Policy Tracker



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There are numerous types of barriers to achieving equitable and effective online learning.



These include:

- A lack of resources and equipment (e.g., computers and internet access)
- The challenge of student disengagement
- Meeting the needs of students with disabilities
- Language barriers
- Students' home environments
- Lack of training for educators on how to teach remotely

BARRIERS TO ONLINE EDUCATION

Context and significance

With Pennsylvania's schools closed as a result of the COVID-19 pandemic, school districts have continued teaching their students remotely. However, guidance from the Pennsylvania Department of Education has been limited; the DOE states that schools are expected to offer Planned Instruction (formal teaching and learning), and that they may also offer Enrichment and Review (informal activities to reinforce or extend learning), but school entities are largely responsible for determining how to implement continuity of education.1

The capacity for remote education varies considerably between different schools and districts-while some school districts have been able to adapt well to the transition, others are struggling to meet the needs of all their students. There are numerous types of barriers to achieving equitable and effective online learning. These include a lack of resources and equipment (e.g., computers and internet access), the challenge of student disengagement, meeting the needs of students with disabilities, language barriers, students' home environments, and a lack of training

for educators on how to teach remotely, among others.

An analysis by the Brookings Institution found that projections for student achievement during the pandemic are "deeply concerning," as students are expected to lose substantial amounts of progress in their learning.² It is also likely that the varying capacities of schools to transition to remote learning will worsen existing disparities along racial and economic lines.3 Although schools in some counties are scheduled to begin reopening in the coming months, the Commonwealth should take action to prepare its schools for the possibility of another outbreak or similar crisis.

Opportunities for action

Pennsylvania could implement a number of measures to overcome the challenges associated with remote education. First, the Commonwealth could work to ensure that all students have access to computers and broadband internet, so they can reliably participate in online learning activities. Many students—particularly those from low-income households

EDUCATION

OPPORTUNITY #1:

Work to ensure that all students have access to computers and broadband internet, so they can reliably participate in online learning activities



OPPORTUNITY #2:

Invest in professional development for educators so they can become more proficient in remote teaching. and those living in rural areas—may not be able to access electronic learning platforms at home. School districts could consider building a supply of laptops or similar devices to loan to students who would not otherwise be able to participate in remote learning. In some cases, school districts have also been able to partner with internet providers to offer more affordable internet access to students' households.

School districts may also benefit from investing in professional development for educators so they can become more proficient in remote teaching. Many teachers have not had experience conducting classes online prior to the pandemic, and they may not know how to engage effectively with students from a distance. Professional development could help teachers familiarize themselves with best practices for remote learning, including how to

take advantage of any accessibility tools that are available for students with disabilities.⁴ It is possible that students may begin to lose interest or disengage with their schools if they do not feel connected to their teachers or peers. Bob Balfanz, a professor at the Johns Hopkins School of Education, recommends that schools adopt a principle of "connectedness," in which they make an effort to keep students socially engaged by encouraging extracurricular activities, peer groups, and communication with teachers and counselors.⁵

Pennsylvania should consider taking a combination of actions to ensure that all students have equitable access to quality education, even when schools are closed.

[&]quot;COVID-19 Guidance and Answers to Common Questions," Pennsylvania Department of Education, 2020, https://www.education.pa.gov/

Schools/safeschools/emergencyplanning/COVID-19/Pages/AnswersToFAQs.aspx.

2lim Soland et al., "The impact of COVID-19 on student achievement and what it may mean for educators," The Brown Center Chalkboard, May 27, 2020, https://www.brookings.edu/blog/brown-center-chalkboard/2020/05/27/the-impact-of-covid-19-on-student-achievement-and-what-it-may-mean-for-educators/.

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3Andrew Myers, "After COVID-19: Recalibrating the American educational system," Johns Hopkins University, April 7, 2020, https://hub.jhu.edu/2020/04/07/bob-balfanz-education-reform-covid-19/.

^{*}Kristin Blagg, Erica Blom, Megan Gallagher, and Macy Rainer, "Mapping Student Needs during COVID-19: An Assessment of Remote Learning Environments," The Urban Institute (April 29, 2020).

*Myers, "After COVID-19."





FACTS ABOUT FOOD WASTE:

About 50% of all produce in the United States is thrown away



60 million tons of food WASTED



\$160 billion WASTED



CREATING MORE RESILIENT AND EQUITABLE FOOD SYSTEMS

Context and significance

As the novel coronavirus, or COVID-19, began to impact our area and the Commonwealth as a whole, many residents experienced and witnessed panic buying, empty shelves, and product limits. The latter two still remain. As the economic and supply chain effects of COVID-19 continue, we are experiencing meat shortages and cost increases as meat packing facilities are shut down due to large numbers of infected employees. Thanks to social media and the news, many have seen videos of dairy farmers dumping millions of gallons of milk, rows of tomatoes, strawberries, and other produce rotting in fields, and livestock being euthanized due to lack of demand and the need to cut losses.1

This seems counterintuitive when shelves are bare, but this is due to panic buying rather than a lack of product. Lockdowns and quarantines, the shutdown of schools, restaurants, and more, have caused a huge lack of demand in agriculture. These huge excesses of product have led to a massive amount of food waste.

About half of all produce in the United States is thrown away, equating to 60 million tons or \$160 billion, an amount that makes up about one third of all foodstuff. The average family in America wastes \$1,500 on food that is thrown away.2 Food waste also takes up the most space in landfills. Large amounts of food in the US are left to rot in fields, even before the coronavirus, as well as fed to livestock or brought straight to a landfill due to cosmetic standards for fresh produce. Produce that has slight blemishes or is the wrong shape sometimes doesn't make it to the grocery stores, and if it does, many stores routinely throw it out.3

In order to combat and lessen the large amount of food going to waste, as well as help residents increase their food security, policymakers can create and advocate for legislation that protects the rights of their constituents to grow and raise their own food, as well as legislation that reduces, regulates, and repurposes food waste.



OBSTACLES FOR
HOMEOWNERS GROWING
FOOD:



- Local zoning ordinances can restrict residents' ability to grow food
- City codes can eliminate or ban frontyard gardens
- Ordinances can ban residential vegetable gardens for aesthetic purposes

Opportunities for action

The number of homeowners who have started growing their own food has increased in past years; in 2009 almost one third of American households raised some combination of fruits and vegetables. In 2014 this number grew by 17 percent.⁴

In 2009 almost one third of American households raised some combination of fruits and vegetables



Local zoning ordinances can restrict residents' ability to grow fruit and vegetables. Residents in Florida, Massachusetts, and Oklahoma have had their gardens destroyed by local officials after being told their gardens violate local zoning codes. Some use gardens during hard times to provide food for their families.

In July of 2019, Florida passed a law stating that towns in the sunshine state can no longer ban residential vegetable gardens for aesthetic purposes. In 2007, officials in Sacramento, CA, updated the city's code to eliminate a ban on frontyard gardens. In 2010, Berkley, CA, government encouraged residents to raise edible gardens and Seattle "eased restrictions on a host of homebased agricultural practices."

State legislators can advocate for protections for resident growers who do not intend to sell their produce (as otherwise ruled under the Cottage Food Law under Limited Establishments) by amending the Municipalities Planning Code.

Lawmakers can also institute policies to reduce food waste by mandating the sale and donation of imperfect, excess, unsold food. France banned supermarkets from throwing away food in 2016; they must compost or donate all expiring or unsold food. The law states that grocery stores of a certain size must donate unused food or face a fine. It also states that schools must teach about food sustainability, companies must report food waste statistics in environmental reports, and restaurants must make to-go bags available to customers.

Legislators can also advocate for expanding programs like Fresh Food Farmacy and nonprofit grocery stores in low-income communities. Fresh Food Farmacy is a program that allows and encourages patient participants to manage their medical conditions through food-behavior and lifestyle changes. To enroll, patients are screened for Type 2 diabetes with hemoglobin HbA1c greater than 8.



OPPORTUNITY #1:

Advocate for protections for resident growers who do not intend to sell their produce.

OPPORTUNITY #2:

Lawmakers can also institute policies to reduce food waste by mandating the sale and donation of imperfect, excess, unsold food.

OPPORTUNITY #3:

Advocate for expanding programs like Fresh Food Farmacy and nonprofit grocery stores in low-income communities

Fresh Food Farmacy is a program that allows and encourages patient participants to manage their medical conditions through food-behavior and lifestyle changes.

Patients are able to pick up food on a weekly basis, take part in the education aspect of the program, and meet with their care team for advice and guidance. Foods available to patients are all diabetes appropriate. There are three Farmacies: Lewistown, Scranton, and Shamokin. The food supplied to Fresh Food Farmacies is donated or sold at a low cost to the Farmacy by Central Pennsylvania Food Bank or CEO Weinberg Regional Food Bank, wholesale food distribution, and retail stores. The program has seen great improvement in patients' health and lower healthcare costs. In 2018, the Allegheny Health Network used the model established by Geisinger Health System to set up the Healthy Food Center. State or federal legislators could work to secure funding streams and/or provide technical assistance in order to make these successful programs available in more communities.

Another way to mitigate the amount of food waste would be to redistribute unused and unsold food from grocery stores and restaurants. In New York City, City Harvest, a registered 501(c)(3) nonprofit organization, redistributes food from donors (which include restaurants, retailers, grocery stores, manufacturers, hotels, farms, corporations, and wholesalers) to food pantries, free of charge. The nonprofit has a variety of programs including food rescue and delivery, mobile markets, nutrition education, and healthy retail. In Boston, Daily Table, a nonprofit grocery store in a lowincome neighborhood, sells healthy excess food donated by or sold at deep discounts by companies looking to sell items that are close to expiring. It is located in an area where more than 45 percent of households have incomes less than \$40,000.

Legislators could advocate for a stateor nonprofit-owned grocery store in low-income food deserts that supply healthy foods at a deep discount while mitigating food waste. This would not only help residents financially, but it would also positively impact their health, which in turn would reap benefits for the state along the line.

¹Adam Jeffery and Emma Newburger, "Wasted milk, euthanized livestock: Photos show how coronavirus has devasted US agriculture," CNBC, May 2, 2020, https://www.cnbc.com/2020/05/02/coronavirus-devastates-agriculture-dumped-milk-euthanized-livestock.html.

²Mathy Stanislaus, "Recognizing Leaders in Food Waste Reduction this Holiday Season," The EPA Blog, November 22, 2016, https://blog.epa.gov/2016/11/22/recognizing-leaders-in-food-waste-reduction-this-holiday-season/.

³Adam Chandler, "Why Americans Lead the World in Food Waste," The Atlantic, July 15, 2016, https://www.theatlantic.com/business/archive/2016/07/american-food-waste/491513/.

⁴Baylen Linnekin, "Local Laws Ban Front Yard Food Gardens in Cities Across the US," Earth Island Journal (November 16, 2016), https://www.earthisland.org/journal/index.php/articles/entry/local_laws_ban_front_yard_food_gardens/.

⁵The Florida Senate. CS/SB 82.

⁶Linnekin, "Local Laws."

⁷David Templeton, "Fresh food 'farmacy' opens at West Penn Hospital," Pittsburgh Post-Gazette, April 17, 2018, https://www.post-gazette.com/newshealth/2018/04/17/Fresh-food-farmacy-opens-at-West-Penn-Hospital/stories/201804170023.





UNEMPLOYMENT DATA

Since March 21, 2020, Lackawanna County alone has seen over 11,000 unemployment claims. In Luzerne County, this total is over 18,500.



STRENGTHENING AND MODERNIZING SAFETY NETS FOR UNEMPLOYED WORKERS

Context and significance

Unemployment levels have spiked to the highest levels in recent memory. Since March 21, Lackawanna County alone has seen over 11,000 initial unemployment claims. In Luzerne County, this total is over 18,500. The rate of claims peaked in late March through early April, though a high volume of claims persists, totaling over 1,000 per week for the two counties through the most recent data ending May 16th. The COVID-19 pandemic has led to an unprecedented surge of unemployment filers.

Systems in place to process
Unemployment Compensation (UC)
claims and get workers assistance
have been tested, and appear to be
overwhelmed.

A federal program administered by the states, UC is the primary safety net for workers who become unemployed. In good economic times, the UC system is not a political priority. As a result, this has led to a cycle of disinvestment in the systems that provide unemployed workers with the benefits to which they are entitled. In many states, this has included significant drawdowns of state unemployment

trust funds, insufficient staffing to process claims quickly, and outdated technical infrastructure. In several states. UC administration has reportedly been hindered by a lack of programmers experienced in COBOL, a computer programming language used by many state UC systems but not widely taught and sometimes perceived as outdated.1 It is crucial that even when unemployment drops, the Department of Labor and Industry and the General Assembly prioritize modernizing and improving the capacity of the UC claims system so, in the event of a future economic shock, displaced workers can get access to benefits quickly and efficiently.

Opportunities for action

Potential changes could also include adjustments to benefits themselves. One possible reform would be to index unemployment benefit levels with the unemployment rate, to encourage rapid reentry into the workforce during times of low unemployment, and expanded and/or extended benefits during times of higher unemployment. Reform could be tied to a replenishment of

UNEMPLOYMENT

POSSIBLE UNEMPLOYMENT REFORM

- Index unemployment benefit levels with the unemployment rate
- Encourage rapid reentry into the workforce during times of low unemployment



 Expanded and/or extended benefits during times of higher unemployment Pennsylvania's unemployment trust fund, an important investment in the long-term sustainability of the UC system. In the wake of COVID-19, the state's unemployment trust fund could face insolvency if high unemployment persists. Due to the Great Recession, Pennsylvania was one of numerous states that exhausted its unemployment trust fund and had to borrow from the federal government to fund its UC program.²

There is also significant variation between states in how benefits are administered, even including substantial differences in benefit amounts. The CARES Act, passed in March, adds \$600 per week in supplemental benefits, as well as expanded eligibility to include freelance, self-employed, and gigeconomy workers under the Pandemic Unemployment Assistance Program (PUA).3 As freelance, gig-economy, and other independent positions have become more ubiquitous, state and/ or federal legislators should consider ways to extend at least some level of unemployment protections to workers outside the traditional employeremployee relationship.

As significant public funds are expended to provide this safety net, it is important to ensure that those funds are used effectively by those who need them. Concerns of fraud have been brought to the surface recently. Media reports from within Pennsylvania cite instances of fraudulent claims through identity theft, resulting in individuals receiving unemployment checks they did not apply for.4 While Pennsylvania was not one of several states mentioned as targets of foreign scammers in a recent Secret Service report, Pennsylvania should continue to be vigilant in identifying fraud. During times of exceptional unemployment, the Department of Labor and Industry should also invest in education and outreach to inform the public of the risks of fraud, as it appears that most UC fraud perpetrators target individuals directly with techniques such as phishing.5

Another safety net that protects workers at risk of unemployment is the WARN Act. The WARN Act is a federal law that requires employees and local officials to receive notice 60 days in advance of a mass layoff or plant closure. Complex rules are used to establish if a layoff or closure is subject to WARN Act requirements. Numerous states have implemented state WARN Acts to expand upon the federal act. Pennsylvania could consider this route in order to further protect unemployed workers and ease the impacts of downturns such as the COVID-19 pandemic.





WHAT IS THE WARN ACT?

The federal Worker Adjustment and Retraining Notification Act (WARN) is a law that requires employers to provide advance notice and planning mechanisms to their workforce and communities, in the event of a qualified plant closing or mass layoff. The United States Department of Labor (DOL) has set guidelines for employers to properly follow WARN requirements.

Under WARN, generally, employers with 100 or more full-time workers (total) must provide written notice at least sixty (60) calendar days in advance of covered plan closings and mass layoffs.8

In some states, such as New York, state policy expands the WARN Act directly by bolstering the definition of mass layoff and/or extending the required notice (from 60 to 90 days, for example). The WARN Act could be a useful tool in smoothing difficult economic transitions, especially if this time is effectively used by coordinated worker retraining and job placement services. A statewide WARN Act could also expand on these responses by local workforce development agents. Earlier this year, New Jersey amended its state WARN Act to become the first state to mandate severance pay for employees affected by mass layoffs.⁶ The significant hardships on many businesses during the COVID-19 pandemic seems to demonstrate a need to maintain exceptions for faltering businesses or emergencies, in alignment with the federal WARN Act. New Jersey's WARN Act (including severance pay

requirements) was waived for COVID-19-related layoffs after pressure from the business community.⁷

While there is a need to mitigate fraud and ensure long-term program solvency (both through new investment and benefit reform), the COVID-19 pandemic illustrates that the UC system must be accessible, in order to provide economic assistance quickly when displaced workers need it. Additional protections for workers (such as WARN notices. worker retraining, and job placement services) are also an important aspect of the unemployment safety net. The economic impacts of cyclical downturns, as well as exceptional circumstances like the COVID-19 pandemic, can be better managed when displaced workers can be provided with income stability and assistance in returning to work as quickly as feasible.

Emily Stewart, "The American Unemployment System is Broken by Design," Vox, May 13, 2020, https://www.vox.com/policy-and-politics/2020/5/13/21255894/unemployment-insurance-system-problems-florida-claims-pua-new-york.

scammers-targeting-pennsylvanias-unemployment-system/32677138#.

5Lily Newman, "The Nigerian fraudsters ripping off the unemployment system," Ars Technica, May 25, 2020. https://arstechnica.com/information-technology/2020/05/the-nigerian-fraudsters-ripping-off-the-unemployment-system/.

⁶Tracey E. Diamond and Lee E. Tankle, "Slate of N.J. Laws Require Severance Pay in Mass Layoffs and Increased Penalties for Worker Misclassification," Troutman Pepper Insights, January 29, 2020, https://www.troutman.com/insights/slate-of-nj-laws-require-severance-pay-in-mass-layoffs-and-increased-penalties-for-worker-missclassification.html.

⁷Lynne Anne Anderson and Alexa E. Miller, "New Jersey Delays Amendments to the New Jersey WARN Act and Provides Relief to Employers Amid the COVID-19 Pandemic," The National Law Review (April 15, 2020), https://www.natlawreview.com/article/new-jersey-delays-amendments-to-new-jersey-warn-act-and-provides-relief-to-employers.

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²Dave Fidlin, "Analysis: Pennsylvania's unemployment trust fund faces insolvency as pandemic continues," The Center Square, May 26, 2020, https://www.thecentersquare.com/pennsylvania/analysis-pennsylvania-s-unemployment-trust-fund-faces-insolvency-as-pandemic-continues/article_7a99014a-9f97-11ea-975c-6f05ac3bc0e8.html.

³Nicole Clark, "Gig Workers Can Qualify for CARES ACT Unemployment Aid," Bloomberg Law, May 6, 2020, https://news.bloomberglaw.com/daily-labor-report/insight-gig-workers-can-qualify-for-cares-act-unemployment-aid.

4Paul Van Osdol, "Scammers targeting Pennsylvania's unemployment system," WTAE, May 26, 2020, https://www.wtae.com/article/



FAST FACTS

GROWING TREND OF HOUSING INSECURITY

More than 40 percent of all renter households in Pennsylvania are considered cost-burdened.



In 2018: Median Income for Renter Households\$35,600 Median Rent\$927

% of Income for Rent 31.2%

Source: U.S. Census Bureau. American Community Surve

COST-BURDENED:
30% or more of monthly
income is spent on
housing costs
(such as rent and
utilities).

SUPPORT FOR RENTERS AND LANDLORDS

Context and significance

Even before the beginning of the coronavirus pandemic this spring, housing insecurity was common among low-income households in Pennsylvania and throughout the United States. More than 40 percent of all renter households in Pennsylvania are considered "cost-burdened," meaning they spend 30 percent or more of their monthly income on housing costs (such as rent and utilities). Now, the public health crisis and resulting economic downturn have led millions of Americans to file for unemployment. This loss of wages has made the timely payment of rent impossible for many families and individuals. When households are unable to pay rent, they face the prospect of being evicted from their homes. Eviction is a traumatic experience that can have various negative consequences in the long run; for example, eviction can negatively affect health outcomes, educational attainment, and the ability to find housing in the future. The inability to pay rent does not only affect renterslandlords rely on rent payments from their tenants in order to pay for their own expenses, such as bills, mortgages, and property maintenance.

The Pennsylvania Supreme Court had ordered a moratorium on evictions

and foreclosures until May 11, and Governor Tom Wolf's administration extended the order until July 10. However, it is unclear what will happen after the moratorium ends. Without a detailed plan for addressing the needs of renters and landlords, it is likely that some renters will owe multiple months' rent (and late fees) by July. There is currently no guarantee that households will be able to pay this debt when rent is finally due. Because of this, the eviction moratorium may simply be postponing an eviction crisis in the Commonwealth. In order to prevent such a crisis, Pennsylvania should take action to ensure that the short- and long-term needs of tenants and landlords are met.

Opportunities for action

Pennsylvania could implement a number of measures to prevent an eviction crisis. One particularly helpful action would be to establish a rental assistance program, which would involve offering financial assistance to households that are struggling to pay rent due to pandemic-related hardship. Rental assistance programs have been proposed as a response to COVID-19 in multiple states and cities; in Delaware, Governor John Carney has announced a program that will



OPPORTUNITY #1:

Establish a rental assistance program, which would involve offering financial assistance to households that are struggling to pay rent due to pandemic-related hardship.

OPPORTUNITY #2:

Develop pre-filing eviction mediation programs.
These programs encourage tenants and landlords to undergo a mediation process (with guidance from a neutral third party) before an eviction is formally filed.

IMPORTANT NOTE:
After this brief was produced, the state implemented a rental assistance program with funding from the CARES Act.

provide up to \$1,500 in assistance for renters affected by the pandemic. These payments will be made directly to landlords and utility companies, with funding coming from counties and the Delaware State Housing Authority. The City of Philadelphia has also launched an emergency rental assistance program, which will provide up to three months of assistance to low-income households. Philadelphia's program is funded through a community development block grant under the federal CARES Act, and is expected to serve approximately 3,000 households.2 Pennsylvania could consider adopting a statewide program with a similar model. By helping tenants pay their rent, the Commonwealth could prevent families from losing their homes while mitigating the pandemic's effect on landlords.

Another possible solution is to develop pre-filing eviction mediation programs. These programs encourage tenants and landlords to undergo a mediation process (with guidance from a neutral third party) before an eviction is formally filed. Philadelphia recently completed a pilot mediation program, and the city is now considering expanding the program

for another year.³ Through mediation, tenants and landlords can resolve conflicts without going to court.

Investing in legal counsel may also be an effective measure for preventing evictions; most tenants facing eviction do not have legal representation when they go to housing court, while nearly all landlords have lawyers. Again, Philadelphia offers an example-last fall, the city passed a law ensuring a right to free counsel for low-income households facing eviction. A study by the Philadelphia Bar Association found evidence that a \$3.5 million investment in a right-to-counsel program could not only help renters keep their homes, but also save the city over \$45 million in costs related to homelessness and displacement.4

The Eviction Lab at Princeton
University offers many other
recommendations for action at the
state level, such as sealing court
eviction records (which make it
difficult for households to find new
homes) and prohibiting late fees and
rent raises.⁵ Pennsylvania should
consider these and other options for
reducing harm to renter households
and property owners.

[&]quot;Webinar: COVID-19: statewide advocacy for rental assistance to stabilize low income households and the rental housing market," The Housing Alliance of Pennsylvania, May 20, 2020, https://housingalliancepa.org/webinar-covid-19-statewide-advocacy-for-rental-positioned to stabilize law income households and the contable positioned to stabilize law income households and the contable positioned to stabilize law income households and the contable location growth.

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[&]quot;Jake Blumgart, "Study: Spending now on legal aid would save city down the road," WHYY, November 13, 2018, https://whyy.org/articles/study-philly-tenants-facing-eviction-too-often-lack-legal-representation/.

^{5&}quot;COVID-19 Housing Policy Scorecard Methodology," The Eviction Lab, April 20, 2020, https://evictionlab.org/covid-housing-scorecard-methods/.



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