to state legislature websites.)

Questions to Ask Yourself:

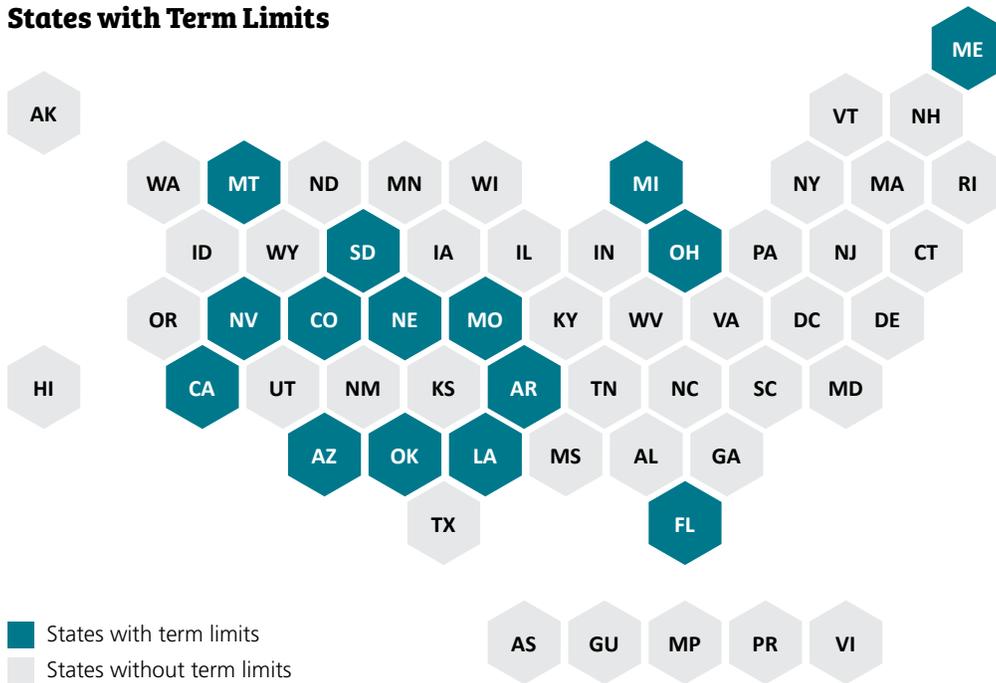
- Who are my state representative and state senator?
- Where do they stand on issues important to me?
- Who are the legislative leaders in my state and how well-versed in infant and toddler issues are they?
- Does my state legislature have a children's caucus? If so, which legislators are members? (See page 8 for more information about children's caucuses.)
- How are nonpartisan professional staff structured in my state legislature?
- What is the party makeup of my legislature?
- What is the legislative calendar in my state?
- What is the deadline for filing a bill?
- What is the process for public input during committee hearings?
- How can I find out the status of a bill or the committee to which it has been assigned?

Understand the Context in Which Legislators Work

Anyone trying to participate in the legislative process should understand the constraints legislators commonly face. Although the constraints are real, most legislators see themselves as students and are eager to learn. Being aware of these factors can lead to more effective communication with legislators. Challenges include the following:

- **Steep learning curve.** About 20% of legislators are new each election, and it is a challenge for them to learn about all the policy issues brought before them, as well as the budgeting and legislative processes.
- **Information overload.** Legislators make decisions about hundreds of policy topics each session. On average, more than 109,000 bills are [introduced](#) in state legislatures across the country each year. While not all legislators are deeply involved with every bill, they do need to know enough to vote.

States with Term Limits



Source: NCSL, 2018

The infant and toddler policy area itself is wide-ranging—from federal and state funding to services and interventions, program quality, workforce development, and health and well-being outcomes. Legislation affecting infants and toddlers may be part of a larger effort to improve early care and education, health, social services and workplace protections, such as paid family leave.

- **Term limits.** In the 15 states with [term limits](#), only a small number of legislators are likely to have institutional memory and deep policy knowledge. This dynamic can present opportunities for infant-toddler professionals to educate lawmakers.
- **Limited public resources.** Legislators must make tough choices when allocating limited resources across competing priorities. Learning more about your state’s [budgeting process](#).
- **Timing matters.** Meeting with legislators when they are not in session can be effective because they have more time for learning and connecting. On the other hand, most legislators have other jobs to return to following session and may live long distances from the state capital. No matter when or where you meet with legislators, be brief, be prepared and be respectful. Visit NCSL’s [State Legislative Session Calendar](#) webpage to see your state’s schedule.

Ways to Engage Legislators

- Sharing stories about the effect early care and education programs have on children and their families, as well as the challenges families face, helps legislators understand the consequences of inadequate staffing, eligibility and enrollment issues, and other real-world considerations.
- Inviting legislators to your program to see firsthand how high-quality infant and toddler services benefits kids and their families can build support for a policy or program. Learn more on how to plan an effective [site visit](#).
- Similarly, organizing parents and their children to visit legislators at the capitol to talk about their personal experiences with an early childhood program allows legislators to hear parents’ perspectives. Learn more about how to arrange a [capitol visit](#).

Four Strategies for Effective Communication

1. Establish Relationships with Key Legislators and Staff

One of your first steps should be identifying the committees of jurisdiction for infant and toddler issues. The presiding officer of each chamber appoints members to committees to consider and make recommendations concerning bills, resolutions and other related matters. How bills get assigned to the different committees varies from state to state. Once you've identified the committees, you can zero in further on the committee members who have the greatest influence. This may not be your own representative, and in fact, it likely will be the committee chair or another member with interest in infant and toddler policies. When you're ready, request a meeting with these legislators, and position yourself as a knowledgeable and dependable resource. In short, establish yourself as a go-to person on infant and toddler issues.

Committees of jurisdiction for infant and toddler issues vary by state and cross many jurisdictions and interest areas, among them health and human services, early intervention, education, public assistance and mental health. Typically, infant and toddler legislation goes through the health and/or human services committees in each chamber, which means communication and relationship-building must include a broad set of legislators and legislative staff.

In some states, the best way to reach legislators may be by building a relationship with key staff members. Contact them periodically to remind them you are interested in being a resource. A good time to contact them, for example, might be on the heels of newly released data; you can help them interpret the data and discuss ways the legislature might address issues the data highlights. Even seasoned legislators need access to current data and objective analysis of evolving issues.

If your professional capacity restricts you from such activities, consider working through your organization's government relations staff or other influential people who are allowed to contact legislators. You could also offer your expertise and assistance to a community-based advocacy organization.

Another way to develop relationships with legislators is to engage with legislative children's caucuses. Children's caucuses allow stakeholders to access legislators with a professed interest in children's issues. Many meetings are open to the public and provide a venue to discuss infant and toddler issues. The box on page 8 outlines key features of legislative children's caucuses.

KEEP IN MIND

- Learn about your state's [budgeting process](#), from the governor to the legislature, as early as possible. Your goal is to have funding for the programs and practices you care about included in the governor's recommended budget. Budgeting processes vary by state, and most states have a webpage that summarizes the process.
- Become legislators' source for information on an infant-toddler program and where you can bring professional expertise and personal experience. Above all, be trustworthy. Legislators do not like surprises.
- Understand and respect that some lawmakers will not be receptive to using tax dollars to support infant and toddler programs and services.
- Cut to the chase with your information, make sure your facts are correct, be honest about the pros and cons of policies, and be responsive to their requests—legislators often need concise information fast.
- Develop a compelling narrative. Infants and toddler issues are not well publicized and may not be well understood or seen as a responsibility of government. Facts coupled with powerful stories illustrate why the well-being of babies and toddlers may be a state concern. For sample messages, visit the *Think Babies™* [toolkit](#).

Legislative Children’s Caucuses

Children’s caucuses are legislative affinity groups focused on public policy issues affecting children and families. At least seven states have children’s caucuses. The oldest was established in Hawaii in 1994. Children’s caucuses help legislators build knowledge and connections and develop strategies to support issues of mutual importance. They are also a venue for infant-toddler professionals to interact with legislators.

State highlights:

- **Colorado’s Children’s Caucus** organizes four to five educational programs for lawmakers each session.
- **Connecticut’s** Early Childhood Caucus meets weekly to discuss issues and pending legislation.
- **Delaware’s** Legislative Kids Caucus presents an annual legislative platform.
- **Hawaii’s** Keiki Caucus meets annually with nonprofit leaders, educators and other stakeholders to develop a [package of legislation](#) to be introduced by caucus members.
- **Maine’s** Early Childhood Caucus meets several times each session to hear from experts on brain science, child care and early childhood issues.
- **New Hampshire’s** Legislative Caucus for Young Children proposes and monitors legislation and gathers information from nonprofit organizations and agencies serving children at an annual forum.
- **Pennsylvania’s** Early Care and Education Caucus supports programs that promote health and educational development for at-risk children.
- **Wisconsin’s** Legislative Children’s Caucus offers opportunities for legislators to learn about early brain development and effective early learning.

2. Network with Other Individuals and Organizations

Building or joining a network of individuals or organizations working on related issues can be an effective strategy. Find out what professional associations or advocacy organizations are operating in your state. The [National Association for the Education of Young Children](#), [Alliance for the Advancement of Infant Mental Health](#), and [Child Care Aware® of America](#) likely have chapters in your states. In addition, ZERO TO THREE’s [Think Babies™](#) campaign is active in [six states](#). Quite often these organizations have research and analysis on families’ needs and policy alternatives, and they may also have guidance on how to navigate the legislature in your state.

Another method to indirectly educate policymakers is to raise important issues with the people and organizations that legislators rely on for information. This includes researchers, foundations, advocacy organizations, civic organizations, labor unions, business associations, state agencies and the media.

KEEP IN MIND

- Build or reach out to an existing network and speak as a group.
- Collaboration or [coalition building](#) can be difficult. You may not agree on everything, but you can come together on shared issues and speak with a common voice.
- Keep individuals and groups with similar interests apprised of your activities, even if you don’t have a formal collaboration. You may find additional areas where you can support each other when the lines of communication are open.

3. Engage with Legislators in Their Communities

Connecting with legislators about specific issues in their districts often is an effective strategy. When legislators are not at work in the capitol, they often are interacting with their constituents at [town hall meetings](#) and other public events and increasingly through social media. Visit the *Think Babies*[™] [toolkit](#) to better understand how to talk about infant and toddler issues in your community. After an in-person interaction, calling or emailing a legislator's local office to reinforce your message is a good idea.

KEEP IN MIND

- Avoid information overload by prioritizing the issues most critical to you and most salient in the current political environment.
- Suggest topics for others to highlight when communicating with legislators. For example, consider identifying the hot topics of the day or explaining what new legislators need to know about infant and toddler development and well-being. Piggybacking on major news events, like new federal funding for child care and home visiting, is another strategy.
- Let people know what information you have now and what you can access with more time. Keep it readily available and follow up promptly if they call.

Effective Communication with Legislators

NCSL routinely surveys state legislators and staff about their preferred methods of communication. Because of time and resource constraints, legislators have distinct preferences for how they receive information.

- **Information and analysis should be unbiased and objective.** Even if they already have taken a position, legislators want to know both sides of an issue so they are prepared to defend their position. This does not mean you have to present an opponent's argument, but do not hide opposition where it exists or mislead legislators.
- **Information should be concise and to the point.** Short publications that link to more in-depth information for those who want it tend to be most effective.
- **Humanize the issues through anecdotes.** Legislators rely on practitioners who work directly with families to share the personal stories about individuals who would benefit from new policies.
- **Consider the best method for communicating information:** meetings, emails, phone calls, social media, letters, testimony at a committee hearing, and making your position known through the media.
- **Put your information in context.** While your issue might be of national significance, present how it specifically affects the people in your community or state.
- **Use data wisely.** Two or three compelling and reliable statistics, paired with personal stories, likely will have greater impact than a long list of numbers.

4. Frame Your Message

Careful framing of your message is essential. Governors and state legislative leaders generally establish priority issues for each legislative session. Quite often states are dealing with tight budgets. Therefore, cost-effectiveness and careful use of limited resources is often the filter through which legislators evaluate policy proposals and funding requests. But that's not always the case.

Questions to ask yourself:

- How does the issue affect individuals, families and businesses in the district and state? What are the costs and benefits of a specific program or bill? What is the expected return on investment? Again, share your personal story as an infant-toddler professional and how early childhood programs can make a difference for children and families in the district and state.
- Has a program or strategy been implemented elsewhere with positive results? Could it be replicated in your state?
- What are the consequences of not acting? For example, explain what is known about [early childhood brain development](#) and why acting early is important. (See box on [framing approaches](#).)
- Would new efficiencies make programs more effective or less costly?

Carefully choose the words and images you use to increase the odds that people will pay attention to your message. People bring their own experiences and frames of reference to bear, and the words or images you use can determine whether your audience will be open to the message or turn away from it. Creating receptive listeners requires that you pay attention to how you frame an issue so people feel that it benefits everyone. Ideally, messages should align with “big ideas” or shared beliefs, such as responsibility, prevention or success. Use your expertise as someone who works with infants and toddlers to make the connection that early childhood is a good investment.

Examples of How to Frame ECE Messages

- Window of opportunity, as defined by brain development
- Return on investment, measured by some of the world's leading economists
- Improved outcomes in other publicly funded programs
- Increase in school readiness for young children
- Investing in our future workforce
- Investing in our future military preparedness
- High-quality early childhood programs as a crime-reduction strategy

More Information

For more information on state legislatures and early care and education issues, visit www.ncsl.org. Learn more about birth-to-three issues from [ZERO TO THREE](#) and the [Think Babies™ Campaign](#).

■ Think Babies™ Resources

- Learn how to frame infant and toddler issues using [Think Babies™ key messages](#).
- Visit [Think Babies™](#) for information on how to research infant-toddler organizations in your community, develop a professional network, and build communication infrastructure for your network.
- Use the [Think Babies™ toolkit](#) for tips on talking about infant and toddler issues and hosting [town hall meetings](#).
- Visit [Strolling Thunder™](#) to learn about events happening in state capitols.

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