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# Educational Service Units

## Interim Study Report on Legislative Resolution 336

Prepared by the L.R. 336 Staff  
2006 Interim

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Interim Study Report on Legislative Resolution 336

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## Introduction

Educational Service Units (E.S.U.'s) are political subdivisions that serve as intermediate level education service agencies for member school districts. Educational Service Units (E.S.U.'s) were created by the Legislature in 1965 as cooperative programs to make services more cost effective for school districts. There are currently 17 E.S.U.'s providing services to 261 public school districts. Educational service units provide core services for school districts, which include staff development, technology, and instructional materials. Beyond the core services, E.S.U.'s determine the services to be offered based on the needs of their member school districts.

Regional service agencies are present in over half of the states. The method of selecting the board varies, but most are either elected by the public or selected by local school boards. A more in depth analysis of the selection process is contained in the section on Governance.

In addition to regional service agencies, county or regional superintendents are publicly elected in at least parts of Arizona, California, Illinois, and Montana. In New Jersey, county superintendents are appointed by the chief state school officer, and in North Dakota by county commissioners. Nebraska allows for county school administrators to be appointed by county boards, but eliminated the elected office of county superintendent as of June 30, 2000.

Educational Service Units have been studied on several occasions. The most significant studies were in 1986 by the Legislature and in 1995 by the Department of Education. This review builds on the prior studies and examines the current status of E.S.U.'s, including changes implemented as a result of the preceding efforts.

The study was conducted by a staff group consisting of legislative staff from the Education Committee, staff from the offices of members of the Education Committee, and staff from the Legislative Fiscal Office. The staff group conducted the study using several methods. First historical research was done beginning with the prior studies and building on the information they provided. The Legislative Fiscal Office provided updated financial information. Internet resources were used to derive national information. The staff group then visited six E.S.U.'s, met with representatives from seven additional E.S.U.'s, and invited the other four E.S.U.'s to provide input. The staff group also gathered information through surveys sent to each E.S.U. and each school district. The surveys replicated the surveys from 1986 and 1995. However, the redundancy of the responses on the E.S.U. surveys in this study indicated efforts by a number of the E.S.U.'s to coordinate their answers. This effort compromised the quality of information by limiting the perspectives that were shared with the study group. The E.S.U. survey utilized open-ended questions, resulting in a narrative description, rather than a quantitative summary.

This report looks at four categories of issues: Boundaries, Governance, Finance, and Services. The report is organized according to those categories. Under each category is a background section, a section discussing potential issues, and a section indicating possible changes. The potential issues and possible changes do not necessarily reflect the views of the staff group that compiled this report or the views of the Education Committee, but rather

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represent concerns and ideas that have been brought forward over time or in the process of this study.

The statutory requirements governing E.S.U.'s are generally contained in the Educational Service Units Act, which has been copied into Appendix C of this report. However as a political subdivision other provisions also apply, such as the Nebraska Budget Act, the Elections Act, and the Interlocal Cooperation Act.

The Department of Education has also issued two rules regarding E.S.U.'s. Rule 84 is the accreditation rule for E.S.U.'s. Rule 85 provides the procedures for E.S.U. reorganizations. Copies of both rules are contained in Appendix D.

In the visits to E.S.U.'s and with E.S.U. staffs, there was generally an eagerness to show how much had been accomplished with limited funding. There was a definite emphasis on economic efficiency and the delivery of services. However, a major concern for most E.S.U.'s was inability to provide more services due to financial constraints.

## Legislative History

Portions of this history were adapted from the September, 1995 report entitled "Nebraska's Educational Service Units: A Historical Summary", written by Laurie Will and Larry Scherer and edited and revised by Dennis L. Pool. For a year by year legislative history, see Appendix E.

### Initial Education Service Unit Legislation

The establishment of Educational Service Units (E.S.U.'s) in Nebraska can be traced to work completed by Dr. Rosalie Farley, then a University of Nebraska - Lincoln professor in the College of Education, Department of Administration. Beginning in 1954, Dr. Farley conducted a yearly 3-credit hour graduate workshop which examined the Office of the County Superintendent. While many inadequacies of this office were discussed in the early years of the workshop, it was not until the early 1960s that the concept of an intermediate unit was mentioned with emphasis on how this could provide an answer to the service needs of the smaller school districts in Nebraska. The actual notion of intermediate educational units was brought by some of the county superintendents who were aware of this educational trend through contact with the National Association of Rural Education.

The purpose behind the concept of Education Service Units was to provide equal educational opportunity to all students in Nebraska by creating an entity which could provide supplemental services to school districts upon request. For example, smaller districts could not always afford to provide special education services. Because of the few students needing services, it was not feasible to hire specialists within the school system. Educational Service Units could provide the services which the school districts could not afford because the E.S.U.'s would be serving a larger population. Thus, a few special education instructors could supply services to many school districts. Additional supplemental services might include guidance counseling, library and media centers, and vocational education.

The actual introduction of the concept of Educational Service Units to the Nebraska Legislature came about through Dr. Farley's personal acquaintance with Senator Richard Marvel. Their informal discussions on education touched upon this new concept and Senator Marvel shared the idea with Senator Ross Rasmussen, the Education Committee Chairman. Together Senator Rasmussen and Senator Marvel introduced LB 301 in 1965, which established Educational Service Units in Nebraska.

The supporters who lobbied for passage of LB 301 consisted of county superintendents, school district superintendents, Anne Campbell (who later became Commissioner of Education), lobbyists for Nebraska State Education Association, and Dr. Dale Hayes (head of UNL's Department of Education Administration). Both Dr. Farley and Dr. Merle Stoneman, also from the Department of Education Administration, and Dr. Stoneman's graduate assistant, Dr. Dave Hutchinson, provided their assistance as consultants to the lobbying groups and Senators. Dr. William Schroeder, Nebraska Department of Education Field

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Services, provided technical assistance in drafting the bill and later served as the Department's consultant on Educational Service Units.

A key argument for the passage of the E.S.U. legislation was provided by the structure of federal education assistance. Federal funds were available through the Elementary-Secondary School Act to school districts with either 100 students from families with annual incomes of less than \$2,000 or to school districts where 3% of the district's students were from poor families. Federal stipulations, however, required at least 10 children to be in the district in order to be eligible to receive these funds. Because of the small number of students in so many of Nebraska's rural school districts, rural districts were generally unable to receive these funds. Supporters of LB 301 argued that Educational Service Units would provide a vehicle to receive federal funds by creating a legal entity that would group together districts in order to create a larger student base to meet the eligibility criteria for these federal funds.

Opponents of the bill consisted of the Nebraska School Improvement Association, a group comprised of persons primarily from Class I and Class VI school districts, the Rural School Boards Association, the Farm Bureau Federation, and initial opposition from the Omaha Public School District.

Arguments in opposition to the establishment of the Educational Service Units in Nebraska included a fear of losing local control, fear of future costs escalating, and a general belief in not accepting federal funds, which was mainly expressed by Morris George of the Rural School Board Association. Furthermore, opponents felt there was no need for the additional services and that any needed services could be provided by the county superintendents.

Three areas of compromise from the original bill included the Office of County Superintendent, unit boundaries, and a county opt-out and opt-back-in provision.

Initially, the proponents of establishing Educational Service Units in Nebraska hoped to abolish the Office of County Superintendent. Interestingly, a majority of the county superintendents themselves supported this idea, while it was the officials in the counties with small districts who opposed it. Because of the controversial nature of this concept and the perceived need that the Educational Service Units should be established and functioning before the Office of County Superintendent was abolished, the issue of abolishment was never included in the final draft of LB 301.

The issue of unit boundaries also became an area of compromise. As introduced, LB 301 called for 20 service units. This number was amended down to 19 units by shifting around some counties at the preference of the Senators servicing those areas. The final selection of boundaries was influenced by population, land valuation, enrollment, service needs, and Senator input.

A final area of compromise involved the voluntary nature of the act. As first introduced, LB 301 required all counties to be part of an Educational Service Unit. An amendment was later adopted to allow counties to be excluded from the E.S.U. by filing a petition signed by 5% of

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the voters in each school district, of at least three-fifths of the districts within the county, to place the question of exclusion on the ballot. The issue would then be decided by the voters during the next general election. The original opt-back-in provision of this amendment required 50% of the board of education presidents in the county to apply for inclusion. Senator Ruhnke, a vocal opponent of the bill, viewed this re-inclusion provision as a way of circumventing the wishes of the county residents. At Senator Ruhnke's request, Senator Rasmussen introduced an amendment which was adopted that provided the same process for re-inclusion as for exclusion of a county from an Educational Service Unit.

Following extensive debate and the adoption of several compromise measures, LB 301 was adopted by the Legislature with a vote of 25-17-7 and signed by Governor Frank Morrison the following day, August 10, 1965.

### A Constitutional Challenge

The constitutionality of the statutes (Neb. Rev. Stat. §79-2210) which authorize Educational Service Units to levy a tax was challenged in 1967 with the case, Frye vs. Haas, (182 Neb. 73).

At the time, other political subdivisions filed their budget and proposed levy with the county treasurer, and the Board of Equalization and Assessment actually set the levies. Educational Service Units, however, certified the tax levy directly to the county treasurers. The plaintiffs argued that the latter procedure denied their due process of law by not providing suitable notice and opportunity to be heard.

The court ruled in favor of E.S.U.'s, stating that the E.S.U. tax is a general tax, not a special tax, and therefore it need not be subject to judicial inquiry. The statute authorizing the levy serves as notice and an opportunity to be heard does exist. Although the opportunity to contest the tax does not occur prior to assessment or levy, the court held that due process does not require an opportunity to be heard at any particular stage in the proceedings, as long as such an opportunity exists at some point in time. Due process sufficiently exists with the statutory avenues for appeal which exist prior to the tax becoming irrevocable.

This procedure to establish the E.S.U. levy was changed by LB 1433 in 1969. To date, no further challenges to the procedure for establishing an E.S.U. levy have been made.

### A Reformation

In the mid-1980's questions began to surface regarding the responsibilities of E.S.U.'s and the programs they provided. Legislation enacted by LB 994 in 1984, which placed the E.S.U.'s under the administrative supervision of the Nebraska Department of Education, made E.S.U.'s responsible for providing a number of programs and services to school districts on behalf of the state. This change caused some confusion between the role of the Department of Education and the E.S.U.'s. In 1986, LB 997 provided for school districts to opt out of their E.S.U. with a majority vote by their local school board. With this change, some larger districts chose to leave their E.S.U. This left some E.S.U.'s with a diminished



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support base and questions began to arise regarding role and mission of the E.S.U.'s. Questions also arose regarding their financing, governance, boundaries, services, and the requirements of districts who participate in E.S.U. programs. LB 997 provided for an "E.S.U. Planning Study" to be conducted to provide clear direction to answer these questions.

As a result of this Planning Study, a set of documents were issued in September of 1986 by the Nebraska Legislative Council's Legislative Research Division. These documents were instrumental in the formulation and discussion of proposed legislation. In 1987, the Legislature's Education Committee introduced LB 866 to implement many of the recommendations proposed from the E.S.U. Planning Study. This legislation was enacted and provided a window of opportunity for schools to opt out of their E.S.U. After an initial period, school districts would work through regulations established by the State Board of Education to change the boundaries of the E.S.U. The legislation also established a requirement that the Department of Education provide regulations by which E.S.U.'s were accredited and governed. These regulations, promulgated as Rules 83 and 84, currently define the governance and operation standards for all seventeen E.S.U.'s.

### State-Wide Technology Projects

Legislative Bill 348, introduced by Senator Ron Withem in 1993, established the requirement that E.S.U.'s, in cooperation with the Department of Education, provide school districts with access to telecomputing resources (Internet) and provide training to meet school district's telecomputing needs. This legislation allowed the E.S.U.'s to begin linking together the computing resources which had developed in the state. As the technology infrastructure became available, school districts were able to link to their local E.S.U. access to additional educational resources. To provide for these services, E.S.U.'s were given the additional taxing authority of 0.5 of a cent on each \$100 of assessed valuation. In 1995, LB 860 further provided that half of the E.S.U.'s technology levy could be used to assist school districts with their costs to connect to the network.

In 1995, the Legislature adopted Senator Bud Robinson's LB 860, which stated an intent that all K-12 public school districts have a direct connection to a statewide public computer information network by June 30, 2000 and provided multiple funding mechanisms. Distance education was added to the statewide telecomputing efforts with Senator Curt Bromm's LB 833 in 2001. The measure provided for distance education network completion grants to be funded from lottery funds for 2001-02 and 2002-03.

The latest legislative effort for statewide technology coordination was passed in 2006. Legislative Bill 1208, introduced by Senator Ron Raikes, implemented the recommendations of the Distance Education Enhancement Task Force created by LB 689 in 2005. The measure requires E.S.U.'s to assume responsibility for distance education services from distance education consortia for member school districts on July 1, 2007. To coordinate the distance education services statewide, the measure created a Distance Education Council made up of representatives from each Educational Service Unit.

## Boundaries

### Background

The boundaries for E.S.U.'s are based on the member school districts in each E.S.U. Generally the school districts eligible for membership in a particular E.S.U. are those with their headquarters in one of the counties that was originally assigned to the E.S.U. Two E.S.U.'s serve only one school district. Educational Service Unit 18 serves the Lincoln Public School District and Educational Service Unit 19 serves the Omaha Public School District. Educational Service Units vary greatly in the number of students served, the geographic size, sparsity, and resources.

#### Characteristics of E.S.U.'s

Students	1,833	to	62,673
Square Miles	110	to	13,476
Students/Square Mile	0.26	to	335.03
Valuation/Student	\$ 338,361	to	\$ 682,228
Aid & Taxes	\$ 454,972	to	\$5,310,867
Aid & Taxes/Student	\$ 88	to	\$ 248

A list of the member districts for each E.S.U. is available in Appendix B.

In order to change the boundaries of an E.S.U., a petition to the State Board of Education may be initiated by a resolution adopted by a majority vote of any E.S.U. board or any school board or by a petition signed by 10% of the legal voters of an E.S.U. or school district. The procedures for changing E.S.U. boundaries are contained in §§ 79-1206 to 79-1211 of the Nebraska Revised Statutes, (See Appendix C).

There have been two E.S.U. mergers in the last ten years. In 1998, the former E.S.U.'s 12 and 13 merged to become a new E.S.U. 13. Educational Service Unit 13 then merged again in 2005 with E.S.U. 14, while maintaining the E.S.U. 13 name.

There were two questions on the school district survey that address the issue of boundaries. The first question asked if all districts should be required to participate in an E.S.U. Respondents were evenly split on the question with 50% indicating "yes" and 50% responding "no". Interestingly, the responses to this question in the two previous instances of the survey were also evenly split. In 1995, 47.41% of respondents answered "yes" compared to 46.55% "no". In 1986, the responses were 49.4% "yes" and 43.1% "no". The second question asked if E.S.U. boundaries are set up in the best way to enhance their role of providing supplemental services. Sixty-six percent answered "yes" and 19% answered "no" in the current survey, (See Appendix I and Appendix J).

The E.S.U. questionnaire results were relatively uniform on the issue of boundaries. A question was asked about the factors that should be considered in determining boundaries in an effective and efficient E.S.U. Most included distance, geography and sparsity, number of

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students, and proximity to students and schools. Many indicated that “trust and communication” should be considered in the development of boundaries. A couple surveys indicated that the notion of “market areas” should also be given consideration, (See Appendix K).

### Issues

#### School District Participation

At various points in the history of E.S.U.'s, the question has arisen as to whether or not all school districts should be required to belong to an E.S.U. The E.S.U. survey presented that question as well. The uniform answer from E.S.U.'s was not to allow schools to opt out, (See Appendix K). However, as stated above, the school district surveys were evenly split on the question of mandatory participation.

#### Assimilation of Class I School Districts

When Class I school districts were assimilated, the E.S.U. boundaries were not modified. Legislative Bill 126 did not address the issue and the State Board of Education does not have the authority to modify E.S.U. boundaries without the filing of a petition by an E.S.U. or school district. A related issue is the former Class I districts that were not part of an E.S.U. One of the questions on the E.S.U. survey asked about that situation. While most E.S.U.'s are not impacted, there was a suggestion that boundary changes be made to incorporate the former Class I school districts, (See Appendix K).

#### Single District E.S.U.'s

Educational Service Units were originally created to give small school districts some of the advantages of economies of scale. One condition for gaining the advantage of E.S.U.'s was that the school districts had to work together in a cooperative fashion. Single school district E.S.U.'s do not have that same requirement for gaining the current rewards of participation in an E.S.U. Some of the benefits of E.S.U. membership for the Omaha Public School District and the Lincoln Public School District are access to core services funding, E.S.U. levy authority, and budget exceptions accessed through interlocal agreements between the school districts and the E.S.U.'s.

#### Geographic Size

There are concerns that any changes in boundaries may create E.S.U.'s that serve a geographic area that is too large for services to be delivered in a cost effective or educationally effective manner. Some services need to be delivered face to face. There are also concerns about losing the benefit of casual communication if infrastructure and bureaucracy becomes too large.

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## Equity

There is a concern that if school districts were allowed to choose their E.S.U., the decisions could exacerbate the inequity between E.S.U.'s.

## Necessity of Boundaries

Boundaries are necessary as long as E.S.U.'s rely on property taxes for funding and elected board members for governance.

## Policy Alternatives

### Freeze the Current Boundaries

The current boundaries could be frozen by the elimination of the current reorganization procedures.

### Allow E.S.U.'s to Modify Boundaries As They Deem Appropriate

There have been two instances where E.S.U.'s have chosen to merge without direction from the Legislature.

### Align E.S.U. Boundaries to Reflect Assimilation of Class I Districts

E.S.U.'s could change their boundaries to reflect the assimilation of Class I districts using the current reorganization process. If the Legislature required the alignment, then all voters would be in the E.S.U. that was providing services for their school district and all property within a school district would be taxed by the E.S.U. serving the district.

### Align E.S.U. Boundaries with Community College Areas

The general concept of aligning E.S.U. boundaries with Community College Areas was introduced in AM3575 to LB 1206 in 2004 just days before the Legislature adjourned sine die. However, in the development of the amendment, it was recognized that there would need to be some deviation to accommodate actual school district boundaries and geographic challenges presented by the Community College Area boundaries. If this change were implemented today, the number of E.S.U.'s would be reduced from 17 to 6. One of the purported advantages of the plan would be improved collaboration between community colleges and E.S.U.'s in the provision of higher education opportunities for students in member school districts.

### Require E.S.U.'s to Realign Boundaries to Reduce the Number of E.S.U.'s

The Legislature could determine the number of E.S.U.'s and require the existing E.S.U.'s to develop a plan. The Legislature could require that the plan consider additional goals in the

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formulation of new boundaries. Such additional goals could include equity in valuation per student, the total number of students served, and the total square miles served.

### Require E.S.U.'s to Have More Than One Member School District

The Legislature could require that by a set deadline all E.S.U.'s have a minimum number of school districts.

### Eliminate E.S.U. Boundaries

If the E.S.U. boundaries were eliminated, the current E.S.U.'s could serve any school district on a contract basis. The governance would need to be modified and the levy authority could be returned to the school districts.

## Governance

### Background

Educational Service Units currently have a bifurcated governance structure. Elected boards have most of the responsibility for governing E.S.U.'s. However, property taxes and core services state aid can only be spent for purposes approved by two-thirds of the member school districts and the approving school districts must represent at least a majority of the students in the member school districts.

Except for E.S.U.'s 18 and 19, each elected board is composed of one member from each county and four members at large. All members are required to reside in the boundaries of the E.S.U. and no more than two of the members at large may be from the same county, unless any county in the E.S.U. has a population of over 150,000 or there is only one county in the E.S.U.

There are several different methods across the country for selecting board members for regional education entities. Generally, the boards are elected or appointed. There are boards that are elected by the general electorate and there are boards that are elected by the school board members of the member school districts. In other states the member school districts appoint the board. Other appointed boards are appointed by other local political subdivisions or the Governor. Some states vary the selection method depending upon certain characteristics of the regional entity. One state includes a Department of Education representative on each board.

In addition to Nebraska, there are six other states that have elected regional boards. Those states are Alaska, Iowa, Michigan, Ohio, Oregon, and Rhode Island.<sup>1</sup>

Arkansas, Connecticut, Indiana, Minnesota, New York, Pennsylvania, South Dakota, Vermont, Washington, Wisconsin, and Wyoming represent the eleven states that have boards appointed or elected by local school boards or districts. In Colorado and New Mexico boards are appointed by participating local school boards and postsecondary institutions. In Georgia, the boards are composed of the superintendents, the administrator of each participating postsecondary institution, and an appointed library director.<sup>2</sup>

In California county boards of education are elected, except in Los Angeles County the board is appointed by the Los Angeles County Board of Supervisors. In Illinois, regional boards are elected, but there is not a regional board for the Chicago public schools. In New Hampshire, over half of the administrative units serve a single district and are governed by the district board. Those serving multiple districts are appointed by local school boards. In Massachusetts, members are either appointed by local boards of selectman or elected to represent a town. New Jersey has boards elected by school board members, except the board

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<sup>1</sup> Education Commission of the States

<sup>2</sup> Education Commission of the States

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of the only educational improvement center is appointed. In Texas, the regional boards are elected by the local school board members, except in two counties the boards are elected by the voters.<sup>3</sup>

The boards in West Virginia are composed of a county school board member, the superintendent of the county, and a state department of education representative. The county school board member is elected by the participating county school boards. That member then determines the county superintendent representative.<sup>4</sup>

South Carolina county boards have members appointed by the Governor on the recommendation of the senator and at least 50% of the members of the house from the county. In the county superintendent is elected, they serve ex-officio. Delaware has vocational school district boards appointed by the Governor.<sup>5</sup>

The following twenty states do not have regional boards: Alabama, Arizona, Florida, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Mississippi, Missouri, Montana, Nevada, North Carolina, North Dakota, Oklahoma, Tennessee, Utah, and Virginia.<sup>6</sup>

Two questions related to E.S.U. governance were asked in the 2006 school district survey. A majority of respondents indicated a desire to maintain elected E.S.U. boards. Of note, the 2006 survey included the additional option of composing E.S.U. boards from school board members. That option garnered 13%, compared to 0.9% and 1.72% on past surveys when additional options were limited to “other”. An additional 3.9% chose “other” on the current survey, (See Appendix I and Appendix J).

E.S.U. respondents generally expressed support for the current core services approach in which the general service areas are defined, but specific services are determined locally. A combination of both state direction and response to local demands was the consensus. Some concern was indicated about the increasing focus on meeting state and federal demands, (See Appendix K).

## Issues

### Relationship Between Advisory Councils and E.S.U. Boards

The boards of E.S.U.’s are responsible for setting the budgets, levying the taxes, and generally managing the E.S.U.’s. However, the board is limited in its authority to spend property tax revenues and core services state aid without the approval of the advisory council. This bifurcated governance structure has the potential to cause conflict. However, none of the E.S.U. surveys indicated any issues between the boards and the councils, (See Appendix K).

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<sup>3</sup> Education Commission of the States

<sup>4</sup> Education Commission of the States

<sup>5</sup> Education Commission of the States

<sup>6</sup> Education Commission of the States

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## Quality of Candidates for E.S.U. Boards

E.S.U.'s board membership is not a high profile office. Some people believe that the lack of visibility may allow candidates to run for office who lack educational knowledge, experience, or interest. Concern about lack of input from member school districts led to the implementation of the bifurcated structure with LB 806 (1997).

## Size of E.S.U. Boards

As E.S.U.'s become larger in an attempt to gain economic efficiencies, the number of board members increases. E.S.U. 10 currently has the largest board with 15 members. It can be challenging for large boards to operate effectively.

## One Person One Vote

If challenged, a court may find that the E.S.U. board structure violates the principle of "one person one vote." In 1968, the U.S. Supreme Court held that the Midland County Board of Commissioners in Texas was required to comply with the "one person one vote" standards.<sup>7</sup> However, that ruling indicated that the principal would not apply to special purpose districts that did not have general governance functions. In 1970, the Court appeared to modify the earlier decision in holding that the Junior College District of Metropolitan Kansas City was also required to meet the "one person, one vote" rule.<sup>8</sup> A similar decision was again issued by the U.S. Supreme Court in 1989 with regard to the New York City Board of Estimate.<sup>9</sup>

The counties that are within an E.S.U. will generally vary in population, which gives a different weight to votes from each county. Furthermore, there are instances where only part of a county is in an E.S.U. There are also instances where some of the territory of an E.S.U. is in a county that is not represented by a county representative on the E.S.U. board. Voters in those areas may only serve as, and vote for, at large candidates.

## Statewide Coordination

The E.S.U. administrators have organized into the Educational Service Unit Administrators' Association (E.S.U.A.A.) in order to provide a statewide platform for coordination and communication between E.S.U.'s. However, coordinated efforts are usually in the form of interlocal agreements that may or may not include all of the E.S.U.'s. The attorney general recently stated that the E.S.U.A.A. violates the open meetings law when it conducts the business of the interlocal agreements at the E.S.U.A.A. meetings. A complaint has been filed by the Keith County Attorney alleging such violation, (See Appendix F).

All of the E.S.U.'s indicated in their surveys that they participate in some form of service coordination. This coordination may exist on either a statewide or a regional level depending on the service and the partnerships developed. Some of these partnerships are formalized in

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<sup>7</sup> Avery v. Midland County, 390 U.S.474

<sup>8</sup> Hadley v. Junior College District, 397 U.S. 50

<sup>9</sup> New York City Bd. Of Estimate v. Morris, 489 U.S. 688



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interlocal agreements, others seem to be by contract, and some are listed as “partnerships”. Among the services shared are special education, distance learning, internet, training for E.S.U. staff, media distribution, and cooperative purchasing. In one case, a regional group of E.S.U.’s works jointly on providing core services, while individual E.S.U.’s also partner for other services, (See Appendix K).

### Relationship Between E.S.U.’s and the Department of Education

The view on the relationship between E.S.U.’s and the State Board of Education appears fairly consistent over the last 20 years. Few school districts believe that E.S.U.’s should be under the direct control of the State Board. A majority of respondents expressed support for the State Board to play a role in some capacity. However, there are varying levels of support for what that role should be, (See Appendix I and Appendix J).

In the E.S.U. surveys, there is a clear indication that most E.S.U.’s believe that their relationship with the Nebraska Department of Education is a partnership of a cooperative nature in assisting schools to meet requirements of the state and federal government. Many E.S.U.’s suggested that the relationship is a good one, while there is some indication that others occasionally believe that the appropriate roles are in question, causing strain and frustration. Even in the cases where some level of frustration exists, there was a recognition of a partnership role, where the E.S.U. is the local service provider, with expertise and direction provided by the Department.

One respondent referred to E.S.U.’s as a “conduit”, while another referred to their role as a “buffer”. One response also stated that the provision of direct services by the Department to school districts is a disturbing trend, (See Appendix K).

## Policy Alternatives

### Maintain Current Governance Structure

The Educational Service Unit governance structure could remain unchanged.

### Election Districts

Each E.S.U. could be divided into a set number of election districts for the election of board members.

### School Board Members as E.S.U. Board Members

E.S.U. boards could be appointed by member district school boards. There could be a requirement for the appointee to be a member of the school board, the superintendent, or meet some other qualifications.

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### Statewide Governance Structure

The Distance Education Council could be replaced with a more general statewide coordinating entity. The membership could be composed of E.S.U. administrators, with advisory committees providing input on statewide efforts, such as distance education, coop purchasing, etc.

### State Board of Education

Educational Service Units could be brought under the control of the State Board of Education.



## Finance

### Background

Educational Service Units currently derive most of their funding from four sources: property taxes, state aid for core services and technology infrastructure, contracts with school districts, and grants from state, federal, and private sources.

Statewide the general fund revenues for 2004-05 were derived 14.6% from property taxes, 17.5% from state funds, 35.3% from contracted services, 32.7% from grants and other sources. See Appendix G for further information and for the individual E.S.U. breakdowns.

Property taxes for E.S.U.'s are limited to \$0.015 per \$100 of assessed valuation. The levy for E.S.U.'s prior to LB 1114 in 1996 was limited to \$0.035 per \$100 of assessed valuation plus an additional \$0.005 for technology infrastructure.

Core services funding was adopted in 1997 in response to the impending implementation of stricter levy limitations and a study conducted by the Department of Education. The formula for core services funding recognizes both the basic costs of providing core services and the costs associated with varying student populations. The formula divides the appropriation by the number of students served statewide and distributes the per student amounts to the E.S.U.'s based on the number of students served at the E.S.U., except that each E.S.U. is guaranteed to receive at least 2.5% of the appropriation.

The technology infrastructure funding was adopted one year later after it was discovered that there had been a misunderstanding about the removal of the separate levy limit for technology infrastructure. The same formula applied to both core services and technology infrastructure funding until this past session. The Legislature modified the infrastructure formula with the adoption of LB 1208 to recognize differences in the costs of telecommunications services and data transmission. The modified formula continues to distribute the appropriation based on the fall membership of member districts, except that the minimum amount to be received by any E.S.U. is equal to 2.5% of the appropriation plus 85% of the net costs for telecommunications services, access to data transmission networks, and transmission of data on such networks. Reimbursements from the Universal Service Fund, commonly called e-rate reimbursements, are subtracted from the actual costs to arrive at the net costs.

Three questions on the school district survey relate specifically to E.S.U. levy authority. School districts overwhelmingly indicated that the current levy should be retained and that the levy authority should rest with the E.S.U. Eighty-two percent responded "yes" when asked if the current levy authorized by statute to fund E.S.U.'s should be retained. With regard to where that levy authority should reside, only 1.9% of the school districts responded that the E.S.U. levy should be shifted back to local school districts. These results are consistent with previous surveys, (See Appendix I and Appendix J).

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Approximately 44% of respondents to the current survey felt that the E.S.U. levy is too low and none of the respondents indicated it was too high. This is a fairly dramatic change from the past two surveys. Previously, only 8 to 10 percent believed the levy was too low, 10 to 14 percent thought it was too high, and roughly two thirds felt the levy was adequate. In the current survey, a little less than 55% responded that the levy was adequate, (See Appendix I and Appendix J).

### Issues

#### Overall Funding Level

E.S.U.'s have over \$17.5 million less potential funding under the current levy limits and core services funding than they had under the old levy limits without state aid. However, if the actual previous levies are used, the loss is reduced to \$9.5 million, (See Appendix G). A uniform answer from the E.S.U.'s about the appropriateness of the funding recognized the lack of overall resources, (See Appendix K).

#### State Funding

State funding has been unstable for E.S.U.'s. Core services funding began in the 1998-99 fiscal year with an intent for funding increases to reflect student increases and the basic allowable growth rate.<sup>10</sup> If the funding had increased according to the intent language, the current appropriation would be \$3.6 million higher. Some of the reason for the instability in funding is a result of the most recent budget crisis.

#### Core Services Funding

Educational Service Units almost universally seem to believe that the state funding for core services is inadequate when they have to use property taxes to help fund those services. Core services are defined in statute, not as a state funded function, but rather as the fundamental services that each E.S.U. should provide to member school districts. State aid for core services was added to assist with providing these services, much like state aid to school districts assists the districts in providing education.

#### 1% Funds

The E.S.U.'s have an interlocal agreement to pool 1% of their core service funding for joint projects. There have been concerns raised that the use of the 1% funds occurs outside of public scrutiny, (See Appendix F).

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<sup>10</sup> § 79-1241.01, R.S.SUPP., 2006

### Reliance on Grant Funding

E.S.U.'s are currently very reliant on grants as a source of funding for the services provided. A concern with funding formula and overall funding of E.S.U.'s is expressed in a couple of responses as forcing E.S.U.'s to rely more on grant funding even in areas that might be considered core services, (See Appendix K).

Grants are a two edged sword in terms of funding sources. Grants allow E.S.U.'s and school district to provide services and educational opportunities that would otherwise not be available. However, grants are often only a temporary funding source used for experimentation or to promote prevailing political priorities. The amount of reliance varies between different E.S.U.'s, often due to levels of expertise in grant writing. The variance may also be due to the risk tolerance of the E.S.U. administrator, staff, or board.

### Budget Reserves

There is a wide range in the budget reserve percentage reported by individual E.S.U.'s. Responses range from about 14% to 30% with an average around 20%. Respondents with the lowest percentages indicated that the amount was the most they could afford. The preferred reserve amount was probably between 20 to 25%. There is a theme among the responses that reserves are important due to reliance on grant funding and other funding that comes in arrears, (See Appendix K).

### Interlocal Agreements and Budget Lid Exceptions

As the Distance Education Enhancement Task Force discussed the transfer of responsibility for distance education services to the E.S.U.'s, it became clear that an important factor in the existing arrangement of distance education consortia was the reliance on interlocal agreements and the resulting budget lid exception. Because of this factor, additional budget authority was granted to school districts to accommodate the transfer to E.S.U.'s. Additionally, the visits with E.S.U.'s 18 and 19 revealed the use of interlocal agreements between the school district and the E.S.U. to allow both entities to access budget exceptions that would otherwise not be available.

### Equity

There seems to be general agreement that there is not currently equity between E.S.U.'s. However, equity is challenging to measure due to the variety of needs of school districts across the state. The difference between \$88 of aid and taxes per student and \$248 of aid and taxes per student would seem to be quite telling in itself. However, the E.S.U. with the \$248 of aid and taxes per student has one of the smallest student bases and some of the higher transportation costs. Just like in financing school districts, there are more factors involved in addressing equity than the dollars per student. Some of the factors that may be considered could include: sparsity, total square miles, teacher salaries in the area, and the need for the E.S.U. to create economies of scale that do not exist within the member school districts.

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Most of the E.S.U.'s indicated that the funding formula does not address funding for E.S.U.'s serving rural school districts, (See Appendix K).

### Reorganization

Surveys and E.S.U. visits indicate the rural E.S.U.'s with declining populations are under funded. However, others will argue that the 2.5% minimum in the distribution formula provides enough funding for smaller E.S.U.'s to continue and therefore discourages consolidations that could result in a more effective and efficient delivery of services.

The funding system with a minimum base also provides disincentives for E.S.U. mergers. However, the distribution formulas for core services and technology infrastructure funding provide a two year hold harmless following an E.S.U. merger.<sup>11</sup>

### Disparities in Resource Growth

As a general rule valuation growth often follows population growth. With the current funding system for E.S.U.'s, growth in students results in additional state aid and growth in valuation results in additional property taxes. With the rough correlation between student growth and valuation growth, there are great disparities in resource growth across E.S.U.'s.

### Transportation Costs

Although the Legislature addressed telecommunications costs that are largely attributed to geographic factors, variance in transportation costs continues to be an issue that affects the services that can be offered by different E.S.U.'s.

### Contracted Services

E.S.U.'s have generally avoided charging for services, except in the areas of special education and technology services. Contracting for services could allow E.S.U.'s to provide additional services and assure that the services provided were those desired by the school districts. When asked how E.S.U.'s would deal with a levy rate reduction, full state funding, or other shortfalls, most E.S.U.'s indicate that it is difficult to address, but they would generally rely on advisory councils to shift services from levy funding to contract funding. There are also general opinions that the priorities are based on core services funding and that equity and access are enhanced by statewide coordination, (See Appendix K).

### Levy

Most E.S.U. respondents suggest that the levy rate is too low. It is also worth noting that many respondents suggested that the levy rate may be sufficient with increased funding from the state. Some point to a levy exclusion as a possible means to address the shortfall in core services funding. Also interesting is the notion that statewide collaboration is viewed as a better way to address total funding, (See Appendix K).

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<sup>11</sup> §§ 79-1241, R.R.S.2003 and § 79-1243, R.S.SUPP., 2006

## Policy Alternatives

### Maintain Current Funding Structure

The current funding structure could be maintained.

### Increase the Core Services Appropriation

The appropriations could be increased to reflect the legislative intent, including the past increases that have not occurred.

### Eliminate the Levy

The levy could be eliminated with an accompanying increase in core services. Another alternative would be to eliminate the E.S.U. levy and increase the levy limit for school districts. The expanded levy authority could be limited to the purchase of services from E.S.U.'s.

### Increase the Levy Limits

Educational Service Units often indicate a desire to return to their old levy limits. However, without an accompanying change in the distribution formula to equalize in relation to valuations, an increase in levy limits could further increase the disparity between the services that can be offered to different school districts. An increase in the levy limits could be accompanied by a decrease in core services funding.

### Contracted Services

The Legislature could mandate that E.S.U.'s charge for certain services. This would relieve E.S.U. boards of the pressure to limit services to those that can be funded through their core services and property taxes.

### Eliminate Interlocal Agreement Budget Exceptions

The budget exception for interlocal agreements could exclude interlocal agreements between E.S.U.'s and their member school districts.

### Potential Formula Modifications

Just as telecommunications charges are considered in the formula, there are other factors that could also be added to the formula. Some of these factors could include: total square miles, square miles per student, and satellite locations. The funding formula could also be modified to take into account the property tax resources that would be available to an E.S.U. at a set levy. A model that includes one approach to adding factors and equalization is contained in Appendix H.





## Services

### Background

Educational Service Units are service based agencies that respond to the needs of their member school districts by providing core services and other services requested by member districts. As a part of the Department of Education study in 1996 and the development of the provisions implemented through LB 806 in 1997, a definition of core services was developed to help focus on the services that needed to be provided by every E.S.U. Core services are defined according to the service areas of staff development, technology, and instructional materials services. Core services are required to improve teaching and student learning and to provide schools with services that are necessary, but difficult for districts to provide efficiently with their own personnel and resources. Special education was not included in core services, partially because the contractual arrangements for special education seem to work well.

According to this year's survey of school districts, the most received services statewide include staff development workshops, computer training, and technology training. Distance learning and media services are also among the top five utilized services. The highest priority rating was attributed to school age special education followed by staff development, CO-OP Purchasing, below age five special education, and distance learning. The most effective services were rated as CO-OP purchasing, school age special education, staff development, below age five special education, and the administration of federal programs, (See Appendix I and Appendix J).

Generally, it seems that the most used services are in the same or at least similar areas as those found in the 1986 and 1995 studies. Few respondents suggested many new services. However, it does seem as if the services offered are more widely used by school districts in the state. There is a strong indication that E.S.U.'s have expanded services in special education and staff development over the last 20 years, (See Appendix I and Appendix J). E.S.U.'s also indicate that they are expanding services to school districts in the area of special education, including services for the hearing and visually impaired. Services for autism and behavioral intervention, as well as response to intervention, were mentioned as growing special education services. In several cases, E.S.U.'s are operating alternative education programs for their region or expanding into early childhood education, (See Appendix K).

A few E.S.U.'s also listed new services related to staff, such as professional learning communities, mentoring, and administrator training. One E.S.U. indicated that it has recently been working on a substitute teacher program, (See Appendix K).

The expansion of these services has not apparently diminished the demand for or the provision of services in other traditional E.S.U. functions including co-op purchasing, media, and technology. Distance learning and coordination of distance learning technologies and

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services have certainly increased with the improvement in technology, (See Appendix I and Appendix J). The E.S.U.'s also listed several services in the area of technology and distance education as new. Among these are video streaming, virus and SPAM filtering, content filtering, network and technology assistance, and a variety of distance learning offerings via synchronous and asynchronous environments, (See Appendix K).

There is an indication that E.S.U.'s are increasingly being viewed by school districts as an important source of expertise in grant writing and administration for state and federal programs, (See Appendix I and Appendix J). One manifestation is the implementation of the School-Based Teacher-Led Assessment Reporting System (S.T.A.R.S.). Approximately 80% of the school districts responding to the survey access S.T.A.R.S. grants through their E.S.U., (See Appendix I and Appendix J). Most E.S.U.'s also indicated that they were involved in assessment reporting, staff training and development, and school improvement in some fashion. This includes roles in the collection and reporting of data related to NCLB and S.T.A.R.S., (See Appendix K). For example, the E.S.U. 5 PowerSchool Cooperative integrates S.T.A.R.S. assessment results with other data in the Cooperative's PowerSchool data system.

School districts strongly indicated that both supplemental services determined by the local school districts and statewide mandated services should be among the services offered by E.S.U.'s. No respondents suggested that only the mandated services be offered by E.S.U.'s, while just 9.3% indicated that E.S.U.'s should offer only supplemental services. The remaining 90.7% of respondents believed that a combination of both was appropriate. This may reflect a change from the 1986 survey when nearly 28% of the respondents indicated that E.S.U.'s should offer only locally determined supplemental services, (See Appendix I and Appendix J).

The staff group found that many of the E.S.U.'s have unique programs. E.S.U. 5 has a School Transition Specialist to assist school districts with students 15 through 21 with a verified disability. E.S.U. 3 operates the Gifford Farm Education Center to provide students throughout the metro area with an interactive experience in agricultural education. E.S.U. 4 serves as the administrative agency for the Nebraska Center for the Education of Children Who Are Blind or Visually Impaired. E.S.U. 11 hosts an annual Summer Honors Program. ESU #16 (#15 may be involved also due to joining of advisory councils) provides a mentoring program for superintendents.

Statewide initiatives also assist the provision of core services. E.S.U. 5 is the headquarters for I-Mat E.S.U.P.D.O., which is a cooperative for the purchase of media with duplication and digital rights. The cooperative ensures equitable access to media materials statewide with cost efficiencies and access to the newest releases. The titles have been aligned to the Nebraska standards. Digital media is being distributed over the Internet or through establishment of a series of computer servers at E.S.U.'s or district sites. Cooperative purchasing is another service that is coordinated out of a single E.S.U. for the benefit of school districts across the state. Co-op purchasing is consistently rated as a high priority, very effective service, (See Appendix I and Appendix J).

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There have also been instances where a program developed at an E.S.U. for its own member districts has had a statewide impact. E.S.U. 3 developed the writing assessment that is now used statewide.

The E.S.U.'s were mandated to provide internet access to school districts and are now being asked to assist with distance education through LB 1208 (2006). Many of the current distance education consortia are currently housed in E.S.U.'s, but the E.S.U.'s will officially be responsible for distance education services beginning July 1, 2007. Smaller districts tend to list distance learning among the highest priorities and most effective services, while larger districts tend to indicate that distance learning is a lower priority, (See Appendix I and Appendix J).

Most E.S.U.'s indicated that services will continue to expand to address state and federal accountability and reporting requirements. Other trends include increased services for special education, staff development, and curriculum coordination. Technology and distance education also seem to be major trends for the future according to the respondents, (See Appendix K).

Services that appear to have been reduced over the course of the three surveys include nursing and bus driver training. Those are two services that do not appear in the top 25 from at least one of the prior surveys and do not do so currently on a statewide basis. In the case of nursing services it went from among the highest priorities to among the lowest from 1986 to 2006. Materials and equipment loans remain very low in priority and effectiveness ratings statewide as is the case for data processing, (See Appendix I and Appendix J). In a few cases, E.S.U.'s also indicated a move away from equipment repairs and older technologies (i.e. mainframe data hosting). Most E.S.U.'s indicated that they have to do more with less, as they have reduced staff but not services, (See Appendix K).

Only 6.5% of school districts indicated that their E.S.U. had denied a request for services. The most common reason for denial was that the service was cost prohibitive. The types of services denied included substitute teachers, special education, staff development, health services, technology support, Title III consortium, workshops, and support for the student information system, (See Appendix I and Appendix J).

The school districts were asked to respond to two questions about private or public cooperative arrangements outside of E.S.U.'s. Nearly 44% indicated that they receive services under such an arrangement. They typically listed such services as special education, physical and occupational therapy, insurance, utilities, distance learning, technology, busing, and online assessment. When asked if these services received were more beneficial than services received from their E.S.U., the response was about 14% "yes" and nearly 65% "no". Respondents who answered "yes" and elaborated on why the service was considered more beneficial indicated that the service was a) not provided by the E.S.U., b) less expensive than the E.S.U., c) more convenient, or d) that the service quality was better. Distance was also cited as a factor, (See Appendix I and Appendix J).

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It seems clear that school districts believe that E.S.U.'s are important for the future delivery of special education, staff development, technology and distance learning. The previous surveys also had similar findings as to the importance of these types of services in the future. The 1986 survey indicated a strong role for E.S.U.'s in staff development, in-service, curriculum workshops, and coordination of shared staff. By 1995, some of the focus had shifted to technology and distance learning as a means to address shared staff and curriculum. That emphasis remains in the 2006 survey results, (See Appendix I and Appendix J).

### Issues

#### Mandated Services

There is a misperception of the intent for core services funding. The Legislature does not require E.S.U.'s to provide any particular core services, but rather provides funding that can only be used for core services. Core services funding is designed to be used in combination with other funding sources to provide such services. The complaints regarding the use of property tax funds for core services may in part be fueled by the struggle to meet local needs in an environment where resources are being directed to meeting state and federal requirements at an increasing rate.

#### S.T.A.R.S.

The implementation of the S.T.A.R.S. assessment system is not listed as a specific core service, but is being carried out through core services as the primary objective of staff development. Technology services are also being used to assist in the implementation.

#### Variability in Available Services

The availability of services varies between E.S.U.'s. Part of the variation is due to differences in the member districts being served. However, some of the variation is due to the financial circumstances of either the E.S.U.'s or the school districts.

### Policy Alternatives

#### Maintain Current Service Delivery

The current service structure could be maintained.

#### Statewide Coordination

State and/or regional structures could be formalized. One possibility would be to rename the Distance Education Council and to expand its duties to include those currently performed by the E.S.U. Administrators Association. One difference would be that the current Distance Education Council does not have Department of Education representation. Another difference is that with a statutorily based structure the open meetings laws would apply.

Another alternative would be to require that services where there is the potential for centralization be provided by a single designated E.S.U. With this concept, the designations would need to be equitably distributed among the E.S.U.'s.

### Modify the Definition of Core Services

Additional service areas could be added to the definition of core services. The support for S.T.A.R.S. could be specified as an additional service area or included under the category of staff development.

### Specialists

All E.S.U.'s could be required to provide specified specialists, which are difficult to hire in some parts of the state. Examples could be nurses, psychiatrists, occupational therapists, physical therapists, transition specialists. If all districts contributed to the retention of the specialists, the specialists would be available when needed. The costs of retaining the specialists could be an excess allowable cost for the school districts.



## Appendices

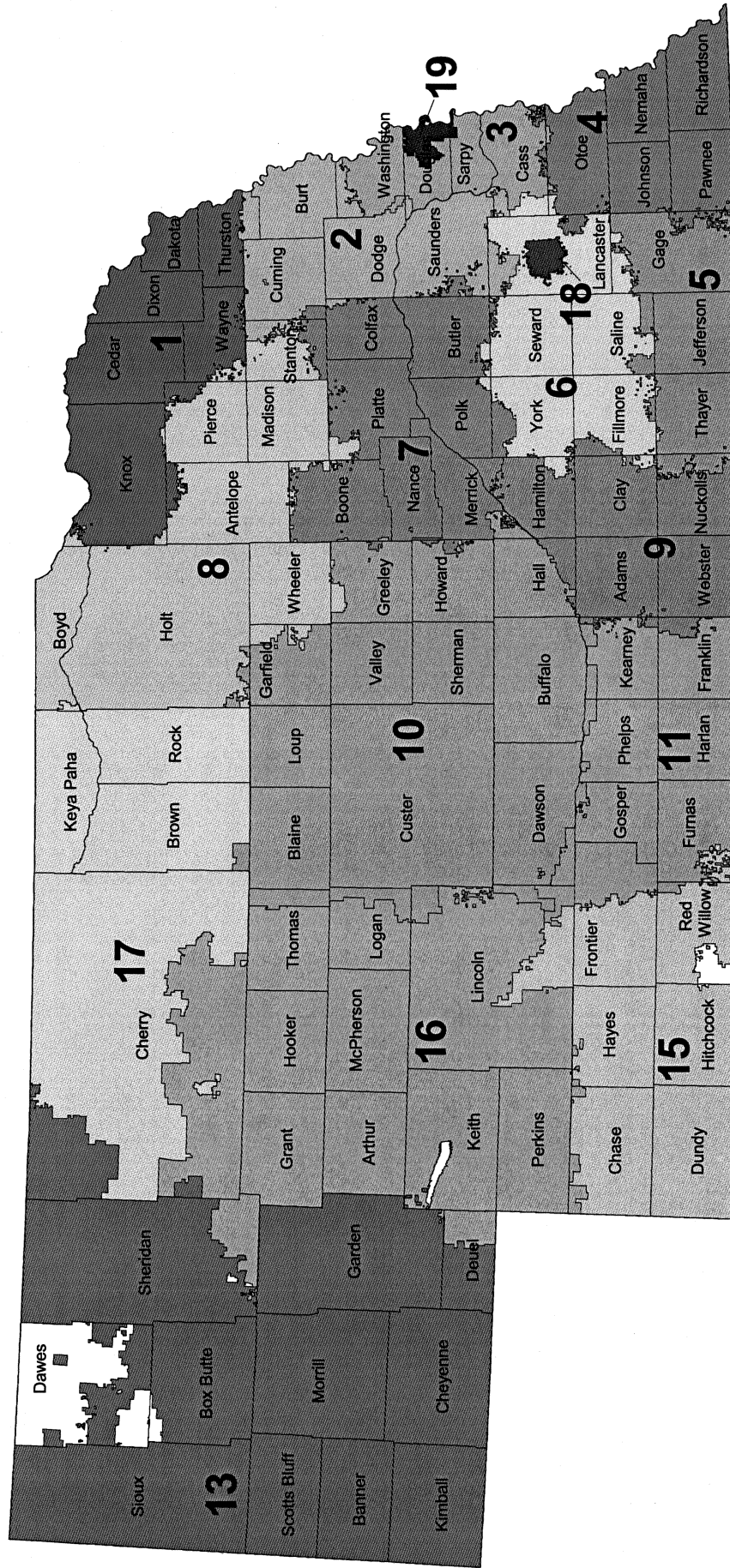




Appendix A: Map of the Current Educational Service Units



# Nebraska Educational Service Units



-  County Boundary
-  Not Participating in an ESU

Information Source:  
 Prepared by: Michelle Stephens,  
 Nebraska Department of Education  
 December 28, 2006



Appendix B: List of Districts



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### **E.S.U. #1 – Wakefield – 24 Districts**

Allen Consolidated Schools  
Bloomfield Community Schools  
Coleridge Community Schools  
Creighton Public Schools  
Crofton Community Schools  
Emerson-Hubbard Public Schools  
Hartington Public Schools  
Homer Community Schools  
Laurel-Concord Public Schools  
Newcastle Public Schools  
Niobrara Public Schools  
Pender Public Schools  
Ponca Public Schools  
Randolph Public Schools  
Santee Community Schools  
So Sioux City Community Schools  
Umo N Ho N Nation Public Schools  
Wakefield Public Schools  
Walthill Public Schools  
Wausa Public Schools  
Wayne Community Schools  
Winnebago Public Schools  
Winside Public Schools  
Wynot Public Schools

### **E.S.U. #2 – Fremont – 18 Districts**

Ashland-Greenwood Public Schools  
Bancroft-Rosalie Community Schools  
Cedar Bluffs Public Schools  
Dodge Public Schools  
Fremont Public Schools  
Logan View Public Schools  
Lyons-Decatur Northeast Schools  
Mead Public Schools  
North Bend Central Public Schools  
Oakland Craig Public Schools  
Prague Public Schools  
Raymond Central Schools  
Scribner-Snyder Community Schools  
Tekamah-Herman Community Schools  
Wahoo Public Schools  
West Point Public Schools  
Wisner-Pilger Public Schools  
Yutan Public Schools

### **E.S.U. #3 – Omaha – 18 Districts**

Arlington Public Schools  
Bellevue Public Schools  
Bennington Public Schools  
Blair Community Schools  
Conestoga Public Schools  
Douglas County West  
Elkhorn Public Schools  
Elmwood-Murdock Public Schools  
Fort Calhoun Community Schools  
Gretna Public Schools  
Louisville Public Schools  
Millard Public Schools  
Papillion-La Vista Public Schools  
Plattsmouth Community Schools  
Ralston Public Schools  
South Sarpy Dist 46  
Weeping Water Public Schools  
Westside Community Schools

### **E.S.U. #4 – Auburn – 13 Districts**

Auburn Public Schools  
Falls City Public Schools  
Humboldt Table Rock-Steinauer  
Johnson-Brock Public Schools  
Lewiston Consolidated Schools  
Nebraska City Public Schools  
Nemaha Valley Schools  
Palmyra District R1  
Pawnee City Public Schools  
SE Nebraska Consolidated  
Sterling Public Schools  
Syracuse-Dunbar-Avoca Schools  
Tecumseh Public Schools

### **E.S.U. #5 – Beatrice – 10 Districts**

Beatrice Public Schools  
Bruning-Davenport Public Schools  
Daniel Freeman Public Schools  
Deshler Public Schools  
Diller-Odell Community Schools  
Fairbury Public Schools  
Meridian Public Schools  
Southern School District 1  
Thayer Central  
Tri County Public Schools



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### **E.S.U. #6 – Milford – 16 Districts**

Centennial Public Schools  
Crete Public Schools  
Dorchester Public Schools  
Exeter-Milligan Public Schools  
Fillmore Central  
Friend Public Schools  
Heartland Community Schools  
Malcolm Public Schools  
Mc Cool Junction Pub Schools  
Milford Public Schools  
Norris School Dist 160  
Seward Public Schools  
Shickley Public Schools  
Waverly Public Schools  
Wilber-Clatonia Public Schools  
York Public Schools

### **E.S.U. #7 – Columbus – 21 Districts**

Boone Central Public Schools  
Cedar Rapids Public Schools  
Central City Public Schools  
Clarkson Public  
Columbus Public Schools  
Cross County Community School  
David City Public Schools  
East Butler Public Schools  
Fullerton Public Schools  
High Plains  
Howells Public Schools  
Humphrey Public Schools  
Lakeview Community Schools  
Leigh Community Schools  
Osceola Public Schools  
Palmer Public Schools  
Rising City Public  
Schuyler Community Schools  
Shelby Public Schools  
St Edward Public Schools  
Twin Rivers

### **E.S.U. #8 – Neligh – 21 Districts**

Atkinson Elementary School  
Battle Creek Public Schools  
Chambers Public Schools  
Elgin Public Schools  
Elkhorn Valley Schools  
Ewing Public Schools  
Lynch Public Schools  
Madison Public Schools  
Nebraska Uni. Dist. #1  
Neligh-Oakdale Schools  
Newman Grove Public Schools  
Norfolk Public Schools  
Oneill Public Schools  
Osmond Public Schools  
Pierce Public Schools  
Plainview Public Schools  
Stanton Community Schools  
Stuart Public Schools  
West Boyd Unified System  
West Holt  
Wheeler Central Schools

### **E.S.U. #9 – Hastings – 14 Districts**

Adams Central Public Schools  
Aurora Public Schools  
Blue Hill Public Schools  
Clay Center Public Schools  
Doniphan Public Schools  
Giltner Public Schools  
Hampton Public Schools  
Harvard Public Schools  
Hastings Public Schools  
Kenesaw Public Schools  
Red Cloud Community Schools  
Silver Lake Public Schools  
South Central Ne Unified System #5  
Sutton Public Schools

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### **E.S.U. #10 – Kearney – 36 Districts**

Amherst Public Schools  
Anselmo-Merna Public Schools  
Ansley Public Schools  
Arcadia Public Schools  
Arnold Public Schools  
Broken Bow Public Schools  
Burwell Public Schools  
Callaway Public Schools  
Cedar Hollow Public School  
Chapman Center  
Cozad City Schools  
Elba Public Schools  
Elm Creek Public Schools  
Franklin Public Schools  
Gibbon Public Schools  
Gothenburg Public Schools  
Grand Island Public Schools  
Greeley -Wolbach  
Kearney Public Schools  
Lexington Public Schools  
Litchfield Public Schools  
Loup City Public Schools  
Loup County Public Schools  
North Loup Scotia Public Schools  
Northwest Public Schools  
Ord Public Schools  
Overton Public Schools  
Pleasanton  
Ravenna Public Schools  
Sandhills Public Schools  
Sargent Public Schools  
Shelton Public Schools  
Spalding Public Schools  
St Paul Public Schools  
Sumner-Eddyville-Miller Schools  
Wood River Public Schools

### **E.S.U. #11 – Holdrege – 13 Districts**

Alma Public Schools  
Arapahoe Public Schools  
Axtell Community Schools  
Bertrand Public Schools  
Cambridge Public Schools  
Elwood Public Schools  
Eustis-Farnam Public Schools  
Franklin Public Schools  
Holdrege Public Schools  
Loomis Public  
Minden Public Schools  
Southern Valley Schools  
Wilcox-Hildreth Public Schools

### **E.S.U. #13 – Scottsbluff – 22 Districts**

Alliance Public Schools  
Banner County Public Schools  
Bayard Public Schools  
Bridgeport Public Schools  
Chadron Public Schools  
Crawford Public Schools  
Creek Valley Public Schools  
Garden County Schools  
Gering Public Schools  
Gordon-Rushville Public Schools  
Hay Springs Public Schools  
Hemingford Public Schools  
Kimball Public Schools  
Leyton Public Schools  
Minatare Public Schools  
Mitchell Public Schools  
Morrill Public Schools  
Potter-Dix Community School  
Scottsbluff Public Schools  
Sidney Public Schools  
Sioux County Public Schools  
South Platte Public Schools

## Educational Service Units (L.R. 336)

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### **E.S.U. #15 – Trenton – 9 Districts**

Chase County Schools  
Dundy County Public Schools  
Hayes Center Public Schools  
Hitchcock Co Unified School System  
Maywood Public Schools  
Mc Cook Public Schools  
Medicine Valley Public Schools  
Southwest Public Schools  
Wauneta-Palisade Public Schools

### **E.S.U. #16 – Ogallala – 16 Districts**

Arthur County High  
Brady Public Schools  
Hershey Public Schools  
Hyannis High School  
Maxwell Public Schools  
Mcpherson County Schools  
Mullen Public Schools  
North Platte Public Schools  
Ogallala Public Schools  
Paxton Consolidated Schools  
Perkins County Schools  
Stapleton Public Schools  
Sutherland Public Schools  
Thedford Rural High School  
Wallace Public Schools  
Wheatland Public Schools

### **E.S.U. #17 – Ainsworth – 5 Districts**

Ainsworth Community Schools  
Cody-Kilgore Public Schools  
Keya Paha County Schools  
Rock County Public Schools  
Valentine Community Schools

### **E.S.U. #18 – Lincoln – 1 District**

Lincoln Public Schools

### **E.S.U. #19 – Omaha – 1 District**

Omaha Public Schools

Appendix C: Statutes



## Educational Service Units (L.R. 336)

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Section 79-1200

*Article Analysis*

Cross References:

Budgets, applicability of Nebraska Budget Act, see section 13-517.

~Reissue Revised Statutes of Nebraska

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Section 79-1201

*Act, how cited.*

Sections 79-1201 to 79-1244 shall be known and may be cited as the Educational Service Units Act.

Source:

Laws 1996, LB 900, § 918

Laws 1998, LB 1110, § 1

Laws 1999, LB 386, § 2

Laws 2002, Second Spec. Sess., LB 5, § 2

~Reissue Revised Statutes of Nebraska

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Section 79-1201.01

*Terms, defined.*

For purposes of the Educational Service Units Act:

(1) Technical training means training to equip educators with knowledge about the skills and tools necessary to infuse technological resources and software applications into the curriculum to be used in classrooms with and by students and includes, but is not limited to, computer workstation troubleshooting, distance education, educational software, Internet resources, local area network management, multimedia presentation tools, and strategic planning;

(2) Technology includes technical training and technology infrastructure; and

(3) Technology infrastructure means hardware-related items necessary for schools to interact electronically throughout the state, including, but not limited to, physical connections, wiring, servers, routers, switches, domain name service, and operating systems and human resources necessary to maintain infrastructure, including, but not limited to, systems engineers, programmers, webmasters, and help desk staff.

## Educational Service Units (L.R. 336)

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Source:

Laws 1999, LB 386, § 3

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Section 79-1202

*Educational service units; name.*

The official name of each educational service unit shall be Educational Service Unit No. ... of the State of Nebraska, and the individual number of each unit shall be determined by the State Board of Education. School District 55-001 of Lancaster County shall remain Educational Service Unit No. 18. School District 28-001 of Douglas County shall remain Educational Service Unit No. 19. For educational service units existing on January 1, 1998, the number of the unit shall remain the same. For educational service units created by merger, the number of the unit shall be the number of one of the educational service units dissolving into the new educational service unit. For all other newly created educational service units, the number shall be any number not otherwise assigned to an existing educational service unit.

Source:

Laws 1965, c. 504, § 1, p. 1606

Laws 1969, c. 746, § 1, p. 2807

Laws 1984, LB 994, § 19

Laws 1987, LB 688, § 12

R.S.1943, (1994), § 79-2201

Laws 1996, LB 900, § 919

Laws 1997, LB 806, § 55

Laws 1998, Spec. Sess., LB 1, § 50

Laws 2001, LB 797, § 48

Annotations:

This article sustained as constitutional. *Frye v. Haas*, 182 Neb. 73, 152 N.W.2d 121 (1967).

~Reissue Revised Statutes of Nebraska

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Section 79-1203

*Repealed. Laws 1998, Spec. Sess., LB 1, s. 61.*

~Reissue Revised Statutes of Nebraska

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Section 79-1204

*Role and mission.*

(1) The role and mission of the educational service units is to serve as educational service providers in the state's system of elementary and secondary education.

## Educational Service Units (L.R. 336)

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(2) Educational service units shall:

(a) Act primarily as service agencies in providing core services and services identified and requested by member school districts;

(b) Provide for economy, efficiency, and cost-effectiveness in the cooperative delivery of educational services;

(c) Provide educational services through leadership, research, and development in elementary and secondary education;

(d) Act in a cooperative and supportive role with the State Department of Education and school districts in development and implementation of long-range plans, strategies, and goals for the enhancement of educational opportunities in elementary and secondary education; and

(e) Serve, when appropriate and as funds become available, as a repository, clearinghouse, and administrator of federal, state, and private funds on behalf of school districts which choose to participate in special programs, projects, or grants in order to enhance the quality of education in Nebraska schools.

(3) Except as provided in section 79-1241, core services shall be provided by educational service units to all member school districts. Core services shall be defined by each educational service unit as follows:

(a) Core services shall be within the following service areas in order of priority: (i) Staff development; (ii) technology, including distance education services; and (iii) instructional materials services;

(b) Core services shall improve teaching and student learning by focusing on enhancing school improvement efforts, meeting statewide requirements, and achieving statewide goals in the state's system of elementary and secondary education;

(c) Core services shall provide schools with access to services that:

(i) The educational service unit and its member school districts have identified as necessary services;

(ii) Are difficult, if not impossible, for most individual school districts to effectively and efficiently provide with their own personnel and financial resources;

(iii) Can be efficiently provided by each educational service unit to its member school districts; and

(iv) Can be adequately funded to ensure that the service is provided equitably to the state's public school districts;



## Educational Service Units (L.R. 336)

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(d) Core services shall be designed so that the effectiveness and efficiency of the service can be evaluated on a statewide basis; and

(e) Core services shall be provided by the educational service unit in a manner that minimizes the costs of administration or service delivery to member school districts.

(4) Educational service units shall meet minimum accreditation standards set by the State Board of Education that will:

(a) Provide for accountability to taxpayers;

(b) Assure that educational service units are assisting and cooperating with school districts to provide for equitable and adequate educational opportunities statewide; and

(c) Assure a level of quality in educational programs and services provided to school districts by the educational service units.

(5) Educational service units may contract to provide services to:

(a) Nonmember public school districts;

(b) Nonpublic school systems;

(c) Other educational service units; and

(d) Other political subdivisions, under the Interlocal Cooperation Act and the Joint Public Agency Act.

(6) Educational service units shall not regulate school districts unless specifically provided pursuant to another section of law.

### Cross References:

Interlocal Cooperation Act, see section 13-801.

Joint Public Agency Act, see section 13-2501.

### Source:

Laws 1987, LB 688, § 1

R.S.1943, (1994), § 79-2201.02

Laws 1996, LB 900, § 921

Laws 1997, LB 806, § 57

Laws 1999, LB 87, § 89

Laws 2006, LB 1208, § 8.

~ Revised Statutes Cumulative Supplement, 2006

## Educational Service Units (L.R. 336)

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### Section 79-1205

*Repealed. Laws 1997, LB 347, s. 59.*

~Reissue Revised Statutes of Nebraska

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### Section 79-1206

*Reorganization of educational service unit boundaries; legislative intent.*

The Legislature finds that from time to time there is a need to change the boundaries of educational service units in response to changes in student population and in student and school needs as well as changes in the taxable wealth and financial resources of the educational service units. It is the intent of the Legislature to establish an orderly process for locally initiated reorganization of educational service unit boundaries. The purpose of sections 79-1206 to 79-1211 is to establish the statutory framework for such process and to empower the State Board of Education to make changes in educational service unit boundaries based on statutory criteria.

#### Source:

Laws 1987, LB 688, § 2  
R.S.1943, (1994), § 79-2202.03  
Laws 1996, LB 900, § 923

~Reissue Revised Statutes of Nebraska

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### Section 79-1207

*Boundary change; initiated by petition.*

On and after January 1, 1989, petitions to the State Board of Education to change educational service unit boundaries may be initiated by a resolution adopted by a majority vote of any educational service unit board or any school board. In addition, such boards shall initiate a petition for reorganization upon the receipt of a petition signed by ten percent of the legal voters of such educational service unit or school district and certified by the county clerk or election commissioner.

#### Source:

Laws 1987, LB 688, § 3  
R.S.1943, (1994), § 79-2202.04  
Laws 1996, LB 900, § 924  
Laws 1997, LB 345, § 46

~Reissue Revised Statutes of Nebraska

## Educational Service Units (L.R. 336)

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### Section 79-1208

*Boundary change; petition; contents.*

Petitions to the State Board of Education to change educational service unit boundaries shall include a description of the proposed boundaries and shall be accompanied by a plan of reorganization which shall include (1) a summary of the reasons for the proposed reorganization, (2) a plan for the provision of services to school districts affected by any reorganization plan, (3) in cases when a petition proposes the dissolution of an entire educational service unit or units for attachment to an existing educational service unit or for the merger of two or more educational service units into a new educational service unit, a summary of the terms on which such reorganization is made, including provision for the utilization of existing facilities, equipment, and materials and provision for the disposition of assets and any unbonded indebtedness of affected educational service units, and (4) when a petition deals with the attachment of new territory to an existing educational service unit, verification of approval by majority vote of the receiving educational service unit governing board.

#### Source:

Laws 1987, LB 688, § 4  
Laws 1990, LB 486, § 2  
R.S.1943, (1994), § 79-2202.05  
Laws 1996, LB 900, § 925

~Reissue Revised Statutes of Nebraska

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### Section 79-1209

*Boundaries; petition; changes authorized.*

A petition to reorganize educational service units may include the following:

- (1) A transfer of a school district or districts from one established educational service unit to another established educational service unit;
- (2) A withdrawal from an established educational service unit by two or more school districts to form a new educational service unit;
- (3) An addition of a school district or districts which are not part of an educational service unit to an established or new educational service unit; and
- (4) The dissolution of one or more entire educational service units for attachment to existing educational service units or the merger of two or more educational service units into a new educational service unit.

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Source:

Laws 1987, LB 688, § 5  
R.S.1943, (1994), § 79-2202.06  
Laws 1996, LB 900, § 926  
Laws 1997, LB 806, § 58

~Reissue Revised Statutes of Nebraska

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Section 79-1210

*State Board of Education; grant or deny petition; criteria.*

The State Board of Education shall grant or deny any petition to change educational service unit boundaries based upon the following criteria:

- (1) The educational needs of students in the affected school districts and the affected educational service units;
- (2) The economic viability of the proposal as it relates to affected established educational service units or affected proposed educational service units;
- (3) Any community of interest among affected school districts and affected educational service units;
- (4) Geographic proximity as such would affect the ability of affected educational service units to deliver service in a cost-effective manner; and
- (5) In the dissolution of one or more entire educational service units, evidence of consent from each educational service unit board and two-thirds of the school boards or boards of education of member school districts representing a majority of students in each affected educational service unit.

Source:

Laws 1987, LB 688, § 6  
R.S.1943, (1994), § 79-2202.07  
Laws 1996, LB 900, § 927  
Laws 1997, LB 806, § 59

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Section 79-1211

*Petition; hearing; approval or rejection; effect.*

The State Board of Education, within ninety days after the receipt of any such petition, shall hold a public hearing on the proposed reorganization plan. At the board's option, it may appoint a hearing officer to conduct the public hearing and recommend a decision to the board. Within one hundred twenty days after the receipt of such petition, the board

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shall approve or reject such petition. If the board rejects the petition, it shall clearly state its reasons for such rejection. Approved petitions for reorganization of educational service unit boundaries shall be referred to the appropriate county and educational service unit officials to implement the plan and to make the necessary changes in the educational service unit maps and tax records.

Source:

Laws 1987, LB 688, § 7  
Laws 1990, LB 486, § 3  
R.S.1943, (1994), § 79-2202.08  
Laws 1996, LB 900, § 928

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### Section 79-1212

*Reorganized units; board members.*

Members of boards of educational service units existing prior to approval of any plan of reorganization shall serve as board members of educational service units which are reorganized pursuant to sections 79-1206 to 79-1211 until the expiration of their original terms. Such persons shall be members of the board of the reorganized educational service unit in which they reside. Within thirty days after approval of any plan of reorganization by the State Board of Education, the Commissioner of Education shall call a meeting of board members of each educational service unit being reorganized pursuant to sections 79-1206 to 79-1211. At such meeting, members of each such board shall appoint one member from each county not having representation on such board to serve until the next general election. The board shall take all necessary action to prepare for operation of the reorganized educational service unit commencing one year following approval of any plan of reorganization by the State Board of Education. Expenses incurred by such board prior to such times shall be prorated between the counties comprising the educational service unit on the basis of the assessed valuation of such counties.

Source:

Laws 1969, c. 746, § 3, p. 2810  
Laws 1987, LB 688, § 18  
R.S.1943, (1994), § 79-2203.02  
Laws 1996, LB 900, § 929  
Laws 1998, Spec. Sess., LB 1, § 51

~Reissue Revised Statutes of Nebraska

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### Section 79-1213

*Reorganized units; warrants; purpose; interest.*

The board of any reorganized educational service unit pursuant to sections 79-1206 to 79-1211 is authorized to issue warrants in an amount necessary for the following purposes:

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(1) To pay its expenses for a one-year period beginning one year after approval of any plan of reorganization by the State Board of Education; and (2) to finance the programs and services of the reorganized educational service unit beginning one year after the approval of any plan of reorganization by the State Board of Education until the distribution of the proceeds of its first tax levy less the amount of cash on hand and to be received during such period. Whenever any board of a reorganized educational service unit issues warrants, such board shall make a tax levy at the next tax-levying period sufficient to pay the same and the interest thereon. Such warrants shall bear interest at the rate of not more than six percent per annum and shall be recorded by the treasurer of the board and redeemed as provided in Chapter 77, article 22, and amendments thereto.

Source:

Laws 1969, c. 746, § 4, p. 2811  
Laws 1987, LB 688, § 19  
R.S.1943, (1994), § 79-2203.03  
Laws 1996, LB 900, § 930  
Laws 1998, Spec. Sess., LB 1, § 52

~Reissue Revised Statutes of Nebraska

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Section 79-1214

*Repealed. Laws 1998, Spec. Sess., LB 1, s. 61.*

~Reissue Revised Statutes of Nebraska

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Section 79-1215

*Reorganized unit; adjusted tax list; contracts or leases; limitation; certificated employee; rights; transfer of records.*

(1) Within one year after the date of approval of any plan of reorganization, the county treasurer of each county shall adjust the tax list of the educational service unit in accordance with the changes in boundaries of the educational service units pursuant to sections 79-1206 to 79-1211 so that the uncollected taxes levied upon property that has been transferred to another educational service unit shall when collected be placed to the credit of the reorganized educational service unit to which the property is a part.

(2) The board of every existing educational service unit that is to become reorganized pursuant to sections 79-1206 to 79-1211 shall not employ any person for a term greater than one year. Any contract or lease made by such a governing body is hereby declared to be null and void if it extends for a period greater than one year unless validated by the board of the reorganized educational service unit. This subsection is not inconsistent with and does not negate any rights of any educational service unit certificated employees to continued employment pursuant to sections 79-846 to 79-849 and 79-1234 to 79-1239. The provisions of this subsection do not negate any previously negotiated collective-bargaining agreements between educational service unit certificated employees and the educational service unit covering a period of time greater than one year.

## Educational Service Units (L.R. 336)

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(3) Any certificated employee who, in the year immediately preceding a reorganization, has been employed one-half time or more by an educational service unit which is affected by an approved petition to change educational service unit boundaries shall, upon the effective date of the reorganization of the educational service unit boundaries pursuant to sections 79-1206 to 79-1211, have the option, for purposes of reduction in force, to be considered an employee of either the educational service unit at which he or she has been employed or of the educational service unit which will provide services to the affected school district. If such employee elects to be considered an employee of the educational service unit which will serve the affected school district, the employee shall not lose any right of seniority or tenure status after the transfer. If the certificated employee in the year immediately preceding reorganization is assigned less than one-half time to a school district petitioning or a school district in an educational service unit petitioning for reorganization, then such certificated employee shall continue to be an employee of the educational service unit existing prior to reorganization.

(4) All official records of existing educational service units which are reorganized in whole or in part pursuant to sections 79-1206 to 79-1211 shall be transferred to the office of the Commissioner of Education for storage.

Source:

Laws 1969, c. 746, § 6, p. 2812  
Laws 1987, LB 688, § 21  
R.S.1943, (1994), § 79-2204.01  
Laws 1996, LB 900, § 932  
Laws 1998, Spec. Sess., LB 1, § 53

~Reissue Revised Statutes of Nebraska

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Section 79-1216

*Repealed. Laws 1997, LB 806, s. 69.*

~Reissue Revised Statutes of Nebraska

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Section 79-1217

*Governing board; name; members; appointment; election; qualification; expenses; membership.*

(1) All educational service units, except Educational Service Units No. 18 and 19, shall be governed by a board to be known as the Board of Educational Service Unit No. .... . The educational service unit board shall be composed of one member from each county and four members at large, all of whom shall reside within the geographical boundaries of the educational service unit, but no more than two of the members at large shall be appointed or elected from the same county unless any one county within the educational service unit has a population in excess of one hundred fifty thousand inhabitants or the educational service unit consists of only one county. The four candidates who receive the highest number of votes for at-large representative shall be elected, except that if more

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than two of such candidates reside within the same county which has a population of one hundred fifty thousand inhabitants or less, the candidates from such county receiving fewer votes than the two candidates receiving the highest number of votes for at-large representative from such county shall not be elected and a vacancy or vacancies shall exist for at-large representative. The vacancy shall be filled pursuant to subsection (2) of this section. Successors to the members initially appointed shall be elected pursuant to section 32-515.

(2) Vacancies in office shall occur as set forth in section 32-560. Whenever any vacancy occurs on the board, the remaining members of such board shall appoint an individual residing within the geographical boundaries of the educational service unit and meeting the qualifications for the office to fill such vacancy for the balance of the unexpired term.

(3) Members of the board shall receive no compensation for their services but shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties under the Educational Service Units Act as provided in sections 81-1174 to 81-1177.

(4) Except as provided in subsection (5) of this section, any joint school district located in two or more counties shall be considered a part of the educational service unit in which the greater number of school-age children of such joint school district reside. All legal voters of any such joint school district shall be eligible to hold office as the county representative of the county in which the greater number of school-age children reside. Any legal voter of any joint school district shall be eligible to hold office as the at-large representative if such legal voter resides within the geographical boundary of the school district comprising the educational service unit.

(5) Any Class I district which is part of a Class VI district shall be considered a part of the educational service unit of which the Class VI district is a member. If the Class VI district has removed itself from an educational service unit, each Class I district which is part of such Class VI district may continue its existing membership in an educational service unit or may change its status relative to membership in an educational service unit in accordance with section 79-1209. The patrons of a Class I district maintaining membership in an educational service unit pursuant to this subsection shall have the same rights and privileges as other patrons of the educational service unit, and the taxable valuation of the taxable property within the geographic boundaries of such Class I district shall be subject to the educational service unit's tax levy established pursuant to section 79-1225.

(6) The administrator of each educational service unit, prior to July 1 of each year in which a statewide primary election is to be held, shall certify to the election commissioner or county clerk of each county located within the unit the corporate name of each school district, as described in section 79-405, located within the county. If a school district is a joint school district located in two or more counties, the administrator shall certify to each election commissioner or county clerk the educational service unit of which the school district is considered to be a part.



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(7) Educational Service Unit No. 18 shall be governed by the school board of School District 55-001 of Lancaster County.

(8) Educational Service Unit No. 19 shall be governed by the school board of School District 28-001 of Douglas County.

### Source:

Laws 1965, c. 504, § 3, p. 1608  
Laws 1967, c. 560, § 1, p. 1844  
Laws 1969, c. 747, § 2, p. 2818  
Laws 1969, c. 746, § 8, p. 2814  
Laws 1977, LB 201, § 17  
Laws 1978, LB 632, § 10  
Laws 1981, LB 204, § 163  
Laws 1987, LB 688, § 16  
Laws 1988, LB 1142, § 12  
Laws 1991, LB 511, § 65  
Laws 1992, LB 245, § 70  
Laws 1992, LB 1063, § 200  
Laws 1992, Second Spec. Sess., LB 1, § 171  
Laws 1994, LB 76, § 607  
R.S.1943, (1994), § 79-2203  
Laws 1996, LB 900, § 934  
Laws 1997, LB 345, § 47  
Laws 1997, LB 347, § 47  
Laws 2001, LB 797, § 49  
Laws 2002, LB 647, § 2

~Reissue Revised Statutes of Nebraska

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### Section 79-1218

*Board; meetings; organization; duties.*

The board of each educational service unit shall meet and organize by naming one of its members as president, one as vice president, and one as secretary. The board shall employ a treasurer who shall be paid a salary to be fixed by the board.

The board of the educational service unit shall determine the participation of the educational service unit in providing supplementary educational services. If the board of the educational service unit does not provide supplementary educational services, it shall meet during each succeeding January to determine the participation in providing supplementary educational services for that calendar year.

## Educational Service Units (L.R. 336)

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Source:

Laws 1965, c. 504, § 4, p. 1610  
Laws 1969, c. 748, § 1, p. 2822  
Laws 1969, c. 746, § 5, p. 2811  
Laws 1987, LB 688, § 20  
R.S.1943, (1994), § 79-2204  
Laws 1996, LB 900, § 935

~Reissue Revised Statutes of Nebraska

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Section 79-1219

*Board; administrator; appointment; compensation; duties.*

Each board of an educational service unit deciding to provide supplementary services shall appoint and fix the compensation and duties of an administrator, who shall be a person experienced in public school administration and who shall hold at least a standard administrative certificate. With the advice of the administrator, the board shall also employ and fix the compensation and duties of such professional and clerical assistants as shall be necessary. No board member of an educational service unit shall be employed by the educational service unit board on which he or she is a board member.

Source:

Laws 1965, c. 504, § 5, p. 1610  
Laws 1987, LB 688, § 22  
R.S.1943, (1994), § 79-2205  
Laws 1996, LB 900, § 936

~Reissue Revised Statutes of Nebraska

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Section 79-1220

*Board; offices; location.*

(1) The board shall determine the location within the educational service unit of its principal office and may, if necessary for the performance of its duties under the Educational Service Units Act, establish one or more other offices at such locations as it shall determine within the educational service unit. The board may acquire office space by purchase out of funds appropriated to it for educational purposes or may rent or lease such space as may be necessary. The board shall also acquire the personal property necessary for the performance of its duties.

(2) When due to boundary changes provided for in sections 79-1206 to 79-1211 the principal office of an educational service unit is no longer located within the boundaries of the educational service unit, then the affected educational service unit may maintain its principal office outside the boundaries of the unit.

## Educational Service Units (L.R. 336)

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Source:

Laws 1965, c. 504, § 6, p. 1611  
Laws 1987, LB 688, § 23  
R.S.1943, (1994), § 79-2206  
Laws 1996, LB 900, § 937

~Reissue Revised Statutes of Nebraska

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### Section 79-1221

*Treasurer; custodian of funds; duties; bond or insurance; conditions.*

The treasurer shall be the custodian of all funds of the board of the educational service unit. He or she shall attend meetings of the board, shall prepare and submit in writing a monthly report of the state of its finances, and shall pay out money of the board only upon a warrant signed by the president, or in his or her absence by the vice president, and countersigned by the secretary. The treasurer shall give bond or evidence of equivalent insurance coverage, payable to the board, in such sum as the board shall determine conditioned for the faithful performance of the duties as treasurer of the board and for the safekeeping and proper disbursement of all funds of the board collected or received by him or her. Such bond shall be signed by a corporate surety company or insurance company authorized to do business within this state. Such bond or insurance coverage may be enlarged at any time the board deems such enlargement necessary or advisable. The cost of such bond or insurance coverage shall be paid out of funds of the board.

Source:

Laws 1965, c. 504, § 7, p. 1611  
Laws 1969, c. 748, § 2, p. 2822  
R.S.1943, (1994), § 79-2207  
Laws 1996, LB 900, § 938  
Laws 2006, LB 860, § 1.

~ Revised Statutes Cumulative Supplement, 2006

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### Section 79-1222

*Educational service unit; services; to whom provided; contracting for health services.*

When requested in writing by local school boards or boards of education, the board of each educational service unit may, at its discretion and within the limitations imposed by sections 79-1224 and 79-1225, (1) provide supplementary services to (a) the requesting school systems within its geographical area, (b) requesting school systems not within its geographical area to the extent allowed under the Educational Service Units Act, and (c) any other educational service unit, (2) plan and coordinate educational services within its geographical area whenever such services are offered on a cooperating basis between local school districts, and (3) contract for educational services with the board of any other educational service unit, any school district, any other educational agency, or any appropriate state or federal officer or agency, except that within that area of the service

## Educational Service Units (L.R. 336)

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unit in which there exists an organized, full-time, approved city-county, multicounty, or regional health department with health services available, the educational service unit, if health services are provided, shall first seek to contract for school health services with such department for an amount of compensation agreeable to both such unit and board. The board of each educational service unit may charge for a portion or all of the costs of the additional services authorized by this section. If an educational service unit on December 25, 1969, has a health service facility, this section does not prevent the continued use by the unit of such facility. The educational service unit may contract with such health department to provide school health services for that area of the educational service unit not served by such city-county, multicounty, or regional health department.

Source:

Laws 1965, c. 504, § 8, p. 1611  
Laws 1969, c. 749, § 1, p. 2823  
Laws 1969, c. 750, § 1, p. 2825  
Laws 1972, LB 928, § 1  
Laws 1979, LB 57, § 2  
Laws 1987, LB 688, § 24  
Laws 1994, LB 1310, § 15  
R.S.1943, (1994), § 79-2208  
Laws 1996, LB 900, § 939  
Laws 1997, LB 347, § 48

~Reissue Revised Statutes of Nebraska

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Section 79-1223

*Educational service units; real estate; personal property; services; purchase; lease; bids.*

In order to carry out the purposes provided in section 79-1204, educational service units may purchase, lease, or lease-purchase real estate, equipment, supplies, services, and personal property for their own use. Educational service units may, either individually or collectively, purchase, lease, lease-purchase, or act as purchase agent for administrative and instructional supplies, instructional equipment, instructional services, and personal property for resale only to educational entities as defined in section 79-1332. When an educational service unit advertises for bids for administrative or instructional supplies, instructional equipment, instructional services, and personal property, acceptance of any bid submitted to the educational service unit shall obligate the educational service unit to award the contract in accordance with the plans and specifications and in the quantities set forth in the bid documents.

## Educational Service Units (L.R. 336)

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Source:

Laws 1971, LB 734, § 1  
Laws 1979, LB 57, § 1  
Laws 1987, LB 688, § 13  
R.S.1943, (1994), § 79-2201.01  
Laws 1996, LB 900, § 940  
Laws 2006, LB 1208, § 9.

~ Revised Statutes Cumulative Supplement, 2006

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### Section 79-1224

*Governing board; funds; state, county, or federal; use; tax; levy; matching of funds.*

The board of each educational service unit may receive, for the purpose for which made available, any school district, county, state, or federal funds made available to it, or funds or property received from any other source, and may use tax revenue from the levy of the educational service unit for operational expenses and for the purpose of matching any funds that may be made available to it on a matching basis by any state or federal agency. The board of each educational service unit may utilize such personnel or services that may lawfully be offered by any state or federal agency or governmental unit.

Source:

Laws 1965, c. 504, § 9, p. 1612  
Laws 1972, LB 928, § 2  
R.S.1943, (1994), § 79-2209  
Laws 1996, LB 900, § 941

~Reissue Revised Statutes of Nebraska

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### Section 79-1225

*Governing board; tax; levy; limitation; exception; proceeds; when remitted.*

After the adoption of its budget statement, the board for each educational service unit may levy a tax in the amount which it requires under its adopted budget statement to be received from taxation. The levy shall be subject to the limits established by section 77-3442. The amount of such levy shall be certified by the secretary of the educational service unit board to the county board of equalization of each county in which any part of the geographical area of the educational service unit is located on or before September 20 of each year. Such tax shall be levied and assessed in the same manner as other property taxes and entered on the books of the county treasurer. The proceeds of such tax, as collected, shall be remitted to the treasurer of the board on or before the fifteenth day of each month or more frequently as provided in section 77-1759.

## Educational Service Units (L.R. 336)

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### Source:

Laws 1965, c. 504, § 10, p. 1612  
Laws 1969, c. 145, § 47, p. 700  
Laws 1969, c. 746, § 7, p. 2813  
Laws 1977, LB 391, § 2  
Laws 1979, LB 178, § 2  
Laws 1979, LB 187, § 248  
Laws 1980, LB 599, § 15  
Laws 1992, LB 1063, § 201  
Laws 1992, Second Spec. Sess., LB 1, § 172  
Laws 1993, LB 348, § 50  
Laws 1993, LB 452, § 3  
Laws 1993, LB 734, § 53  
Laws 1995, LB 452, § 34  
R.S. Supp., 1995, § 79-2210  
Laws 1996, LB 900, § 942  
Laws 1996, LB 1114, § 67  
Laws 1999, LB 141, § 14  
Laws 1999, LB 287, § 3  
Laws 1999, LB 386, § 4

### Annotations:

Tax is authorized by this section to be levied for educational service units by the board, and is constitutional. *Frye v. Haas*, 182 Neb. 73, 152 N.W.2d 121 (1967).

~Reissue Revised Statutes of Nebraska

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### Section 79-1226

*Governing board; budget; prepare; contents.*

The board of each educational service unit, prior to the levying of any tax as provided by law, shall prepare a budget for the operation and maintenance of the educational service unit for the ensuing year. This budget shall itemize the contemplated expenditures and the expected revenue from taxation received by the educational service unit, from available federal, state, and county sources, from contractual revenue from school districts, and from all other agencies and sources.

### Source:

Laws 1969, c. 700, § 1, p. 2699  
Laws 1972, LB 928, § 3  
R.S. 1943, (1994), § 79-2210.01  
Laws 1996, LB 900, § 943

### Cross References:

Budget requirements, see section 13-517.

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## Educational Service Units (L.R. 336)

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### Section 79-1227

*Budget; publication required.*

A summary of the prepared yearly budget of an educational service unit shall be published one time in a legal newspaper published in or of general circulation in each county in the unit at least five days before a meeting at which such budget shall be considered for adoption by the board. Such publication shall also specify the date, time, and place of the public hearing at which the budget will be considered and any tax levy made.

#### Source:

Laws 1969, c. 700, § 2, p. 2699  
Laws 1990, LB 1090, § 38  
R.S.1943, (1994), § 79-2210.02  
Laws 1996, LB 900, § 944

~Reissue Revised Statutes of Nebraska

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### Section 79-1228

*Board; report of yearly activities; publication and distribution required.*

The board of an educational service unit shall cause to be published by November 1 of each year a brief report of the yearly activities of the board. The report shall include the amount of revenue received and expenditures itemized by categories. This publication shall be for one time in a newspaper of general circulation distributed in each county in the educational service unit. A copy of the report shall be distributed to each member school district by November 1 of each year.

#### Source:

Laws 1969, c. 700, § 3, p. 2699  
Laws 1990, LB 1090, § 39  
R.S.1943, (1994), § 79-2210.03  
Laws 1996, LB 900, § 945

~Reissue Revised Statutes of Nebraska

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### Section 79-1229

*Annual audit required; cost.*

The board of each educational service unit shall cause a complete and comprehensive annual audit to be made of the books, accounts, records, and affairs of the educational service unit. The audits shall be conducted annually, except that the Auditor of Public Accounts may determine an audit of less frequency to be appropriate but not less than once in any three-year period. The board of each educational service unit may contract with the Auditor of Public Accounts or select a licensed public accountant or certified public accountant or firm of such accountants to conduct the audit and shall be

## Educational Service Units (L.R. 336)

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responsible for the cost of the audit pursuant to the contract. Such audit shall be conducted in the same manner as audits of county officers. The original copy of the audit shall be filed in the office of the Auditor of Public Accounts.

Source:

Laws 1969, c. 700, § 4, p. 2699  
Laws 1985, Second Spec. Sess., LB 29, § 4  
Laws 1987, LB 183, § 5  
R.S.1943, (1994), § 79-2210.04  
Laws 1996, LB 900, § 946

~Reissue Revised Statutes of Nebraska

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Section 79-1230

*Sections; supplemental to other law.*

Sections 79-1202 to 79-1230 shall be supplemental to any other law and shall not affect the reorganization of school districts as provided in the Reorganization of School Districts Act.

Source:

Laws 1965, c. 504, § 12, p. 1612  
Laws 1991, LB 511, § 66  
Laws 1992, LB 245, § 71  
R.S.1943, (1994), § 79-2212  
Laws 1996, LB 900, § 947

Cross References:

Reorganization of School Districts Act, see section 79-432.

~Reissue Revised Statutes of Nebraska

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Section 79-1231

*Special education; payment; to whom.*

When special education is provided by an educational service unit for children with disabilities as defined in section 79-1118.01, the payments provided by sections 79-1126 to 79-1144 shall be made to such educational service unit.



## Educational Service Units (L.R. 336)

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Source:

Laws 1967, c. 517, § 1, p. 1737  
Laws 1986, LB 1177, § 38  
Laws 1987, LB 367, § 72  
R.S.1943, (1994), § 79-2213  
Laws 1996, LB 900, § 948  
Laws 1997, LB 346, § 58

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### Section 79-1232

*Educational service unit; insurance coverage; authorized.*

The board of any educational service unit may provide its members with hospitalization, medical, surgical, accident, sickness, or term life insurance coverage or any one or more of such coverages.

Source:

Laws 1972, LB 1177, § 4  
R.S.1943, (1994), § 79-2214  
Laws 1996, LB 900, § 949

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### Section 79-1233

*Access to telecomputing resources; powers and duties.*

Each educational service unit shall provide access for all school districts within the geographical area served by the unit to telecomputing resources , which shall include the capacity to receive and transmit distance education courses on at least a regional basis beginning on or before August 1, 2007, through the installation of necessary equipment at each educational service unit location or through interlocal agreements with other educational service units and shall provide support for training users to meet their specific telecomputing and distance education needs. School districts may annually elect prior to a date determined by the educational service unit not to connect to such telecomputing resources. Each educational service unit shall also develop, with the State Department of Education, a plan which provides for connecting the telecomputing and distance education equipment of such school districts with the telecomputing and distance education equipment of the unit.

The leasing or purchase of and planning for telecomputing or distance education equipment and software for the educational service units shall meet the minimum standards as set by the Nebraska Information Technology Commission. The Chief Information Officer shall bid for such equipment and software and shall allow educational entities as defined in section 79-1332 to participate in such statewide leasing or purchasing contracts. Educational service units may enter into agreements pursuant to

## Educational Service Units (L.R. 336)

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the Interlocal Cooperation Act and the Joint Public Agency Act to carry out this section. Such agreements may include, but need not be limited to, provisions requiring any school district having telecomputing or distance education equipment connected to the educational service unit's telecomputing or distance education equipment to pay periodic fees necessary to cover the cost of such usage.

### Cross References:

Interlocal Cooperation Act, see section 13-801.

Joint Public Agency Act, see section 13-2501.

### Source:

Laws 1993, LB 348, § 49

Laws 1993, LB 452, § 2

Laws 1995, LB 860, § 3

R.S.Supp., 1995, § 79-2225

Laws 1996, LB 900, § 950

Laws 1999, LB 87, § 90

Laws 1999, LB 141, § 15

Laws 1999, LB 386, § 5

Laws 2006, LB 1208, § 10.

~ Revised Statutes Cumulative Supplement, 2006

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### Section 79-1234

*Tenure; terms, defined.*

For purposes of sections 79-1234 to 79-1239, unless the context otherwise requires:

- (1) Board means the governing board of any educational service unit;
- (2) Certificated employee means any teacher, nurse, or other person required to have a certificate from the State Department of Education who is employed by an educational service unit;
- (3) Just cause means incompetency, neglect of duty, unprofessional conduct, insubordination, immorality, physical or mental incapacity, or other conduct which interferes substantially with the continued performance of duties or a change in circumstances such as financial exigency or a diminution of demand for services by the school districts served by the educational service unit necessitating a reduction in the number of teachers or nurses to be employed by the board;
- (4) Permanent certificated employee means a certificated employee (a) who has served under a contract with the educational service unit for at least three successive years under any contract which was entered into to create initial employment on or after September 1, 1986, or (b) who was initially employed by the educational service unit prior to September 1, 1986; and

## Educational Service Units (L.R. 336)

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(5) Probationary certificated employee means a certificated employee who has served under a contract with the educational service unit for less than three successive years under any contract which was entered into to create initial employment on or after September 1, 1986.

Source:

Laws 1986, LB 997, § 1  
R.S.1943, (1994), § 79-2216  
Laws 1996, LB 900, § 951

~Reissue Revised Statutes of Nebraska

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### Section 79-1235

*Tenure; contract of certificated employee; how treated.*

The contract of a certificated employee shall be deemed renewed and remain in full force and effect unless amended, terminated, or not renewed in accordance with sections 79-1234 to 79-1239.

Source:

Laws 1986, LB 997, § 2  
R.S.1943, (1994), § 79-2217  
Laws 1996, LB 900, § 952

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### Section 79-1236

*Tenure; certificated employee; contract amendment, termination, or nonrenewal; procedure; confidentiality.*

(1) Any certificated employee whose contract of employment may be amended, terminated, or not renewed for the following school year shall be notified in writing on or before April 15 of each year of such possible action on the contract. If the certificated employee wishes a hearing, a written request shall be sent to the secretary of the board or the administrator of the educational service unit within seven calendar days after receipt of the written notice. If a hearing on such amendment, termination, or nonrenewal is not requested within the time provided in this section, the board shall make a final determination. With regard to all hearings under sections 79-1234 to 79-1239, the certificated employee shall be advised in writing at least five days prior to the hearing of the date, time, and place of the hearing. All such hearings shall be held within thirty days after the date of the request for the hearing, except when the parties or their representatives, by a mutual agreement confirmed in writing, extend the time for hearings or final determinations by the board under such sections. Unless continued by written agreement between the parties or their representatives, final action by the board shall be taken on or before May 15 of each year.

## Educational Service Units (L.R. 336)

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(2) Prior to the hearing or action on the matter, if requested by the certificated employee, the notice of possible amendment, termination, or nonrenewal and the supporting reasons shall be considered a confidential employment matter as provided in sections 79-539, 79-8,109, and 84-1410 and shall not be released to the public or news media.

Source:

Laws 1986, LB 997, § 3  
R.S.1943, (1994), § 79-2218  
Laws 1996, LB 900, § 953

~Reissue Revised Statutes of Nebraska

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### Section 79-1237

*Tenure; board; subpoena powers.*

The board may on its own behalf, or shall upon the request of the certificated employee, his or her representative, or the educational service unit's administration, (1) subpoena and compel the attendance of witnesses residing within or outside this state for the purpose of appearing and testifying at any hearing provided for in sections 79-1234 to 79-1239 and for the purpose of taking the deposition of such witnesses in the manner prescribed by law for the taking of depositions in civil actions in the district courts and (2) issue subpoenas for the production of any papers, books, accounts, and documents.

Source:

Laws 1986, LB 997, § 4  
R.S.1943, (1994), § 79-2219  
Laws 1996, LB 900, § 954

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### Section 79-1238

*Tenure; probationary certificated employee; amendment or nonrenewal of contract; grounds; procedures.*

(1) Upon request by the probationary certificated employee as provided in subsection (1) of section 79-1236, notice shall be provided which shall contain written reasons for the proposed amendment or nonrenewal of the probationary certificated employee's contract and shall be sufficiently specific so as to provide such employee the opportunity to prepare a response. The reasons set forth in the notice shall be employment related.

(2) The board may elect to amend or not renew the contract of a probationary certificated employee for any reason it deems sufficient if such nonrenewal or amendment is employment related and such nonrenewal or amendment is not for constitutionally impermissible reasons. Such nonrenewal or amendment shall be in accordance with sections 79-1234 to 79-1239. Amendment or nonrenewal for reasons of reduction in force

## Educational Service Units (L.R. 336)

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shall be in accordance with the procedures provided in sections 79-846 to 79-849 and 79-1234 to 79-1239.

(3) At any time prior to the holding of a hearing or prior to final determination by the board to amend or not renew the contract involved, the probationary certificated employee may submit a letter of resignation for the ensuing school year, which resignation shall be accepted by the board.

(4) The hearing, if requested, involving the question of the nonrenewal or amendment of a probationary certificated employee's contract shall not be a formal due process hearing but shall be an informal hearing before the board at which the probationary certificated employee involved or his or her representative shall be afforded the opportunity to discuss and explain to the board his or her position with regard to continued employment, to present information, and to ask questions of those appearing on behalf of the administration of the educational service unit. Such hearing shall be in closed session at the request of the probationary certificated employee involved or his or her representative and upon affirmative vote of the majority of the board members present and voting, but the formal action of the board for nonrenewal or amendment shall be in open session.

(5) The hearing for a probationary certificated employee may be held before a committee of the board consisting of not less than three of the board's total members, and total membership of the committee shall be odd numbered. Notice of such hearing shall be sent to all board members five days prior to such hearing. If a hearing is held before a committee, the majority opinion of the committee shall constitute a recommendation to the board, with the final determination being made by a majority vote of the members of the board without additional hearing.

Source:

Laws 1986, LB 997, § 5  
R.S.1943, (1994), § 79-2220  
Laws 1996, LB 900, § 955

~Reissue Revised Statutes of Nebraska

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### Section 79-1239

*Tenure; permanent certificated employee; amendment or termination of contract; grounds; procedures.*

(1) The board by a vote of the majority of its members may determine that a permanent certificated employee's contract shall be amended or terminated for any of the following reasons: (a) Just cause as defined in section 79-1234; (b) reduction in force as set forth in sections 79-846 to 79-849; (c) a change of leave-of-absence policy; (d) failure of the permanent certificated employee upon written request of the board or the administrators of the educational service unit to accept employment for the next school year within the time designated in the request, except that the permanent certificated employee shall not be required to signify such acceptance prior to March 15 of each year; or (e) revocation

## Educational Service Units (L.R. 336)

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or suspension of the permanent certificated employee's certificate by the State Board of Education.

(2) If a hearing is requested by the permanent certificated employee, the formal due process hearing for the purpose of this section means a hearing procedure adopted by the board which contains at least the following: (a) Notification to the permanent certificated employee in writing at least five days prior to the hearing of the grounds alleged for the termination or amendment of the permanent certificated employee's contract; (b) upon request of the permanent certificated employee, a list of the names of any witnesses who will be called to testify against the certificated employee and an opportunity to examine any documents that will be presented at the hearing shall be provided at least five days prior to the hearing; (c) the right to be represented; and (d) an opportunity to cross-examine all witnesses, examine all documents, and present evidence material to the issues.

(3) Notice of the hearing shall be given in accordance with the Open Meetings Act. Upon an affirmative vote of a majority of the board's members present and voting and upon specific request of the permanent certificated employee or the permanent certificated employee's representative, the hearing shall be conducted in a closed session, but the formal action of the board shall be taken in open session.

(4) A majority of the members of the board shall render its decision to amend or terminate a permanent certificated employee's contract based solely upon the evidence produced at the hearing, shall reduce its findings and determination to writing, and shall deliver a written copy of the findings and determination to the permanent certificated employee.

Source:

Laws 1986, LB 997, § 6  
R.S.1943, (1994), § 79-2221  
Laws 1996, LB 900, § 956  
Laws 2003, LB 685, § 24  
Laws 2004, LB 821, § 30

Cross References:

Open Meetings Act, see section 84-1407.

~Revised Statutes Cumulative Supplement, 2006

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Section 79-1240

*Repealed. Laws 1999, LB 5, s. 1.*

~Reissue Revised Statutes of Nebraska

## Educational Service Units (L.R. 336)

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### Section 79-1241

#### *Core services; distribution of funds.*

(1) Funds appropriated for core services shall be distributed proportionally to each educational service unit by the State Department of Education based on the fall membership in member districts in the preceding school fiscal year, except that no educational service unit shall receive less than two and one-half percent of the funds appropriated for core services.

(2) Any funds appropriated for distribution pursuant to this section for school fiscal year 2003-04 and each school fiscal year thereafter shall be distributed in ten as nearly as possible equal payments on the first business day of each month beginning in September of each school fiscal year and ending in June. Funds distributed pursuant to this section shall be used for core services with the approval of representatives of two-thirds of the member school districts, representing a majority of the students in the member school districts. If a member school district provides evidence satisfactory to the educational service unit that the district will provide core services for itself in a cost-efficient manner, the educational service unit may distribute funds directly to the district to be used for providing core services, or if all member school districts within the boundaries of an educational service unit together provide evidence satisfactory to the State Department of Education that the districts will provide core services for themselves in a more cost-efficient manner than the educational service unit, the department shall distribute funds directly to the districts to be used for providing core services.

(3) If two or more educational service units merge, the resulting merged educational service unit shall, for each of the two fiscal years following the fiscal year in which the merger takes place, receive core services funds under this section in an amount not less than the total of the core services funds that each of the merging educational service units received in the fiscal year immediately preceding the merger, except that if the appropriation for core services funds for either of the two fiscal years following the fiscal year in which the merger takes place is less than the appropriation for such funds for the fiscal year immediately preceding the merger, core services funds shall be reduced by a percentage equal to the ratio of the difference of such appropriation for the fiscal year immediately preceding the merger minus the appropriation for the fiscal year in question divided by the appropriation for the fiscal year immediately preceding the merger. Thereafter the distribution of core services funds to the merged educational service unit shall be as provided in subsection (1) of this section.

#### Source:

Laws 1997, LB 806, § 61

Laws 1998, LB 1110, § 2

Laws 2002, Second Spec. Sess., LB 5, § 3

Laws 2003, LB 53, § 1

~Reissue Revised Statutes of Nebraska

## Educational Service Units (L.R. 336)

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### Section 79-1241.01

*Core services; technology infrastructure; appropriation; legislative intent.*

To carry out sections 79-1241 and 79-1243, it is the intent of the Legislature to appropriate for each fiscal year the amount appropriated in the prior year increased by the percentage growth in the fall membership of member districts plus the basic allowable growth rate described in section 79-1025. For purposes of this section, fall membership has the same meaning as in section 79-1003. Fall membership data used to compute growth shall be from the two most recently available fall membership reports.

Source:

Laws 1998, LB 1110, § 3  
Laws 1999, LB 386, § 6  
Laws 2006, LB 1208, § 11.

~ Revised Statutes Cumulative Supplement, 2006

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### Section 79-1241.02

*Core services; technology infrastructure; review required.*

It is the intent of the Legislature that any funds appropriated pursuant to the intent of section 79-1241.01 or 79-1243 for technology-related projects or technology initiatives undertaken by an educational service unit follow the review process established in sections 86-512 to 86-524, including the review by the technical panel of the Nebraska Information Technology Commission.

Source:

Laws 1998, LB 924, § 70  
Laws 2001, LB 797, § 50  
Laws 2002, LB 1105, § 504  
Laws 2006, LB 1208, § 12.

~ Revised Statutes Cumulative Supplement, 2006

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### Section 79-1242

*Property tax funds; use.*

Funds generated from the property tax levy shall only be used for purposes approved by representatives of two-thirds of the member school districts in an educational service unit, representing a majority of the students in the member school districts. Each educational service unit shall prepare and transmit a written proposal of core services offerings and use of the property tax levy to all member school districts. The member school districts through their designated representatives shall indicate their approval or disapproval of the proposal within thirty calendar days after receipt of the proposal, and failure to so indicate within such time period shall be deemed approval of the proposal.



## Educational Service Units (L.R. 336)

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Source:

Laws 1997, LB 806, § 62

Laws 1999, LB 363, § 1

~Reissue Revised Statutes of Nebraska

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### Section 79-1243

*Technology infrastructure; appropriation; distribution.*

(1) Funds appropriated for technology infrastructure shall be distributed proportionally to each educational service unit by the State Department of Education based on the fall membership of member districts in the preceding school fiscal year, except that no educational service unit shall receive less than the sum of (a) two and one-half percent of the funds appropriated for technology infrastructure plus (b) eighty-five percent of the difference of the costs for telecommunications services, for access to data transmission networks that transmit data to and from the educational service unit, and for the transmission of data on such networks paid by the educational service unit as reported on the annual financial report for the most recently available complete data year minus the receipts from the federal Universal Service Fund pursuant to section 254 of the Telecommunications Act of 1996, 47 U.S.C. 254, as such section existed on January 1, 2006, for the educational service unit as reported on the annual financial report for the most recently available complete data year and minus any receipts from school districts or other educational entities for payment of such costs as reported on the annual financial report of the educational service unit.

(2) Any funds appropriated for distribution pursuant to this section shall be distributed in ten as nearly as possible equal payments on the first business day of each month beginning in September of each school fiscal year and ending in June. Funds distributed pursuant to this section shall be used for technology infrastructure with the approval of representatives of two-thirds of the member school districts, representing a majority of the students in the member school districts.

(3) If two or more educational service units merge, the resulting merged educational service unit shall, for each of the two fiscal years following the fiscal year in which the merger takes place, receive technology infrastructure funds under this section in an amount not less than the total of the technology infrastructure funds that each of the merging educational service units received in the fiscal year immediately preceding the merger, except that if the appropriation for technology infrastructure funds for either of the two fiscal years following the fiscal year in which the merger takes place is less than the appropriation for such funds for the fiscal year immediately preceding the merger, technology infrastructure funds shall be reduced by a percentage equal to the ratio of the difference of such appropriation for the fiscal year immediately preceding the merger minus the appropriation for the fiscal year in question divided by the appropriation for the fiscal year immediately preceding the merger. Thereafter the distribution of technology infrastructure funds to the merged educational service unit shall be as provided in subsection (1) of this section.

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Source:

Laws 1999, LB 386, § 7  
Laws 2006, LB 1208, § 13.

~ Revised Statutes Cumulative Supplement, 2006

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Section 79-1244

*Power to borrow money; conditions; authorization to accept loans from state or federal government.*

(1)(a) Any educational service unit may borrow money to the amount of seventy percent of the unexpended balance of total anticipated receipts of the general fund for the current fiscal year and the following fiscal year. Total anticipated receipts of the general fund for the current fiscal year and the following fiscal year means a sum equal to the total of (i) the anticipated receipts from the current existing levy multiplied by two, (ii) the anticipated receipts from the state for core services and technology infrastructure for the current fiscal year and the following fiscal year, (iii) the anticipated receipts from the United States for the current fiscal year and the following fiscal year, and (iv) the anticipated receipts from other sources for the current fiscal year and the following fiscal year.

(b) Any educational service unit may execute and deliver in evidence thereof its promissory notes which it is hereby authorized and empowered to make and negotiate, bearing a rate of interest set by the educational service unit board and maturing not more than two fiscal years from the date thereof. Such notes, before they are negotiated, shall be presented to the treasurer of the educational service unit and registered by him or her and shall be payable out of the funds collected by such educational service unit in the order of their registry after the payment of prior registered warrants but prior to the payment of any warrant subsequently registered, except that if both warrants and notes are registered, the total of such registered notes and warrants shall not exceed one hundred percent of the unexpended balance of the total anticipated receipts of the general fund of such educational service unit for the current fiscal year and the following fiscal year. For the purpose of making such calculation, such total anticipated receipts shall not include any anticipated receipts against which the educational service unit has borrowed and issued notes pursuant to this section in either the current or the immediately preceding fiscal year.

(2) In addition to the authority granted by subsection (1) of this section, any educational service unit may accept interest-free or low-interest loans from the state or federal government and may execute and deliver in evidence thereof its promissory notes maturing not more than twenty years from the date of execution.

(3) In addition to the authority granted by subsections (1) and (2) of this section, any educational service unit may enter into loan agreements for the purpose of borrowing money from financial institutions, including banks, in amounts not in excess of seventy percent of the unexpended balance of its current existing levy. As evidence of such

## Educational Service Units (L.R. 336)

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borrowing, an educational service unit may execute and deliver one or more written loan agreements but shall not be required to execute and deliver separate promissory notes for each borrowing under such agreements. Money borrowed pursuant to such agreements shall bear interest at such rate or rates and shall become due and be repaid as provided in such agreements. Any such agreement shall provide for repayment in full at least once each fiscal year and shall be for a term not exceeding one fiscal year. Any such agreement shall be registered upon books kept by the treasurer of the educational service unit, and money borrowed pursuant to such agreement shall be paid out of funds collected upon the current existing levy prior to the payment of any warrant or note registered subsequent to any such loan agreement. If an educational service unit has any such loan agreement or agreements outstanding and has warrants or notes registered, as described in subsection (1) of this section, the total amount (a) of borrowings pursuant to such loan agreement or agreements and (b) of registered notes and warrants shall not exceed one hundred percent of the unexpended balance of the current existing levy.

(4) Nothing in this section shall be construed to exempt an educational service unit from the terms and conditions contained in sections 10-701 to 10-716.

Source:

Laws 2002, Second Spec. Sess., LB 5, § 1

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Appendix D: Department of Education Rules and Regulations



Rule 84



**NEBRASKA DEPARTMENT  
OF EDUCATION**

# **RULE 84**

**REGULATIONS GOVERNING  
ACCREDITATION OF EDUCATIONAL  
SERVICE UNITS**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,  
CHAPTER 84**

**EFFECTIVE DATE  
AUGUST 10, 1998**



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TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
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001 General Information

001.01 Statutory Authority. Sections 79-318(6) and 79-1204(4) of the Revised Statutes of Nebraska (R.R.S.) direct the State Board of Education to adopt and promulgate rules and regulations for the accreditation of educational service units.

001.02 Scope and Application of this Chapter. This Chapter provides rules and regulations for the accreditation of educational service units. These rules are intended to assist educational service units and local school districts in making decisions that will enable the resources of the state to be used efficiently to support the approved or accredited school systems in this state. Further, the intent of this Chapter is to establish the minimal level of performance for accreditation which shall be required of the Nebraska educational service unit.

001.03 The Role and Mission of the Educational Service Units. Section 79-1204 R.R.S. states that Educational Service Units shall:

001.03A Act primarily as service agencies in providing core services and services identified and requested by member school districts;

001.03B As providers of educational services, meet minimum accreditation standards set by the State Board of Education that will:

001.03B1 Provide for accountability to taxpayers;

001.03B2 Assure that educational service units are assisting and cooperating with school districts to provide for equitable and adequate educational opportunities statewide; and

001.03B3 Assure a level of quality in educational programs and services provided to school districts by the educational service units.

001.03C Provide for economy, efficiency, and cost-effectiveness in the cooperative delivery of educational services;

001.03D Provide educational services through leadership, research, and development in elementary and secondary education;

001.03E Act in a cooperative and supportive role with the State Department of Education and school districts in development and implementation of long-range plans, strategies, and goals for the enhancement of educational opportunities in elementary and secondary education; and

001.03F Serve, when appropriate and as funds become available, as a repository, clearinghouse, and administrator of federal, state, and private funds on behalf of school districts which choose to participate in special programs, projects, or grants in order to enhance the quality of education in Nebraska schools.

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001.04 Property Tax Funds. Funds generated from the property tax levy shall only be used for purposes approved by representatives of two-thirds of the member school districts in an educational service unit, representing a majority of the students in those member school districts.

001.05 Contract Services. Educational service units may contract to provide services to:

001.05A Nonmember public school districts;

001.05B Nonpublic school systems;

001.05C Other educational service units; and

001.05D Other political subdivisions, under the Interlocal Cooperation Act.

001.06 Regulation of Schools. Educational service units shall not regulate school districts unless specifically provided pursuant to law.

002 Definitions. As used in this Chapter:

002.01 Accreditation/accredited shall mean a level of recognition by the State Board of Education which establishes that the educational service unit has met all provisions and requirements of this Chapter.

002.02 Board shall mean the State Board of Education.

002.03 Commissioner shall mean the State Commissioner of Education.

002.04 Department shall mean the State Department of Education, which is comprised of the State Board of Education and the State Commissioner of Education.

002.05 ESU shall mean Nebraska educational service unit.

002.06 ESU Board shall mean the governing board of the educational service unit as defined and described in Section 79-1217 R.R.S..

002.07 Member School District shall mean any school district which is a member of an educational service unit pursuant to Section 79-1203 R.R.S..

002.08 Teaching Responsibility shall have the same meaning as "teach" as defined in Section 79-101(12) R.R.S..

003 General Provisions

003.01 ESU Services. The ESU shall provide educational services as identified and requested by member school districts through the advisory committee and approved by the ESU board.

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003.02 The Advisory Committee. The selection of the advisory committee shall be determined by a process mutually acceptable to the ESU and member school districts.

003.02A The ESU Advisory Committee shall be a group composed of representatives of each class of member districts in the educational service unit as defined in section 79-102 of the Revised Statutes of Nebraska (R.R.S.).

003.02B The advisory committee shall provide recommendations for educational services to the ESU board, including recommendations for the approval or disapproval of applications by a member school districts for funds to provide core services for itself in a cost-efficient manner.

003.02C The advisory committee shall meet at least four times each school year.

003.02D The advisory committee shall meet to review the program of services being conducted by the ESU board and to discuss and plan changes and further refinement of that program of services.

003.03 Annual Report. An annual written program report on the various programs of service to schools for the past year shall be provided by each educational service unit to the ESU boards, to member school districts and to the Department by November 1 of each year.

003.04 Written Policies. The ESU board shall adopt a comprehensive set of written policies governing the organization and operation of the ESU which shall include, but not be limited to:

003.04A A policy establishing the process by which the ESU provides services and calculates the cost.

003.04B A policy establishing the process by which member and non-member schools request and pay for services.

003.04C A policy governing the supervision, assignment and evaluation of ESU employees when they are serving on the instructional or service faculty of a school.

003.04D A policy providing for the advisory committee to propose and evaluate ESU programs and services.

003.04E A policy providing the equivalent of at least two days annually of professional growth to all ESU professional staff.

003.04F A policy indicating the written policies will be available for review upon request at the administrative office of the ESU.

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004 Procedures for Accreditation

004.01 The period of accreditation shall be for one year from July 1 to June 30.

004.02 An ESU shall either be accredited for the entire period of accreditation or not accredited for the entire period of accreditation, based on its performance during the immediate preceding period of accreditation.

004.03 To receive accreditation status, the ESU shall comply with all provisions of this Chapter as verified by the Department.

004.04 Any violations from the provisions of this Chapter which remain uncorrected or which first occur on or after February 1 during a period of accreditation will be considered for the purpose of this Chapter to have existed during the entire period of accreditation.

004.05 Any violation from the provisions of this Chapter which is corrected prior to February 1, properly reported thus to the Department, and acknowledged by the Department, will be considered for the purposes of this Chapter to have not existed during that entire period of accreditation.

004.06 Each ESU will cooperate fully with the Department by hosting the on-site visitation for the purpose of verifying compliance with this Chapter.

004.07 The ESU shall complete and submit on or before November 1 of each year an application for accreditation to the Department on forms prescribed by the Department.

004.08 The Department shall notify each ESU by April 15 of its intention to recommend that an ESU be accredited or not accredited for the subsequent year. The ESU shall be notified by certified mail to the chief administrator and to the president of the ESU board whenever the Department intends to recommend to the Board that the ESU not be accredited.

004.08A Within 21 calendar days of the ESU's receipt of the notice of the Department's intention to recommend to the Board that the ESU not be accredited, the ESU may make a written request for a review by the Commissioner. Following the review, the Commissioner shall:

004.08A1 Notify the ESU by certified mail that, based upon the review, (s)he will recommend that the ESU not be accredited, or

004.08A2 Notify the ESU by certified mail that, based upon the review, (s)he will recommend that the ESU be accredited.

004.08B Within 30 calendar days of receipt of the notice of the Commissioner's intention to recommend that the ESU not be accredited, the ESU may request in writing a hearing before the Board. The hearing shall be conducted in accordance with the hearing procedures of 92 NAC 61, including provisions of that Chapter relating to evidence.

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005 Staff

005.01 The ESU Board shall employ a chief administrator.

005.01A The chief administrator of the ESU who is first employed before January 2, 1989 shall hold a valid Nebraska Professional Administrative Certificate pursuant to 92 NAC 21.

005.01B The chief administrator of the ESU who is first employed after January 2, 1989 shall hold a superintendent endorsement on his/her valid Nebraska Professional Administrative Certificate pursuant to 92 NAC 21.

005.02 All ESU staff who have teaching responsibilities for students shall hold valid Nebraska teaching certificates pursuant to 92 NAC 21.

005.03 Teaching assignments shall be made only to ESU teachers who hold valid Nebraska teaching certificates having appropriate endorsements, provided such endorsements are being offered by a Nebraska standard institution of higher education.

005.03A Each certificated instructional staff member who is inappropriately assigned shall constitute a violation of this Chapter.

005.03B The ESU will be allowed one inappropriate assignment violation per period of accreditation.

005.04 Special service certificate holders shall be limited to providing those services specified on their Nebraska Special Services Certificate.

006 Informational Reports

006.01 The ESU shall submit informational reports as required by the Department.

006.02 All reports required of ESU's shall be made on forms prescribed and furnished by the Department.

006.03 Any report required by the Department shall be submitted on or before the due date and with all requested information, including required signatures.

006.04 Any ESU which fails to submit a report on or before the due date shall cause the Department to issue official notice of such failure by certified mail to the president of the ESU board and to the chief administrator. If the delinquent report is not received by the Department within thirty days of the date which the notice is postmarked, the Department shall recommend to the Board that the ESU not be accredited for the remainder of the accreditation period. This action shall be subject to the procedures outlined in 004.08.

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007 Evaluation

007.01 Each ESU shall conduct a comprehensive evaluation of its programs and services at least once in every seven year period using models approved by the Department and as scheduled by the Department.

007.01A The evaluation shall include an on-site visitation by an external team. The membership of the team shall be mutually agreed upon by the chief administrator of the ESU and the Department.

007.01B The External Team shall be a group of persons, not employed by the ESU or in schools served by the ESU, who conduct the on-site evaluation visit as required by this Rule.

008 Audits

008.01 The ESU shall conduct an independent audit of all its accounts annually using a licensed independent auditor or the Auditor of Public Accounts.

008.02 A copy of the annual audit report shall be provided to each member public school system on request and to the Department.

009 Core Services

009.01 Provision of Core Services. Except as provided in Section 009.02, core services shall be provided by educational service units to all member school districts. Core services shall be defined by each educational service unit as follows:

009.01A Core services shall be within the following service areas in order of priority:  
Staff development, technology, and instructional materials services;

009.01B Core services shall improve teaching and student learning by focusing on enhancing school improvement efforts, meeting statewide requirements, and achieving statewide goals in the state's system of elementary and secondary education;

009.01C Core services shall provide schools with access to services that:

009.01C1 the educational service unit and its member school districts have identified as necessary services;

009.01C2 are difficult, if not impossible, for most individual school districts to effectively and efficiently provide with their own personnel and financial resources;

009.01C3 can be efficiently provided by each educational service unit to its member school districts; and



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009.01C4 can be adequately funded to ensure that the service is provided equitably to the state's public school districts;

009.01D Core services shall be designed so that the effectiveness and efficiency of the service can be evaluated on a statewide basis; and

009.01E Core services shall be provided by the educational service unit in a manner that minimizes the costs of administration or service delivery to member school districts.

009.02 Funds for Core Services. Funds appropriated for core services shall be distributed proportionally to each educational service unit by the State Department of Education on or before August 1 of each school fiscal year based on the fall membership in member districts in the preceding school fiscal year, although no educational service unit will receive less than 2.5% of the total funds allocated. Funds distributed pursuant to this section shall be used for core services with the approval of representatives of two-thirds of the member school districts, representing a majority of the students in those member school districts. If a member school district provides evidence satisfactory to the educational service unit that the district will provide core services for itself in a cost-efficient manner, the educational service unit may distribute funds directly to the district to be used for providing core services, or if all member school districts within the boundaries of an educational service unit together provide evidence satisfactory to the State Department of Education that the districts will provide core services for themselves in a more cost-efficient manner than the educational service unit, the department shall distribute funds directly to the districts to be used for providing core services.

009.02A Satisfactory evidence that a member district will provide cost-efficient core services for itself shall be submitted to the ESU according to a uniform application procedure adopted by all ESU boards. It shall include a description of the proposed core services, a budget, a description of delivery methods, and summative evaluation.

009.02B Applications for funds to be used by member districts to provide their own cost-efficient core services shall be reviewed by the ESU Advisory Committee. The Committee recommendations for approval or disapproval shall be presented to the ESU Board for final action.

Rule 85



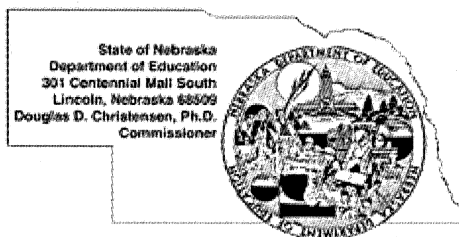
**NEBRASKA DEPARTMENT  
OF EDUCATION**

# **RULE 85**

**REGULATIONS GOVERNING ESU BOUNDARY  
CHANGE PETITIONS AND HEARINGS BEFORE  
THE STATE BOARD OF EDUCATION**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,  
CHAPTER 85**

**EFFECTIVE DATE  
DECEMBER 15, 1998**



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Appendix A - Petition Form

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001 General Information

001.01 Statutory Authority. Sections 79-1206 to 79-1211 of the Revised Statutes of Nebraska (R.R.S.) establish general procedures for the filing of petitions with the State Board of Education to change educational service unit (ESU) boundaries. Section 79-318, R.R.S. authorizes the Board to adopt rules and regulations for carrying out the Board's responsibilities.

001.02 Scope and Application of this Chapter. This chapter governs hearings on ESU boundary change petitions before the State Board of Education, as provided in Sections 79-1206 to 79-1211 R.R.S. It is not applicable to any other type of hearings. Regulations of the Department of Education governing contested cases are not applicable to ESU petition hearings.

002 Definitions. As used in this chapter:

002.01 Affected Districts shall refer to districts that would be added to, or withdrawn from, an ESU or transferred to a different ESU by the petition. Other districts that are already members of an affected ESU in a merger or dissolution petition shall not be considered affected districts.

002.02 Affected ESUs shall refer to Educational Service Units that merge, dissolve, or would have districts added to or, withdrawn from, their territory by the petition.

002.03 Board shall mean the State Board of Education.

002.04 Commissioner shall mean the State Commissioner of Education.

002.05 Department shall mean the State Department of Education, which is comprised of the Board and the Commissioner.

002.06 ESU shall mean educational service unit, as established by Article 12 of Chapter 79 of the Revised Statutes of Nebraska.

002.07 Petitioners shall mean the school boards or ESUs that have filed a petition with the Board.

002.08 School Board shall mean local boards of education.

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003 General Procedures for ESU Boundary Change Petitions

003.01 Content of Petition. An ESU boundary change petition may be filed by one or more ESUs or school boards as provided in Section 79-1207 R.R.S., either as a result of a resolution adopted by a majority vote of the ESU board or school board or when they are required to initiate the petition upon receipt of a reorganization petition signed by ten percent of the registered voters of the ESU or school district and certified by the county clerk or election commissioner. The petition must comply in all respects with Sections 79-1207 through 79-1209 R.R.S. A sample petition is contained in Appendix A. The petition shall be typed double spaced on 8 1/2x 11 inch white paper and shall:

003.01A Show the venue: "BEFORE THE STATE BOARD OF EDUCATION, STATE OF NEBRASKA";

003.01B Contain a heading captioned "IN THE MATTER OF THE BOUNDARY CHANGE PETITION OF" and then specifying the name(s) of the educational service unit(s) and school district(s) that is (are) bringing the petition and their mailing addresses;

003.01C State that the petition has been initiated by a resolution adopted by a majority vote of the petitioning ESU(s) and/or district(s), and contain, as an attachment a copy or copies of all such resolution(s). If the ESU(s) and/or districts(s) are initiating a petition upon the receipt of a petition signed by ten percent of the registered voters of such ESU or district, a copy of such petition, as certified by the county clerk or election commissioner, shall also be made an attachment.

003.01D State the legal names of all of the affected districts and ESUs, their mailing addresses, the name(s) of the county or counties in which all of the land in the affected districts and ESUs is located, and the class of each district.

003.01E Specifically state which boundary changes are sought, which shall include one or more of the following:

003.01E1 A transfer of a school district or districts from one established ESU to another established ESU;

003.01E2 A withdrawal from an established ESU by two or more school districts to form a new ESU;

003.01E3 An addition of a school district or districts which are not part of an ESU to an established or new ESU; and/or



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003.01E4 The dissolution of one or more entire educational service units for attachment to existing educational service units or the merger of two or more educational service units into a new educational service unit.

003.01F Contain a clear and specific detailed description of the current and proposed boundaries listing affected districts and affected ESUs, and shall include as an attachment a map or maps clearly showing the current and proposed boundaries of the affected districts and ESUs.

003.01G Contain as an attachment a plan of reorganization, which shall include a summary of the reasons for the proposed reorganization, which shall specifically address the following:

003.01G1 The educational needs of students in the affected school districts and the affected educational service units;

003.01G2 The economic viability of the proposal as it relates to affected established educational service units or affected proposed educational service units;

003.01G3 Any community of interest among affected school districts and affected educational service units;

003.01G4 Geographic proximity as such would affect the ability of affected educational service units to deliver service in a cost-effective manner; and

003.01G5 In the dissolution of one or more entire educational service units, evidence of consent from each educational service unit board and two-thirds of the school boards or boards of education of member school districts representing a majority of students in each affected educational service unit.

003.01H Contain as an attachment a plan for the provision of services to districts affected by the reorganization plan.

003.01I In cases when the petition proposes dissolution of an entire ESU or ESUs for attachment to an existing ESU or the merger of two or more ESUs into a new ESU, contain as an attachment a summary of the terms on which such reorganization is proposed, including:

003.01I1 Provision for the utilization of existing facilities, equipment, and materials; and

003.01I2 Provision for the disposition of assets and any unbonded indebtedness of affected ESUs.

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003.01J When the petition deals with the attachment of new territory to an existing ESU, verification of approval by majority vote of the receiving ESU Board.

003.01K Contain a statement requesting the Board, after public hearing, to approve such petition. In the case of petitions initiated by voters, the initiating board(s) and/or ESU(s) may choose to request rejection of the petition and may add attachments outlining their reasons for such request.

003.01L Be subscribed and verified by a representative of each petitioning district or ESU or by their attorney(s), in which case each attorney shall list his or her address.

003.02 Submission and Service of Petition

003.02A The petition and all attachments and exhibits shall be filed on 8 1/2 x 11 inch white paper with the Office of the Commissioner of Education at 301 Centennial Mall South, Sixth Floor, Lincoln, NE 68509, by mail or in person during normal business hours of the Department.

003.02B The petitioner(s) shall serve a copy of the petition on each affected district which is not a petitioner and affected ESU which is not a petitioner by certified mail, return receipt requested. The petitioners shall file proof of completion of such service with the Commissioner's Office by filing a returned copy of the receipt. A certificate of service shall be filed with the petition, a sample of which is included in Appendix A.

003.03 Notice of Hearing

003.03A Following the filing of a petition, the petitioner(s) shall secure a hearing date and location from the hearing officer appointed by the Commissioner. At least ten (10) days prior to such hearing date, the petitioner(s) shall cause a notice of the filing of the petition and hearing thereon to be published in a newspaper of general circulation in the community in which the main administrative offices are located for each affected ESU, or in a newspaper with statewide circulation. A sample notice is included in Appendix C. Prior to the hearing, the petitioner shall file a copy of such notice(s) and an affidavit of publication prepared by the newspaper(s) with the hearing officer. Such notice(s) must designate the specific ESU(s) and district(s) affected and summarize the proposed change in boundaries.

003.03B At least ten (10) days prior to the hearing the petitioner shall mail a copy of a notice of the time and place of hearing to all affected districts and ESUs by certified mail, return receipt requested, and file copies of the return receipts with the hearing officer. A sample notice is included in Appendix B.

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003.04 Format for Subsequent Filings. All responses, or other pleadings or documents filed with the hearing officer shall be typewritten on 8 1/2 x 11 inch white paper. Copies shall be served on all affected districts and ESUs by regular mail, postage prepaid, and a certificate of such service attached. A sample of such certificate is included in Appendix B. All exhibits or other documents that cannot be typewritten shall be reduced to 8 1/2 x 11 inch size, if possible.

003.05 Response. Prior to the hearing, any affected district or ESU may file a response with the hearing officer. Such response shall:

003.05A Contain the same type of heading as required for petitions, except that it shall contain the word "Response";

003.05B Be limited to the issue of whether the petitioner(s) meet(s) the statutory requirements for such petition(s) and to any irregularities, inaccuracies, or misrepresentations contained in said petition and its attachments;

003.05C Specifically address the reasons for or against the proposed reorganization, addressing the grounds as required in 003.01G;

003.05D Specifically admit or deny each material allegation of the petition.

003.05E A copy of the response shall be served on all petitioners, affected districts, and affected ESUs by regular first class mail, postage prepaid, and a certificate of service affixed to the response, a sample of which is contained in Appendix D to this chapter.

004 Hearings

004.01 Setting of Hearings. The Commissioner shall appoint a hearing officer to conduct the hearing on behalf of the Board and the hearing officer shall set the time and place for any hearing within 90 days from the receipt of the petition.

004.02 Continuances. The hearing officer may at any time order a continuance of a hearing on his or her own motion, so long as the hearing may be completed within 90 days from the receipt of the petition.

004.03 Consolidation. The hearing officer may order two or more petitions which are legally or factually related to be heard and considered together on a consolidated record, unless any petitioner makes a showing, sufficient to satisfy the hearing officer, that it would be prejudiced thereby.

004.04 Conduct of Hearings. The hearing will be an informal proceeding. Hearings will be conducted before a hearing officer appointed by the Commissioner on behalf of the Board. The hearing officer will recommend a decision to the Board. At the time of hearing:

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004.04A The hearing officer shall open and close the proceedings, enter the notices of hearing into the record, take appearances, and rule on any other matter.

004.04B Reasonable opportunity shall be afforded representatives of all petitioners; affected ESUs, affected districts, other districts that are members of affected ESUs, county officials and Department officials to testify. The hearing officer, at his/her request and discretion, may also take testimony and receive exhibits from other persons. The hearing officer may set reasonable time limits on presentations and may limit repetitious testimony.

004.04C Informal procedures governing the conduct of hearings shall be subject to the discretion and the direction of the hearing officer, at the time of such hearings, unless otherwise specified in this chapter.

005     Exhibits

005.01     Copies of Exhibits. All exhibits to be offered at a hearing shall be on 8 1/2 x 11 inch white paper, unless waived by the hearing officer.

005.02     Filing Exhibits Prior to Hearing. In any proceeding where detailed or complicated exhibits are to be used, the hearing officer may require any petitioner to file copies of such exhibits or other necessary information within a specified time in advance of the hearing in order to enable the hearing officer to study same.

006     Disposition of Cases

006.01     Official Record. The hearing officer shall prepare an official record in each case which shall include pleadings, exhibits, orders, and recorded testimony, which need not be transcribed unless directed by the Board. Upon request by any person, a written copy of the testimony will be prepared upon the tender of the cost of preparation. The hearing officer may authorize the use of a court reporting service to record the hearing. The cost of obtaining verbatim transcripts from a court reporting service shall be paid directly to such service by the persons requesting the transcripts.

006.02     Recommended Order. The hearing officer shall submit a copy of the official record and a recommended order to the State Board.

006.03     Final Order. Within one hundred twenty days of the receipt of the petition, the Board shall grant or deny the petition based upon the following criteria:

006.03A The educational needs of students in the affected school districts and the affected educational services units;

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006.03B The economic viability of the proposal as it relates to the affected established educational service units or affected proposed educational service units;

006.03C Any community of interest among affected school districts and affected educational service units;

006.03D Geographic proximity as such would affect the ability of affected educational service units to deliver service in a cost-effective manner; and,

006.03E In the dissolution of one or more entire educational service units, evidence of consent from each educational service unit board and two-thirds of the school boards or boards of education of member school districts representing a majority of students in each affected educational service unit.

006.04 Preparation of Orders. Upon direction of the Board, the Commissioner shall prepare and issue a final order on behalf of the Board. The Commissioner, as Board Secretary, shall have the authority to sign such orders on behalf of the Board.

006.05 Notification. The Commissioner shall notify affected districts and ESUs, and appropriate county officials, of the final decision or order of the Board by certified mail, return receipt requested.

006.06 Educational Service Unit Numbers. For educational service units created by merger after July 1, 1998, the number of the unit shall be the number of one of the educational service units dissolving into the new educational service unit. For all other educational service units created after July 1, 1998, the number shall be any number not otherwise assigned to an existing educational service unit, as determined by the State Board of Education.

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APPENDIX A: Sample Petition Form

BEFORE THE STATE BOARD OF EDUCATION  
 STATE OF NEBRASKA

IN THE MATTER OF THE EDUCATIONAL	)	
SERVICE UNIT BOUNDARY CHANGE	)	
PETITION OF	)	
	)	CASE NO. <u>(Leave Blank)</u>
_____	)	
(Names of initiating ESUs	)	
and/or school districts)	)	
	)	PETITION
_____	)	
Addresses	)	
	)	
_____	)	
	)	
Petitioner(s).	)	

Petitioner(s), in accordance with Sections 79-1207 through 79-1209 R.R.S., and Title 92 Chapter 85, of the Nebraska Administrative Code, state(s) and allege(s) as follows:

1. (State that the petition has been initiated by a resolution adopted by a majority vote of the petitioning ESU(s) and/or district(s), and contain, as an attachment, a copy or copies of all such resolution(s). If the ESU(s) and/or district(s) are/is initiating a petition upon the receipt of a petition signed by ten percent of the registered voters of such ESU or district, a copy of such petition, as certified by the county clerk or election commissioner shall also be made an attachment.)
2. (State the legal names of all of the affected districts and ESUs, their mailing addresses, the name(s) of the county or counties in which all of the land in the affected districts and ESUs are located, and the class of each district.)
3. (Specifically state which boundary changes are sought, which shall include one or more of the following:
  - a. A transfer of a school district or districts from one established ESU to another established ESU;
  - b. A withdrawal from an established ESU by two or more school districts to form a new ESU;

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CHAPTER 85 - ESU BOUNDARY CHANGE PETITIONS

APPENDIX A: Sample Petition, Page 2

- c. An addition of a school district or districts which are not part of an ESU to an established or new ESU; and/or
  - d. A withdrawal from a new or established ESU by two or more districts to form a new educational service unit. The dissolution of one or more entire educational service units for attachment to existing educational service units or the merger of two or more educational service units into a new educational service unit.)
4. (Contain a description of the current and proposed boundaries, and shall include as an attachment a map or maps clearly showing the current and proposed boundaries of the affected districts and ESUs.)
5. (Contain as an attachment a plan of reorganization, which shall include a summary of the reasons for the proposed reorganization, which shall specifically address the following:
- a. The educational needs of students in the affected school districts and the affected educational service units;
  - b. The economic viability of the proposal as it relates to affected established educational service units or affected proposed educational service units;
  - c. Any community of interest among affected school districts and affected educational service units;
  - d. Geographic proximity as such would affect the ability of affected educational service units to deliver service in a cost-effective manner; and,
  - e. In the dissolution of one or more entire educational service units, evidence of consent from each educational service unit board and two-thirds of the school boards or boards of education of member school districts representing a majority of students in each affected educational service unit.)
6. (Contain as an attachment a plan for the provision of services to districts affected by the reorganization plan.)
7. (In cases when the petition proposes dissolution of an entire ESU for attachment to an existing ESU or the merger of two or more ESUs into a new ESU, contain as an attachment a summary of the terms on which such reorganization is proposed, including:
- a. Provision for the utilization of existing facilities, equipment, and materials; and,

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APPENDIX A: Sample Petition, Page 3

b. Provision for the disposition of assets and any unbonded indebtedness of affected ESUs.)

WHEREFORE, Petitioner requests that the State Board of Education, after public hearing, approve (reject) this petition.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature(s) and Title(s) of  
Representative(s) of Petitioner(s))  
(If attorney for petitioner, list address)

VERIFICATION

State of Nebraska            )  
  ) ss  
County of \_\_\_\_\_    )

I, (name of representative of petitioner), being first duly sworn under oath, state that I have read the contents of the petition and that to the best of my knowledge, information, and belief such contents are true.

\_\_\_\_\_  
(Signature and Title)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by (name of petitioner's representative).

(SEAL)

\_\_\_\_\_  
Notary Public



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APPENDIX A: Sample Petition, Page 4

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Petition, including a copy of any exhibits cited therein, was mailed to the following school districts, and ESUs by certified mail, return receipt requested, this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and a copy of the receipt(s) will be filed with the Office of the Commissioner.

\_\_\_\_\_  
(Signature of Petitioner or Representative)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 CHAPTER 85 - ESU BOUNDARY CHANGE PETITIONS

APPENDIX B: Sample Notice of Hearing

BEFORE THE STATE BOARD OF EDUCATION  
 STATE OF NEBRASKA

IN THE MATTER OF THE EDUCATIONAL	)	
SERVICE UNIT BOUNDARY CHANGE	)	
PETITION OF	)	
_____	)	CASE NO. <u>(Leave Blank</u>
(Name(s) of initiating ESUs	)	Unless Known)
and/or school districts)	)	
	)	
_____	)	NOTICE OF
Address(es)	)	HEARING
	)	
_____	)	
	)	
Petitioner(s).	)	

Notice is hereby given that a hearing on the petition in this case has been set before the hearing officer for the State Board of Education on \_\_\_\_\_ (date) \_\_\_\_\_, at \_\_\_\_\_ (time) \_\_\_\_\_, at \_\_\_\_\_ (specific location) \_\_\_\_\_.

\_\_\_\_\_  
 (Petitioner or Representative)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Notice was mailed to the following school districts, and ESUs by certified mail, return receipt requested, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and a copy of the receipt(s) will be filed with the hearing officer.

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 85 - ESU BOUNDARY CHANGE PETITIONS

APPENDIX C: Sample Newspaper Notice

NOTICE OF THE FILING OF AN EDUCATIONAL SERVICE UNIT  
BOUNDARY CHANGE PETITION AND HEARING THEREON

Notice is hereby given that (name(s) of petitioning ESUs and/or districts) has (have) filed an educational service unit boundary change petition with the State Board of Education pursuant to Sections 79-1207 through 79-1209 R.R.S., asking that the following changes in ESU boundaries be made:

(Give specific description of proposed boundary change and designate the affected districts and ESUs)

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Notice is hereby given that a hearing on this petition will be held before a hearing officer for the State Board of Education on     (date)    , at     (time)    , at     (location)    . Copies of the petition are available for review at the central administrative office of each petitioning ESU and school district, and at the Office of the Commissioner of Education in Lincoln.

By: (Name of Petitioner or Representative)

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APPENDIX D: Sample Certificate of Service for Regular Mail

CERTIFICATE OF SERVICE

(Not for use when certified mail service is required.)

I hereby certify that a copy of the above     (list document)    , including a copy of any exhibits cited therein, was mailed to the following persons or political subdivisions by regular first-class mail, postage prepaid, this      day of           ,     .

(List names and addresses)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
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APPENDIX E: Sample Response Form

BEFORE THE STATE BOARD OF EDUCATION  
STATE OF NEBRASKA

IN THE MATTER OF THE EDUCATIONAL )  
SERVICE UNIT BOUNDARY CHANGE )  
PETITION OF )  
\_\_\_\_\_) )  
(Name(s) of initiating ESUs )  
and/or school districts) )  
\_\_\_\_\_) )  
Address(es) )  
\_\_\_\_\_) )  
\_\_\_\_\_) )  
Petitioner(s). )

CASE NO. (Leave Blank  
Unless Known)

RESPONSE

COMES NOW \_\_\_\_\_ (Name) \_\_\_\_\_, affected district (or ESU), and, for its Response to the

Petition filed in this case, admits, denies, and alleges as follows:

1. (Address the issue of whether the petitioner(s) meet(s) the statutory requirements for such petition(s) and to any irregularities, inaccuracies, or misrepresentations contained in said petition and its attachments.)
2. (Specifically address the reasons for or against the proposed reorganization, addressing the grounds required in 003.01G.)
3. (Specifically admit or deny each material allegation of the petition.)

WHEREFORE, this Representative of the affected district or ESU requests that the State Board of Education (approve or not approve) the boundary change sought in this matter \_\_\_\_\_  
\_\_\_\_\_  
(and/or state any additional action sought)

\_\_\_\_\_  
(Signature of Representative of affected  
district or ESU and address of its attorney)

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APPENDIX E: Sample Response Form, Page 2

VERIFICATION

State of Nebraska    )  
                                  ) ss  
County of \_\_\_\_\_ )

I, \_\_\_\_\_, being first duly sworn under oath, state that I have read the contents of the response and that to the best of my knowledge, information, and belief such contents are true.

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_  
(name and title) \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Response, including a copy of any exhibits cited therein, were mailed to the following persons by regular first class mail, postage prepaid, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Appendix E: Legislation Adopted By Year





## Educational Service Units (L.R. 336)

1965

LB 301 (Senator Ross Rasmussen and Senator Richard Marvel)

Established 19 Educational Service Units to provide supplementary services to local school districts. Allowed Class IV and V school districts to be exempted and also provided an exclusion and re-inclusion procedure for counties. In order to provide these services the bill authorized the E.S.U.'s to levy a tax up to "1 mill." Also provided for services of the E.S.U. to be coordinated by an administrator experienced in public school administration and who holds an administrative certificate. The act established an elected governing board comprised of one member from each county and four at-large members.

1967

LB 477 (Senator Ross Rasmussen)

Intent of this bill was to authorize the state to pay Educational Service Units directly for their provision of special education services. (Prior to any payments taking place, however, an Attorney General's Opinion was issued which stated that direct reimbursement to E.S.U.'s was not allowed, but that payment must first flow through the school districts. Direct reimbursement was authorized in 1986 with the adoption of LB 942.)

LB 500 (Senator Elvin Adamson and Senator Ramey Whitney)

Provided a tax refund for counties which had voted to exclude themselves from an Education Service Unit.

1969

LB 215 (Senator Lester Harsh)

Established more stringent criteria for a county to be excluded or re-included into an Educational Service Unit. The new procedure required 20% of the registered voters in a county to sign a petition to have the question placed on the ballot. (The original statute called for 5% of the voters in each school district of at least 3/5 of the school districts in the county.)

LB 280 (Senator Leslie Robinson, Senator John Knight, and Senator Wayne Ziebarth)

Provided for the Educational Service Unit board to employ a paid treasurer. Prior to this bill, the county treasurer in the county in which the E.S.U.'s principal office was located acted as the treasurer for the E.S.U.

## Educational Service Units (L.R. 336)

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### LB 967 (Senator Henry Pedersen)

Stipulated that an Educational Service Unit choosing to provide health services must attempt to contract with a local health department, if one exists within the territory of the E.S.U., for the provision of these services.

### LB 1097 (Senator Wayne Ziebarth)

Established procedures for the preparation of a yearly budget, the publication of and public hearing on such a budget, a report of yearly activities, and a comprehensive annual audit.

### LB 1255 (Senator Wayne Ziebarth, Senator Robert Clark, Senator Henry Pedersen)

Struck language viewed as restrictive in what supplemental services an E.S.U. could provide to local school districts and specified that supplementary services are provided to requesting school systems. Also repealed the statute authorizing the Board of Education to develop rules and regulations for E.S.U.'s.

### LB 1341 (Committee on Education, on recommendation of the Governor)

Reduced the number of Educational Service Units from 19 to 17 with the goal of reducing costs by the operation of fewer units. Also removed the exemption provision for Class IV and V districts.

### LB 1433 (Senator Terry Carpenter)

Established the Nebraska Budget Act. With regard to Educational Service Units, this act provided a change in the levy certification process requiring the secretary of the Educational Service Unit to certify the E.S.U. budget to the County Board of Equalization in each county in which part of the E.S.U. is located. Previously, the budget was certified directly to the county treasurers.

1971

### LB 734 (Senator Herbert Duis)

Specified that Educational Service Units may purchase, lease, or lease-purchase real estate.

1972

### LB 928 (Senator Harold Simpson)

Specified that Educational Service Units may charge school districts for contracted services and receive funds from sources other than school districts, county, state, or

## Educational Service Units (L.R. 336)

federal funds, and property tax revenue. The bill also required E.S.U.'s to itemize their budget by expected revenue source and allowed Class IV and V school districts to join an existing E.S.U. or to establish a separate E.S.U.

### LB 1177 (Senator C.W. Holmquist)

Authorized Educational Service Units to provide their governing board members with personal liability insurance and medical and term life insurance with the same conditions as the coverage provided to employees of the E.S.U.

1973

### LB 402 (Senator Gary Anderson)

Allowed county boards to vote to discontinue the Office of County Superintendent once a public hearing on the issue had been held. Once the county board has voted to discontinue the Office, the board can contract with an Educational Service Unit or a Class II, III, IV, or V school district to perform the duties of the county superintendent.

1975

### LB 453 (Senator Gary Anderson)

This bill was an omnibus modification of the election laws. With regard to the Educational Service Units, the bill required E.S.U.'s to pay a \$50 fee to the election commissioner in each county for conducting its election in addition to any costs for the printing of ballots.

1977

### LB 201 (Senator Barry Reutzel)

Provided technical revisions in several election laws including those regarding Educational Service Units.

### LB 391 (Revenue Committee)

Provided that subdivisions of government (including E.S.U.'s) use the certified adjusted valuation of property in their taxing jurisdiction when setting their tax levy. Previously, two other methods were used: the previous year's valuation or the county assessor's valuation prior to certification by the County Board of Equalization.

## Educational Service Units (L.R. 336)

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1978

### LB 632 (Senator George Bill Burrows)

This bill changed many election procedure for initiative and referendum measures in cities. With regard to Educational Service Unites, the bill changed the filing date for E.S.U. board candidates from 70 days prior to the general election to August 1 prior to the general election.

1979

### LB 57 (Senator Gerry Koch)

Provided restriction to Educational Service Units regarding the resale of equipment, supplies, and personal property and regarding the solicitation of bids for administrative or instructional materials.

### LB 178 (Senator Tom Vickers)

Changed provisions regarding the filing date for political subdivisions to submit their adopted budget and the amount of tax to be levied to the levying board and the State Auditor from September 1<sup>st</sup> of each year to August 25<sup>th</sup> of each year. The purpose of this change was to allow county clerks time to compile budget totals before the deadline for the County Board of Equalization to set the levies which is also September 1<sup>st</sup>.

### LB 187 (Senator Jerry Warner)

Converted the mill levy limits on property tax to cents on \$100 of assessed valuation. This bill did not change the value in property tax limitations. (Prior to LB 187, the E.S.U. property tax limitation was one mill which translates in cents to \$0.035 of \$100 of assessed valuation.)

1980

### LB 599 (Senator Jerry Warner)

Provided technical changes to correct errors and oversights made in converting "mill" levies to "dollar" levies.

1981

### LB 204 (Senator Donald Wagner)

Provided uniform mileage rate statutes for all public servants based upon three categories: county employees, sheriffs, and state employees.

## Educational Service Units (L.R. 336)

1984

LB 994 (Education Committee, request of Governor)

Provided for the State Board of Education to establish rules and regulations for the guidance, supervision, and coordination of Educational Service Units. Also required service units to assist school districts in meeting approval and accreditation requirements and in upgrading staff, curriculum and equipment. Also mandated E.S.U.'s to assist in teacher evaluation and with the entry-year assistance program.

1986

LB 942 (Education Committee)

Authorized direct reimbursement of state and federal special education funds to Educational Service Units.

LB 997 (Education Committee)

Established the Educational Service Unit Planning Committee. Established the same tenure provisions for E.S.U. employees as those existing for public school teachers. Also provided for a school district to exclude itself from an Educational Service Unit by a majority vote of its local board of education after June 1, 1987.

1987

LB 183 (Senator Jerome Warner)

Established the requirement for the E.S.U. board to initiate an annual audit unless the Auditor of Public Accounts determines that it can be done less frequently, but not less than every three years.

LB 367 (Senator Dennis Baack)

Established the Special Education Act to provide meaningful educational programs for all Nebraska youth regardless of their physical or mental capacity. Within this act provisions were made to allow direct special education payments to an E.S.U. when the E.S.U. was actually providing the educational program for certain handicapped children.

LB 688 (Education Committee)

A legislative interim study of E.S.U.'s, completed in 1986, provided the basis for this significant piece of legislation that in turn modified both organization and structure of the E.S.U. system. It established a statutory statement of specific role and mission, provided to the State Board of Education to promulgate rules to provide for reorganization and boundary changes for E.S.U.'s, provided a window of time for districts to "opt-out" of an

## Educational Service Units (L.R. 336)

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E.S.U., and continuing contract rights for employee reduced-in-force actions due to the reorganization of an E.S.U.

1988

### LB 1142 (Education Committee)

Established that when E.S.U.'s report the names of school districts which are a part of any individual E.S.U., that the district be listed by their "corporate name" as provided in Neb. Rev. Stat. §79-401.

1990

### LB 486 (Education Committee)

Changed the provisions by which the boundaries of an E.S.U. are changed or when territory is added to an E.S.U. to require verification by a majority vote of the receiving E.S.U.'s board.

### LB 1090 (Education Committee)

Changed the number of days require for publication of the budget summary for an E.S.U. from ten to five and that an annual report of the E.S.U.'s financial activities be published in a newspaper of general circulation and distributed to member schools by November 1 of each year.

1991

### LB 551 (Senator Howard Lamb)

Provided that all Class I elementary districts "affiliate" or become a part of an existing K-12 school system. Included in this affiliation statute was the provision that Class I's, which were members of an E.S.U., would maintain that membership regardless of the E.S.U. membership of its affiliated partner.

1992

### LB 1063 (Senator Jerome Warner)

Changed dates, exemptions, defined and redefined terms and other provisions regarding listing, valuation of, levy certification for property taxes in Nebraska Budget Act. Included in these changes was the certification date of the E.S.U.'s levy to the County Board of Equalization from the August 25<sup>th</sup> date to September 1 for the 1992 budget year. This provided county assessors the additional time required to meet the provisions of this legislation.

## Educational Service Units (L.R. 336)

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1993

### LB 348 (Senator Ron Withem)

Established the requirement that E.S.U.'s, in cooperation with the Department of Education, provide school districts with access to telecomputing resources (Internet) and provide training to meet districts telecomputing needs. In order that these services could be provided, E.S.U.'s were given the additional taxing authority of 0.5 of a cent on each \$100 of assessed valuation.

### LB 452 (Senator Ron Withem)

Provided the procedure by which the board of an E.S.U. could vote to use the tax proceeds of the levy provided in LB 348.

### LB 734 (Senator Joyce Hillman)

Provided changes related to certification of tax levies and valuation by governing bodies and to change the provisions for notice, hearings, and filing dates of budgets. For an E.S.U., the levy certification date was changed from September 1 to September 10 of any given year.

1994

### LB 76 (Senator Ron Withem)

Revised and provided for uniform election procedures and terms for most locally elected officials, including the board of an E.S.U.

### LB 1310 (Education Committee)

Was passed as a technical language and clean-up bill by the Nebraska Department of Education. Included in this bill was a provision to eliminate the requirement that E.S.U.'s use a "form prescribed by the Department of Education" when member schools request information or services.

1995

### LB 613 (Senator Janice McKenzie)

Reduced the allowable growth of school districts and reinstated the budget lid requirements for political subdivisions, including E.S.U.'s, due to sunset in the 1995-96 fiscal year.



## Educational Service Units (L.R. 336)

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### LB 860 (Senator Bud Robinson)

Stated the Legislature's intent that all K-12 public school districts have a direct connection to a statewide public computer information network by June 30, 2000. The costs of the connection could be funded through the School Technology Fund, the Education Innovation Fund and funds provided to E.S.U.'s for technology infrastructure. Established the School Technology Fund to provide grants for use by school districts to connect to telecomputing networks and transferred funds from the School Weatherization Fund to the School Technology Fund. Also established was the provision for E.S.U.'s to use up to half of their one-half cent per \$100 of valuation telecomputing levy authority to assist schools in their service region to telecomputing networks.

1996

### LB 900 (Senator Ardyce Bohlke)

Rewrite of education statutes - no substantive changes to E.S.U. statute sections.

1997

### LB 345 (Senator Ardyce Bohlke)

Amended §79-1217 to change "qualified elector" language in the governance and election section to "legal voter".

### LB 347 (Senator Ardyce Bohlke)

Amended §79-1217 to allow Class I districts to contract with E.S.U.'s for services even if their Class VI district had removed itself from the E.S.U.

### LB 419 (Senators Paul Harnett and Ardyce Bohlke)

Portions amended into LB 806.

### LB 806 (Education Committee)

The role and mission for E.S.U.'s was clarified. Core services were established and defined, with an intent stated that the Department of Education would fund core services based on the fall memberships of member districts. An approval mechanism was provided for district input into spending decisions for core services state aid and property tax revenue. Reorganization procedures were modified to allow for the merger of E.S.U.'s. The measure also corrected a reference to the number of E.S.U.'s and codified the numbering for E.S.U.'s 18 and 19.

## Educational Service Units (L.R. 336)

In addition, LB 806 eliminated the elected office of county superintendent as of June 30, 2000. The Department of Education was directed to recommend the assignment of the duties of the county superintendent. Senator Elaine Stuhr's LB 272 in 1999 implemented the assignment and elimination of duties.

1998

### LB 1110 & LB 1110A (Senators Paul Hartnett, Ardyce Bohlke and Roger Wehrbein)

Appropriated \$9.7 million to E.S.U.'s to be used for funding of core services only. The distribution formula was modified to state that no E.S.U. would receive less than 2.5% of the funds appropriated for core services.

### LB 1 Special Session (Senator Ardyce Bohlke, at the request of the Governor)

Large education bill (same as LB 1175 passed during the regular session but vetoed by the Governor) which included a repeal of §79-1203 & §79-1214. §79-1203 specified which counties are included in each E.S.U., except that the school districts were specified for E.S.U.'s 18 and 19. §79-1214 required the reinclusion of counties in education service units by January 1, 1998.

1999

### LB 87 (Senator Bob Wickersham)

The Joint Public Agency Act - unauthorized the creation of joint public agencies, allowed the creation of interlocal entities between governmental subdivisions, and allowed E.S.U.'s to contract to provide services to other political subdivisions under the Interlocal Cooperation Act and the Joint Public Agency Act.

### LB 272 (Senator Elaine Stuhr, et al.)

Transferred and eliminated duties of the office of the county superintendent and created an optional office of county school administrator.

### LB 287 (Senator Bob Wickersham)

Required county treasurers to remit property tax receipts to E.S.U.'s twice monthly.

### LB 363 (Senator Paul Hartnett)

Amended §79-1242 to require E.S.U.'s to provide a written proposal of core services offerings and the use of property taxes to all member school districts. Member school districts have 30 days to approve or disapprove. Failure to do so within the 30 days shall be deemed approval of the proposal. §79-1242 already required E.S.U.'s to have approval

## Educational Service Units (L.R. 336)

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from representatives of 2/3 of their member school districts which also had to represent a majority of the students in order to spend property taxes.

### LB 386 (Senator Ardyce Bohlke)

Eliminated the E.S.U. property tax levy for technology, provided definitions for technology, technical training, and technology infrastructure, and appropriated \$3 million for E.S.U.'s to use for technology infrastructure. The funds were to be distributed through the core service funding mechanism in §79-1241.

2001

### LB 797 (Education Committee)

Department of Education technical bill which included provisions concerning the governance of E.S.U.'s 18 & 19 allowing them to be governed by the Board of Education of the school district that makes up the E.S.U. Amended §79-1241.02 to modify the procedure for the N.I.T.C. to review E.S.U. technology-related projects or initiatives funded through core services funding. The N.I.T.C. technical panel would conduct the review.

### LB 833 (Senator Curt Bromm)

Provided for distance education network completion grants to be provided from lottery funds for 2001-02 and 2002-03.

2002

### LB 647 (Senator Elaine Stuhr)

Changed the provisions of at-large elections for E.S.U. boards. Effective January 1, 2003 school district and E.S.U. textbook contracts could include a provision requiring publishers to provide an electronic version of each textbook purchased at no additional cost and a provision giving school districts and E.S.U.'s the right to transcribe, reproduce, modify and distribute textbooks in Braille or large print if the publisher does not offer the edition for blind or visually impaired students.

### LB 5 Second Special Session (Senator Curt Bromm)

Required funds appropriated for E.S.U. core services to be distributed in 10 equal payments payable on the first business day of the month beginning in September of 2003 and provided authority for E.S.U.'s to borrow money.

## Educational Service Units (L.R. 336)

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2003

LB 53 (Senator Adrian Smith)

Provided that for two years after the merger, merged E.S.U.'s would receive at least as much in core services funding as the two E.S.U.'s received in the year prior to the merger unless the appropriations for core services is less than the appropriation for the year prior to the merger. Core services funds would be reduced by the percentage of the appropriations reduction.

LB 264 (Senator Ron Raikes)

Portions amended into LB 685. Modified provisions for teaching certificates

LB 685 (Senator Ron Raikes)

Modified provisions regarding teaching certificates and implemented regulations for private postsecondary career schools. Specifically amended §79-1239 to eliminate the cancellation or termination of a certificate as reasons that a permanent certificated employee's contract may be amended or terminated.

2004

LB 821 (Senator DiAnna Schimek)

Amended §79-1239 to require that notice of a formal due process hearing for a permanent certificated employee be given in accordance with the Open Meetings Act.

2005

LB 689 (Senators Elaine Stuhr and Ron Raikes)

Created the Distance Education Enhancement Task Force to develop an improvement plan to upgrade and coordinate distance education. The Task Force terminated on December 31, 2005.

2006

LB 1006 (Senator Kermit Brashear, et al.)

Proposed constitutional amendment to allow creation of the early childhood education endowment fund from the perpetual school fund – adopted by the voters in November 2006.

## Educational Service Units (L.R. 336)

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### LB 1208 (Senator Ron Raikes, et al.)

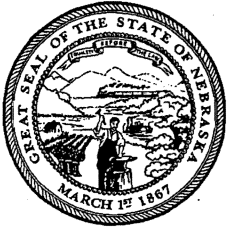
Implements the recommendations of the Distance Education Enhancement Task Force created by LB 689 in 2005. Requires E.S.U.'s to assume responsibility for distance education services for member school districts on July 1, 2007 and creates a Distance Education Council to coordinate distance education. In addition, the Chief Information Officer will bid on equipment and software for school districts, E.S.U.'s, state colleges and the University of Nebraska and develop and maintain a telecommunications network called Network Nebraska. The bill changes the computation of state aid to school districts, the allocation of aid to E.S.U.'s for technology infrastructure, and the allocation of lottery proceeds. Lottery proceeds will be used for distance education equipment reimbursements, distance education incentives, and the Attracting Excellence to Teaching Program.

### LB 1256 (Senator Kermit Brashear, et al.)

Establishes an endowment fund to provide early childhood education grants to programs for at risk children from birth to age three. Grants may be provided to school districts, cooperatives of school districts and E.S.U.'s.

Appendix F: Letter from the Attorney General's Office





STATE OF NEBRASKA  
**Office of the Attorney General**

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**JON BRUNING**  
ATTORNEY GENERAL

**LESLIE S. DONLEY**  
ASSISTANT ATTORNEY GENERAL

December 12, 2006

Alan Jacobsen  
5649 SW 112<sup>th</sup> Street  
Denton, NE 68339

Re: *File No. 06-M-117; Educational Service Unit Administrators' Association;  
Jacobsen*

Dear Mr. Jacobsen:

This letter is in response to your initial correspondence dated April 13, 2006, in which you requested that this office investigate alleged violations of the Nebraska Open Meetings Act, Neb. Rev. Stat. §§ 84-1407 through 84-1414 (1999, Cum. Supp. 2006), by the Educational Service Unit Administrators' Association (hereinafter, the "ESUAA"), including its president Jon Fisher, and Douglas Christensen, Commissioner of the Nebraska Department of Education, and/or his representative to the ESUAA. As is our normal practice with such complaints, we forwarded a copy of your complaint to president Jon Fisher and Commissioner Christensen for a response. Commissioner Christensen responded by letter dated June 6, 2006. On June 9, 2006, this office received a letter from John F. Recknor, legal counsel for the ESUAA, who responded on its behalf. On August 25, 2006, we sent another letter to Mr. Recknor requesting that he provide us with specific information with respect to the allegations contained in your initial complaint. Mr. Recknor responded by letter dated September 18, 2006. We have now had an opportunity to review your initial complaint, the ESUAA's responses, Commissioner Christensen's response, and the supplemental information you have provided us in detail. Our conclusions are set out below.

### **FACTS**

Our understanding of the facts in this case is based on all of the documentation noted above, our telephone conversations with you, information posted on the ESUAA website at <http://lists.k12.ne.us/pipermail/esuaa>, and information obtained from the Secretary of State's Corporations Division.



According to your complaint, the ESUAA has violated the Nebraska Open Meetings Act (the "Act") with respect to two different sets of meetings. The first set relates to monthly meetings of the ESUAA. The second set of meetings are those held under the authority of an interlocal agreement known as the "Educational Service Unit Core Services Consortium Cooperative Agreement,"<sup>1</sup> to which the ESUAA is a party. You state that the ESUAA meets once a month and that the voting membership is made up of the ESU administrators. You allege that the Commissioner of Education appoints one person to represent the Nebraska Department of Education (hereinafter, the "NDE") and that this person is part of the governance of the ESUAA as well as the Educational Service Unit Core Services Consortium Agreement (hereinafter, the "Consortium Agreement"). You further allege that the ESUAA's by-laws indicate the ESUAA is governed by an executive council, which is made up of several ESU administrators and a representative appointed by the Commissioner of Education.

In your complaint, you also specifically allege the following:

- (1) ESUAA minutes do not indicate public meeting notice compliance.
- (2) The individuals listed are aware of the Open Meetings law due to the nature of their employment.
- (3) The ESUAA has taken on the authority to vote on and decide public policy issues and vote on and decide how public money is spent.
- (4) By becoming a party to the Core Services ILA [the Consortium Agreement referenced above], the ESUAA has declared itself to be a public entity.
- (5) The Core Services ILA business is conducted in ESUAA meetings.
- (6) The ESUAA conducts private "cracker barrel sessions," attended by the ESUAA administrators before each ESUAA meeting.

From documents received from the Secretary of State Corporations Division, it appears that the ESUAA was incorporated in 1994 under the Nebraska Non-Profit Corporation Act, but has since lapsed into inactive status. Under Article III of its Articles of Incorporation, the stated purpose of the ESUAA is "benefitting educators in Nebraska

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<sup>1</sup> A copy of the "Educational Service Unit Core Services Consortium Agreement," which we received from Mr. Recknor on June 14, 2006, is attached hereto as Exhibit A.

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Educational Service Units, Nebraska Schools and any other educational function required or permitted by law relating to Educational Service Units or Nebraska Schools.”

Membership in the ESUAA is defined in Article III of the ESUAA constitution and is “limited to the Administrator of all the ESUs or his/her designee.” Article II states that “[t]he purpose of ESUAA shall be to support Educational Service Units as a statewide system and their role and mission of educational service providers in the states [sic] system of elementary and secondary education.” The objectives of the ESUAA are listed below:

- (1) To strengthen the statewide Educational Service Unit system by providing leadership and fostering cooperation and coordination among ESUs;
- (2) To propose or support legislation that will enhance the opportunities for ESUs to better serve member schools;
- (3) To maintain with the Nebraska Department of Education a positive working relationship that will enable both agencies to fulfill their role and mission;
- (4) To cooperate with other organizations and agencies whose role and mission is [sic] consistent with those of the Nebraska Educational Service Unit statewide system;
- (5) To disseminate information that will inform citizens, policy makers and decision makers about the role and mission and services provided by the statewide Nebraska Educational Service Unit System.

It appears that while Article VI of the constitution contains several detailed provisions with respect to the meetings of the ESUAA (e.g., setting the annual calendar of monthly meetings; prior written notice requirements; agenda items; special meetings), there is no provision relating to the Open Meetings Act per se. Also, we cannot tell from the documentation provided to us whether regular or special meetings are being conducted separately from meetings held under the auspices of the Consortium Agreement. None of the ESUAA meetings appear to have been open to the public.

As we see it, your complaint involves essentially two separate and distinct issues. The first issue is whether the ESUAA is subject to the Open Meetings Act. The second issue is whether there has there been an unlawful delegation of authority to the ESUAA by the ESU governing boards, or stated alternatively, has the ESUAA unlawfully usurped authority from the ESU governing boards?

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As we have explained to you and to others previously, our jurisdiction in this matter rests only with enforcement of the Open Meetings Act. We fully acknowledge that the documentation you have provided us suggests there are significant issues with respect to the delegation of authority from the ESUs to the ESUAA. The interlocal agreement relating to the aggregation of core service dollars is similarly problematic on many levels. However, we have no authority to generally supervise governmental subdivisions in Nebraska or to formally investigate or sanction the ESUAA with respect to its general operation. We also note that you have made no allegations that the ESUAA has engaged in any criminal activity, e.g., theft or fraud, apart from violations of the Open Meetings Act. For those reasons, we must limit our response to the issue of whether the ESUAA has violated the Open Meetings Act.

## ANALYSIS

### 1. Previous Correspondence Relating to the ESUAA.

Before we begin our discussion of the ESUAA, its members and the Open Meetings Act, we find it necessary to clarify ongoing misconceptions involving previous correspondence from this office with respect to the ESUAA. In a letter dated December 12, 2005, Assistant Attorney General Dale Comer denied a request for a legal opinion regarding a proposed interlocal agreement among Nebraska ESUs. That request was submitted by Darrel Eberspacher on behalf of ESU #6. We denied Mr. Eberspacher's request because, by statute, this office is authorized to provide legal opinions and advice to state officers, state agencies and members of the Legislature, not political subdivisions.

Because one of the questions posed in Mr. Eberspacher's letter involved the Open Meetings Act, and since this office has enforcement authority over the Act, Mr. Comer briefly addressed the question. Mr. Comer stated:

You have asked whether the Educational Service Unit Administrators Association is required to act under the requirements of the Nebraska Open Meetings Act. We assume that organization is a private organization which is not created by Statute or otherwise according to law. If that is the case, then we do not believe that the Educational Service Unit Administrators Association is subject to the provisions of the Nebraska Open Meetings Act. . . .

However, in his letter to Jon Fisher dated May 12, 2006, Mr. Comer stated:

We have previously indicated to other individuals that the ESUAA is not subject to the Open Meetings Act. That conclusion was based upon the assumption that the ESUAA is a private organization which is not created by statute or

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otherwise according to law, and which has no official duties pertaining to ESU boards or the State Department of Education. However, our conclusion in that regard might be different if the ESUAA has public duties as a result of an interlocal agreement, or if the ESUAA has an advisory role with respect to ESU boards, other governmental subdivisions or the State Board of Education. Consequently, we would encourage you to provide us with an analysis in your response as to whether the ESUAA is a "public body" as that term is defined in § 84-1409 (1).

(Emphasis added.) We note, however, Mr. Recknor wrote in his second response to us: "In earlier correspondence from Mr. Comer, he made it clear that the ESUAA has been determined by your office not to be a public body." Randy Peck, the current president of the ESUAA, is quoted in *The North Platte Telegraph* as saying: "The last official word we had from the attorney general was that the ESU Administrators Association was not a public body. If something has happened to change that, we will certainly comply."<sup>2</sup>

We are unclear as to why Messrs. Recknor and Peck continue to maintain that this office has already decided this issue in light of our repeated requests for information on that very issue. Obviously, had we made this determination previously, there would have been no reason to request information from the ESUAA (twice), or even to investigate your claims against the ESUAA. Regardless of what has occurred previously, and despite what counsel for the ESUAA might be advising the ESUAA members, this office has made no official determination with respect to the ESUAA and the Act. Our response to that very question is set forth below.

## **2. Is the ESUAA a Public Body Subject to the Open Meetings Act?**

Neb. Rev. Stat. § 84-1408 (1999; Cum. Supp. 2006) of the Nebraska Open Meetings Act provides:

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

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<sup>2</sup> John Lindenberger, *Attorney General's Office investigates association's status*, *The North Platte Telegraph*, Sept. 30, 2006.

The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990). The Nebraska public meetings laws are a statutory commitment to openness in government. *Wasikowski v. The Nebraska Quality Jobs Board*, 264 Neb. 403, 648 N.W.2d 756 (2002); *Grein v. Board of Education of the School District of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).

This office has previously stated that a threshold question in any analysis under the public meetings statutes involves a determination as to whether the entity involved is a "public body" subject to those statutes.<sup>3</sup> Under Section § 84-1409(1) of the Act, "public body" includes any of the following entities:

- (i) governing bodies of all political subdivisions of the State of Nebraska,
- (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska,
- (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law,
- (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence,
- (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and
- (vi) instrumentalities exercising essentially public functions.

In order for the ESUAA to be subject to the Act, it must fall within one of the categories of entities listed above. For the reasons set forth below, it appears to us that the members of the ESUAA do constitute a public body under the Act under certain circumstances.

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<sup>3</sup> See Op. Atty. Gen. No. 95014 (February 22, 1995); Op. Atty. Gen. No. 92020 (February 12, 1992).

**a. The Educational Service Unit Core Services Consortium Agreement**

The Consortium Agreement is an agreement formed under the Interlocal Cooperation Act (Neb. Rev. Stat. §§ 13-801 through 13-827 (1997; Cum. Supp. 2006)) between the Educational Service Units of the State of Nebraska and the ESUAA. The stated purpose of the agreement is to allow the member ESUs to aggregate core service dollars and make appropriate expenditures of those funds as provided in Neb. Rev. Stat. § 79-1241 et seq. Neb. Rev. Stat. § 13-804 (4) provides that in the event the agreement does not establish a separate legal entity to conduct the joint or cooperative undertaking contemplated by interlocal agreements, the agreement must contain a provision for an administrator or joint board to assume that responsibility. In the present case, while the agreement states that "the entity created by this document shall not be a separate legal entity," the participating ESUs nonetheless formed a joint body called the Educational Service Unit Core Services Consortium ("ESUCSC").

In addition to the ESUCSC, the agreement also creates a "governing council," to be known as the "Board." The Board is authorized to administer the agreement and to implement its purposes. Under section 4 of the agreement, the Board is "comprised of the chief administrator from each of the service units," and "[t]he qualification for becoming and remaining a member of the Board shall be to be the chief administrator of a service unit which is a party to this agreement." Further, a Board member shall serve on the Board as long as he or she remains the administrator of an ESU which is a party to the Consortium Agreement, and so long as the agreement remains in effect.

It appears then that only ESU administrators can serve as Board members. In fact, participation by every ESU administrator is required under section 4. ESU administrators, and only ESU administrators, comprise the membership of the ESUAA. Clearly, the same group of individuals who make up the ESUAA also make up the governing Board of the Consortium Agreement and the two groups are synonymous. What is so problematic with this scenario is that we cannot tell when the administrators met as a private association and when they met as the *Board* under the Consortium Agreement. We believe that the ESU administrators clearly assumed the role of the governing board created pursuant to the provisions of Consortium Agreement, but made no attempt to keep their ESUAA activities separate from the workings of the interlocal agreement. Consequently, it appears to us that the Board of the Consortium Agreement is a governing body created by statute [the Interlocal Cooperation Act], and therefore falls within the definition of a public body as defined in Neb. Rev. Stat. § 84-1409 (iii) above. On the other hand, the ESUAA, as a non-profit entity, is not.

In addition to our determination that the Board of the Consortium Agreement is a public body under § 84-1409 (iii), we also believe that the Board falls within the definition of an "advisory committee" under § 84-1409 (v). This conclusion is amply supported when one

considers the expansive powers and duties granted to the Board in sections 5 and 17 of the Consortium Agreement. Some of the Board's powers and duties include the following:

- Submit an annual report to the service units regarding the activities of the ESUCSC;
- Require of and obtain from the service units and entities seeking to become a member of the ESUCSC any information deemed necessary to carry out the duties and responsibilities of this Agreement;
- Require any service unit and other persons to perform its duties and functions as provided in this Agreement or by any agreement entered into pursuant to this Agreement;
- Adopt bylaws, policies, and procedures not otherwise inconsistent with this Agreement;
- Establish committees as it deems necessary for the purpose of advising the Board on any and all matters pertaining to the purposes of this Agreement; and
- Take any other action authorized, either explicitly or implicitly, by the Interlocal Cooperation Act, including any action that may be necessary to perform its duties and functions as provided in this Agreement.

See Exhibit A, section 5 (c)-(e), (g), (i) and (k). In view of the foregoing, we believe that the provisions of the Consortium Agreement require the Board to act in an advisory role to the various ESUs. As such, the Board falls within the definition of public body as defined in subsection (v) of § 84-1409, and is therefore subject to the Open Meetings Act.

As a public body under the Act, the meetings held pursuant to the Consortium Agreement should have been open to the public. In this regard, the Board of the Consortium Agreement should have ensured that the provisions relating to reasonable advance notice, agenda, minutes, closed sessions, voting procedures, and the rights of the public to hear and speak at the meetings, etc., were followed in strict conformance with the Act. However, as mentioned above, we have found no evidence in the record to suggest that these meetings were ever open to the general public. Consequently, we conclude the Board of the Consortium Agreement violated the Act.

### **3. Action by the Department of Justice**

Since we have determined that the Board of the Consortium Agreement has violated the Open Meetings Act, it is now necessary for us to determine what additional action, if any, will be taken by this office. This situation is not unlike a situation we encountered earlier this year with a school district from a metropolitan area. In that instance, we declined to prosecute board members because we believed the board members there were acting on advice of counsel during their meetings. In this instance, we are of the opinion that the members of the ESUAA who formed the Consortium Agreement Board were acting on advice of counsel as well. Further, it has recently come to our attention that the Keith County Attorney has filed a complaint in the District Court of Keith County, captioned *State ex rel. Eastman v. ESUAA et al.*, Case No. CI 06 200, in which he alleges violations of the Open Meetings Act by the ESUAA and its members in a civil action. Since these issues are currently being litigated, we will not take any further action at this time. However, we will admonish the members of the ESUAA, through a copy of this letter to their counsel, that they are subject to the Open Meetings Act when they function as the Consortium Agreement Board and they should follow the provisions of that Act regarding notice, etc.

### **4. Commissioner Christensen**

In your complaint, you allege that the voting membership of the ESUAA includes one person from the NDE appointed by the Commissioner, and that consequently the Commissioner is part of the governance of the ESUAA and all subsidiary groups (i.e., the Consortium Agreement). In support of your allegation, you cite to Article IX of the ESUAA constitution, which states in relevant part:

The Executive Committee shall be composed of the President, President-Elect, Past President, Secretary, Treasurer and Nebraska Department of Education Liaison appointed by the Commissioner of Education. . . .

Duties of ESUAA Executive Committee are:

1. At the request of the President Investigate, Review and Recommend Action to be taken on Issues Affecting Nebraska's ESUs;
2. Serve in an Advisory Capacity to the President and ESUAA;
3. Serve in a Crisis Management Capacity when it is Necessary to Respond to Critical Issues Affecting ESUAA Which Require Immediate Attention.



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In his response, the Commissioner stated that he is not a part of the governance of the ESUAA or any of the ESUs, and that he did not appoint an NDE employee to act in that capacity. Rather, the Commissioner stated that he appointed Deputy Commissioner Polly Feis to act as a liaison to the ESUAA. The Commissioner asserts that Ms. Feis is not a member of ESUAA, nor does she vote on ESUAA actions.

While the ESUAA constitution requires the Commissioner to appoint a liaison to the ESUAA Executive Committee, he is under absolutely no obligation to do so. Such a provision is simply not enforceable against the Commissioner or the NDE. For your information, the Commissioner of Education is bound only by constitutional, statutory and regulatory provisions. He serves as the executive officer of the State Board of Education. The Commissioner's broad powers and duties are found in Neb. Rev. Stat. § 79-305 (2003), and include "... (6) promot[ing] educational improvement by (a) outlining and carrying out plans and conducting essential activities for the preparation of curriculum and other materials, (b) providing necessary supervisory and consultative services, (c) holding conferences of professional educators and other civic leaders, (d) conducting research, experimentation, and evaluation of school programs and activities, and (e) in other ways assisting in the development of effective education in the state . . . .

We have examined the evidence relating to the Commissioner, and have determined that the Commissioner did send Deputy Feis (along with other NDE personnel) to a number of ESU and ESUAA meetings, but only for the purpose of sharing information. We find that this type of activity falls squarely within the duties outlined in subsection (6) above. It appears to us that the NDE individuals did not play a participatory role, nor were they ever part of the "governance" of any board or contract. Consequently, we find no merit in your allegations regarding the Commissioner of Education.

Finally, we must point out that the ultimate responsibility for an administrator's duties and actions lies with the governing board of the ESU. It is up to the ESU board to define the duties of its administrator. See Neb. Rev. Stat. § 79-1219 (2003). It seems to us that if ESU board members are concerned about the workings of the ESUAA, or the legality of the Consortium Agreement involving core services dollars (which we note was executed in 2000 and remains in effect despite the execution of another interlocal agreement), etc., then it is up to the governing board of the ESU to resolve those issues.

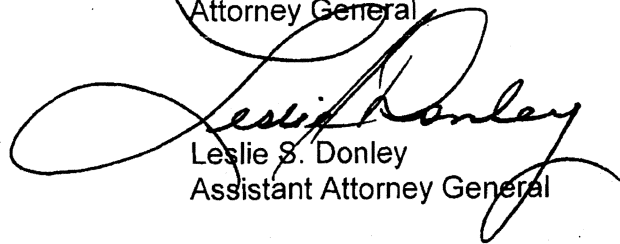
Since we have concluded that no further action is warranted, we are closing this file. If you disagree with our analysis, you may wish to discuss these matters with your private

Alan Jacobsen  
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attorney to determine what additional remedies, if any, are available to you under the Open Meetings Act.

Sincerely yours,

JON BRUNING  
Attorney General



Leslie S. Donley  
Assistant Attorney General

c: Douglas D. Christensen  
John F. Recknor  
Jeffrey M. Eastman

**EDUCATIONAL SERVICE UNIT CORE SERVICES CONSORTIUM**  
**COOPERATIVE AGREEMENT**

THIS COOPERATIVE AGREEMENT is made between Educational Service Unit (ESU) Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, and 19 of the State of Nebraska, all political subdivisions of Nebraska, collectively referred to as the service units, and the Educational Service Unit Administration Association (ESUAA).

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et. seq. provides that two or more public entities may enter into an agreement for joint or cooperative action, and this Agreement is made and entered into pursuant to the provisions of that Act; and

WHEREAS, the service units desire to make the most efficient use of their spending authority and other powers to enable them to cooperate with each other and other entities as further agreed on the basis of mutual advantage to provide goods, services, and facilities in a manner and pursuant to forms of governmental organization that will accord the best results in terms of geographic, economic, population, and other factors that will influence the needs and development of local communities;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed by the parties as follows:

1. NO SEPARATE ENTITY. The entity created by this document **shall not** be a separate legal entity. The participating service units agree to create a joint body called the Educational Service Unit Core Services Consortium (hereinafter "ESUCSC") in order to administer the provision of goods, services, and facilities to the service units deemed necessary pursuant to the powers outlined in this Agreement.
2. PURPOSE AND TERM. The purpose of this Agreement is to allow the service units to aggregate core service dollars and make appropriate expenditures of these funds as provided by Neb. Rev. Stat. § 79-1241 et seq.
3. DURATION. The term of this Agreement shall commence December 1, 2000, and continue through the existence of § 79-1241, or its successors as it may from time to time be amended, unless, earlier terminated in accordance with paragraph 13 herein.
4. GOVERNANCE. A governing council shall administer this Agreement and implement the purposes of this Agreement and shall be called the "Board" (hereinafter "The Board"). The Board shall act in accordance with the terms and conditions of this Agreement and any bylaws, policies, and procedures adopted by the Board. The Board shall exercise all powers and do all acts and things necessary to carry out the purposes of this Agreement. The Board shall be comprised of the chief administrator from each of the service units. The Board shall meet at least one time per year; additional meetings shall be held as determined necessary by the Board. The qualification for becoming and remaining a member of the Board shall be to be the chief administrator of a service unit which is a party to this agreement. A board member shall serve so long as he or she remains the chief administrator of a service unit which is a party to this agreement and so long as this agreement remains in full force and

effect. . The names of the initial members of the Board shall be provided at the first meeting of the Board.

Members of the Board shall not be personally liable for actions taken by them in their official capacity and may be indemnified as provided in paragraph 15.

5. POWERS. In order to carry out the purposes of this Agreement, the Board shall have the power to:

- (a) Purchase and/or lease supplies, materials and equipment and enter into a contract with any person, firm, corporation or other entity, provided that no purchase, lease, or contract shall not be legally binding upon the ESUCSC unless authorized by a two thirds majority vote of the Board.
- (b) Receive and approve or disapprove an application of an entity to become a party to this Agreement;
- (c) Submit an annual report to the service units regarding the activities of the ESUCSC;
- (d) Require of and obtain from the service units and entities seeking to become a member of the ESUCSC any information deemed necessary to carry out the duties and responsibilities of this Agreement;
- (e) Require any service unit and other persons to perform its duties and functions as provided in this Agreement or by any agreement entered into pursuant to this Agreement;
- (f) Accept for any of its purposes and functions any and all donations, grant of money, equipment, supplies, materials and services, conditional or otherwise from any person or entity, and may receive, utilize, and dispose of the same. The nature, amount, and conditions, if any, attendant upon any donation or grant accepted pursuant to this section, together with the identity of the donor, grantor, or lender, shall be detailed in the annual report of Board.
- (g) Adopt bylaws, policies, and procedures not otherwise inconsistent with this Agreement;
- (h) Employ, compensate, evaluate and discharge a staff limited only to those persons necessary to carry out its duties and functions;
- (i) Establish committees as it deems necessary for the purpose of advising the Board on any and all matters pertaining to the purposes of this Agreement;
- (j) Indemnify or reimburse any person in the same manner as a service unit board is authorized to do pursuant to Neb. Rev. Stat. § 79-1217;
- (k) Take any other action authorized, either explicitly or implicitly, by the Interlocal Cooperation Act, including any action that may be necessary to perform its duties and functions as provided in this Agreement.
- (l) Notwithstanding paragraph [5(a)], the Board shall not have the authority to enter into any lease, lease purchase, or other contract with a duration longer than 1 year.

6. FINANCING AND BUDGETING. This Agreement will be financed by the service units. Each service unit shall contribute one percent (1%) of the core service dollars that the service units receive each year, and which sums have not been designated for direct

distribution or which have not been directly distributed to a School District within the boundaries of such service unit. Such contribution shall be due no later than September 1 for each fiscal year. The fiscal year shall run from September 1 to August 31. The annual budget will be as determined by a two thirds majority vote of the Board at its May meeting. Ensuing budgets may be increased or decreased as determined by a two thirds majority vote of the Board.

7. CORE SERVICES FUND. The service units hereby agree to create a core services fund. Said fund shall be funded by the money received from the core service dollars contributed by the service units. The initial year contribution for any entity joining the Agreement after its initial enactment shall be that which is agreed upon by the service units and the joining party. The contribution for all ensuing years shall be determined by the Board at the annual meeting. This fund may be used for any of the purposes established in this Agreement. Any core services to be used by or provided to the service units shall be done so as determined by the Board based upon the best mutual financial interests of the service units. This fund may also be used to pay for any expenses necessary to accomplish any of the purposes listed in paragraph 2 or to enforce any of the Board's powers or duties in paragraph 5 of this Agreement.

8. PRE-PAYMENT. Any service unit may pre-pay all or part of any annual contribution required of it under this Agreement at any time at the discretion of the governing board of the service unit.

9. EXPENSES: Expenses and costs shall be paid as follows:

a. Any overhead or operational costs that arise due to this Agreement, including but not limited to, secretarial and other staff support, telephone, and postage shall be shared and paid equally by the service units.

b. Administrative services shall be provided at a cost to be determined by a majority vote of the Board.

The Board may authorize the fiscal agent to pay routine, repetitive expenses such as may be allowed by statute.

10. REIMBURSEMENT OF EXPENSES. Board members and Board employees shall be entitled to reimbursement for actual expenses incurred in their line of duty as allowed by Neb. Rev. Stat. § 79-1217 and as determined by a two thirds majority of the Board. The individual seeking reimbursement shall be required to present a request for payment or reimbursement each month to the Treasurer of the Board. Each request shall be fully itemized, including when, where, and why the expense was incurred and the actual amount involved. When reimbursement is requested for mileage by automobile, the points between which such travel occurred, the times of arrival and departure, and the necessity and purpose of such travel shall be shown on such request. When reimbursement is requested for mileage by automobile, the license number, the owner of the automobile used, and the rate per mile being requested shall also be shown on each request. The Treasurer may require less supporting detail for

requests covered in this section but shall not impose reporting requirements which exceed those listed unless specifically authorized by a majority vote of the Board. No request shall be submitted by an individual for an expense when such expense has been paid by the service unit. The statement of expenses shall be duly verified and supported by receipts for all of such expenditures, except immaterial items identified by the Treasurer, for which reimbursement is requested. No charge for mileage shall be allowed when such mileage accrues while using an automobile owned by the State of Nebraska. The approval to attend a function, conference, or hearing shall be obtained from the Board prior to an individual's attendance at such function, conference, or hearing. The duties assigned to the Board Treasurer in this paragraph may be assigned to another individual by vote of the Board.

11. FISCAL AGENT, FINANCIAL ACCOUNT, AND NEGOTIABLE INSTRUMENTS.

The board shall appoint a fiscal agent to administer funds under this agreement. All funds contributed pursuant to this agreement shall be maintained in a separate account of ESUAA designated for such a purpose and at no time shall the funds contributed to this agreement be commingled with any other ESUAA funds. All funds contributed pursuant to this agreement shall be placed in this separate account. The fiscal agent shall account for all expenses and receipts under this agreement to the board. All checks, drafts, bills of exchange, notes or other obligations or orders for the payment of money shall be executed, endorsed, acknowledged and delivered by the fiscal agent for the board. The fiscal agent for the board shall report on all funds and fund activities as directed by the board. The board shall select a fiscal agent each year after the adoption of an annual budget has occurred. Such fiscal agent who is appointed following the adoption of such budget shall take all unobligated funds forward into the newly adopted budget. Unless provided otherwise in this agreement each expenditure or withdrawal from any account operated pursuant to this agreement shall require a two thirds majority vote of the board.

12. NOT FOR PROFIT. It is expressly understood that this Agreement is to be operated not for profit, and no profit or dividend will inure to the benefit of any service unit or any other entity or individual.

13. TERMINATION. This Agreement may be terminated only upon a two-thirds (2/3) concurring vote of the Board. Unless this Agreement is terminated by a two-thirds (2/3) concurring vote of the Board, the assets owned by the Board, whether directly or in trust, may only be liquidated or distributed in kind upon the expiration of the term of this Agreement. Said assets owned or belonging to the Board shall be distributed among the service units in the aggregate proportion of amounts contributed to this joint undertaking over the life of the Agreement. If a dispute arises between the service units as to the value of such assets or as to how they will be distributed, such assets shall be sold by taking bids at public auction and selling said property to the highest bidder with the proceeds therefrom being divided as set forth above. The Board shall make a report of its activities to all members within 120 days after the termination of this Agreement and the liquidation of its assets.

14. WITHDRAWAL. Notwithstanding paragraph 15, any service unit may withdraw from this Agreement by submitting a written notice at least 60 days in advance of the stated date of withdrawal to every other service unit, provided that said service unit must make restitution to the ESUCSC for any funds committed or expended on its behalf under this Agreement. ***The withdrawing member relinquishes ownership in any property or funds generated and/or held by ESUCSC.***

15. INDEMNIFICATION. Each service unit shall indemnify and hold harmless the ESUCSC, its Board, and all members and participants herein from any and all claims, demands, losses, damages, injuries, suits, penalties, costs, liabilities and expenses arising out of any good or services provided to the service unit under this Agreement.

16. LIABILITY INSURANCE. Unless determined otherwise by the Board, it shall be the responsibility of each individual service unit to obtain and pay for the liability insurance coverage necessary for their participation in this Agreement, and each service unit shall take all necessary steps to obtain such liability insurance.

17. BOARD AUTHORITY. In addition to all of the powers provided for specifically in paragraph 5, all legal rights and obligations of the individual boards of the service units or other participating members shall also vest in the Board of the ESUCSC so that the Board shall have all of the legal authority, powers, and duties of its members.

18. EXPANSION OF MEMBERSHIP. Participation in the ESUCSC shall be limited to the service units who are parties to this Agreement; provided, however, that the service units may expand the membership of the ESUCSC by the consent of two thirds majority of the Board. The Board shall receive and consider applications from other entities that request to participate in the ESUCSC. The Board shall act upon such requests and shall establish the fees, costs, charges, leases, assessments, and other conditions required for participation by the applicant in the ESUCSC if such request is granted as provided in this paragraph.

19. AMENDMENT OF AGREEMENT. This Agreement may only be amended by a Resolution adopted by a two thirds majority vote of the Board.

20. GOVERNING LAW. This Agreement shall be construed in accordance with and governed by the laws of the State of Nebraska.

21. SEVERABILITY. If any provision of this Agreement shall be declared invalid or unenforceable by a court of competent jurisdiction, such declaration shall not effect the validity of the remaining provisions of this Agreement.

22. VOTING. Unless provided otherwise in this Agreement or the bylaws, any action to be taken by the Board shall require a two thirds majority vote.

23. COUNTERPARTS. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall be and constitute one and the same instrument.

IN WITNESS WHEREOF we have hereunto subscribed our names this 20<sup>th</sup> day of November, 2000.

By Order of the  
BOARD OF EDUCATIONAL SERVICE \_\_\_\_  
UNIT NO. 6

By Order of the  
EDUCATIONAL SERVICE UNIT NO. \_\_\_\_

Burd E. Steiner, President  
EDUCATIONAL SERVICE UNIT NO. 6

\_\_\_\_\_, President  
EDUCATIONAL SERVICE UNIT NO. \_\_\_\_





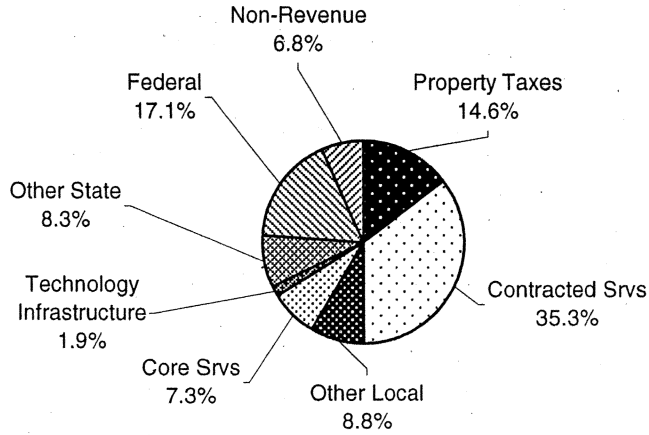
Appendix G: Financial Data



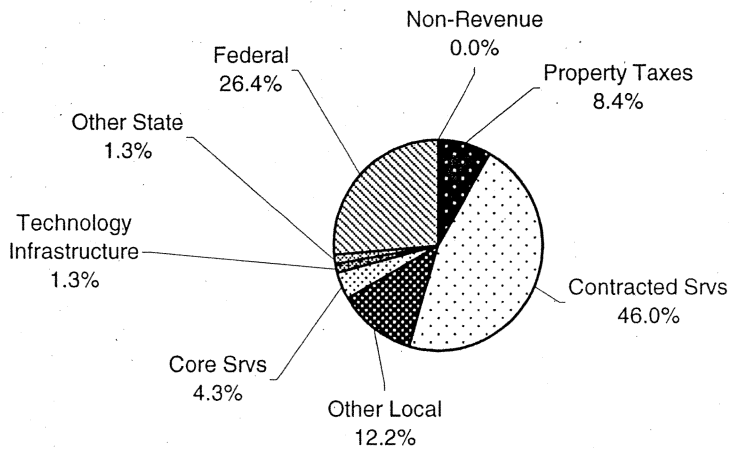
Revenues



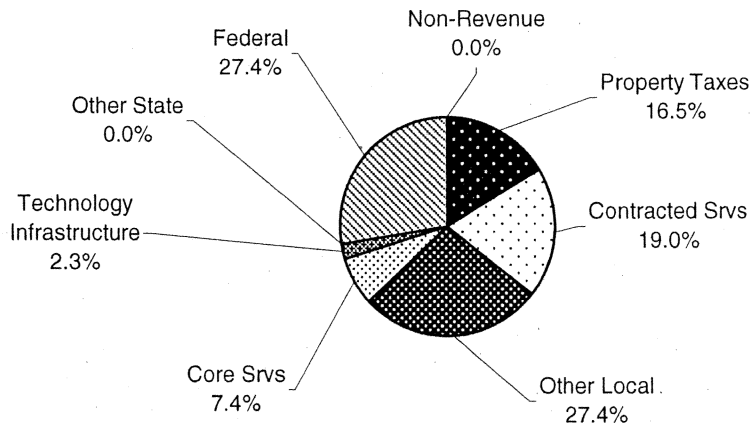
### 2004-05 Statewide ESU Revenues



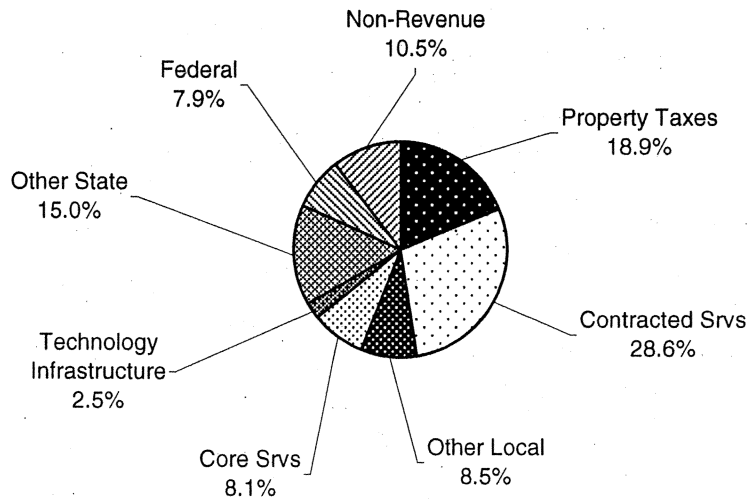
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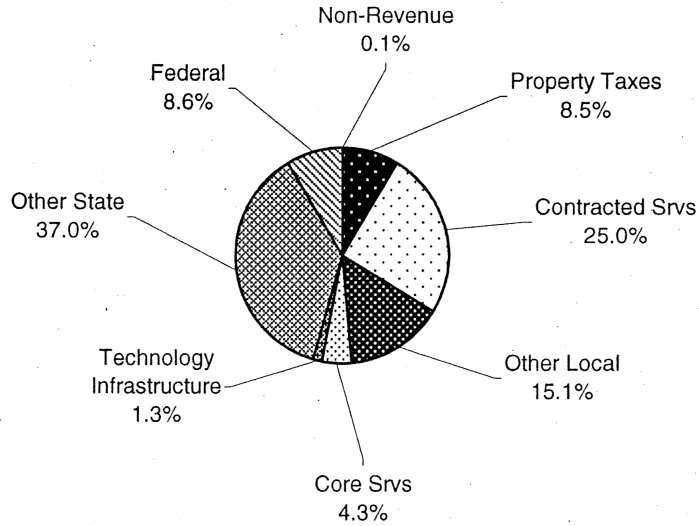
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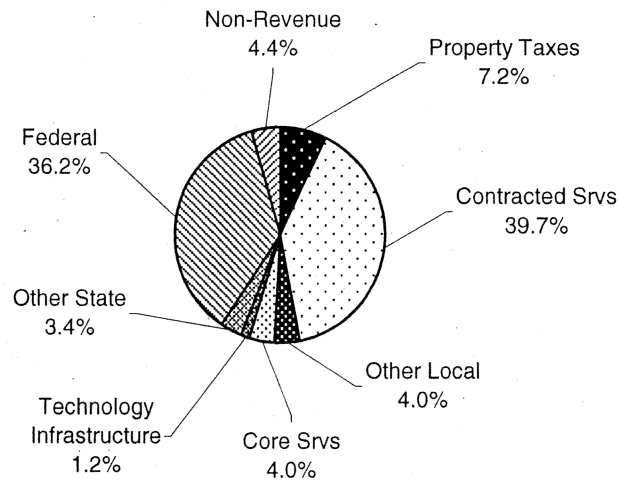
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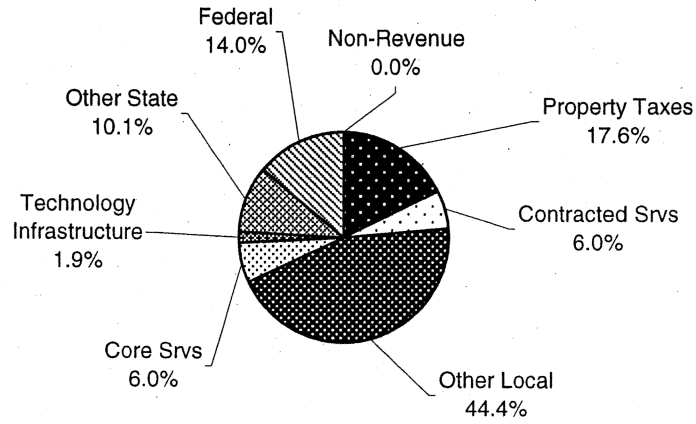
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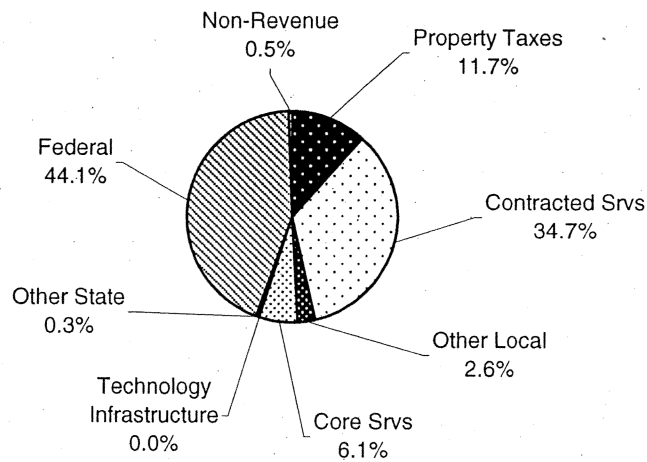
### 2004-05 ESU #5 Revenues



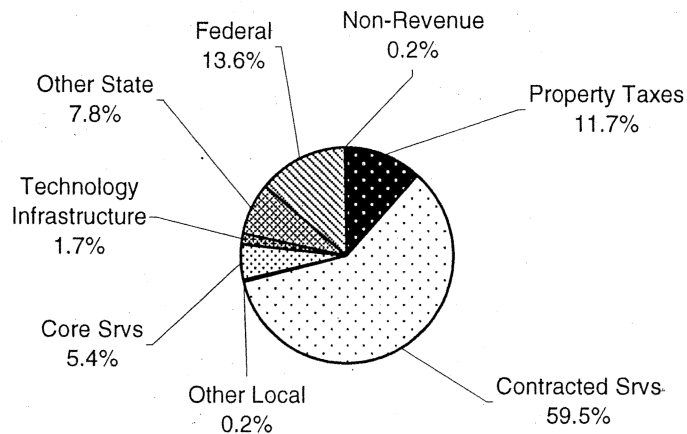
### 2004-05 ESU #6 Revenues



### 2004-05 ESU #7 Revenues

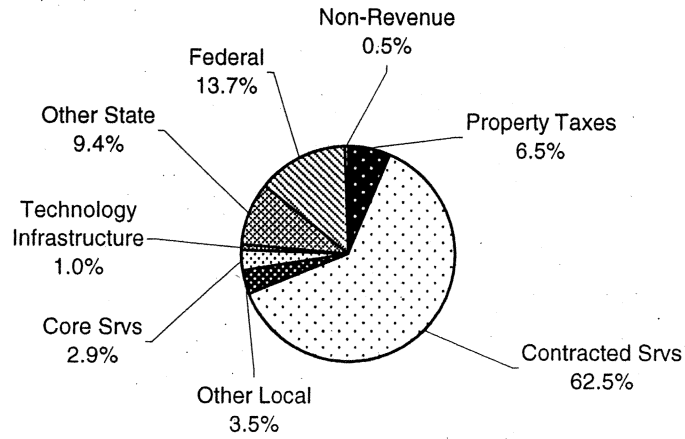


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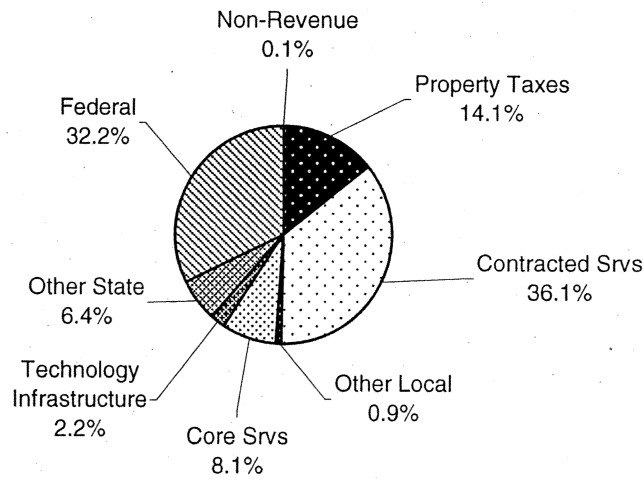




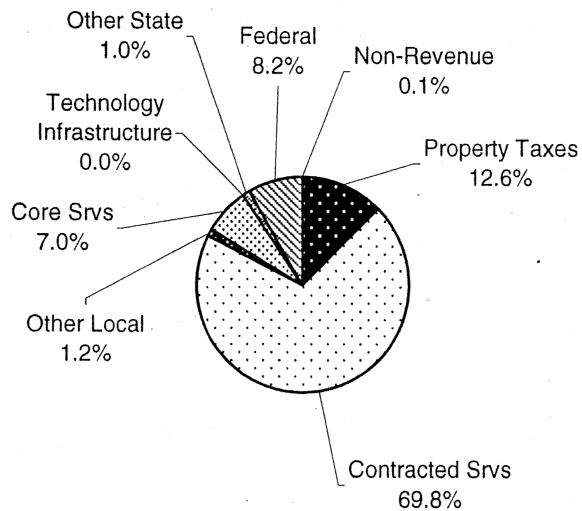
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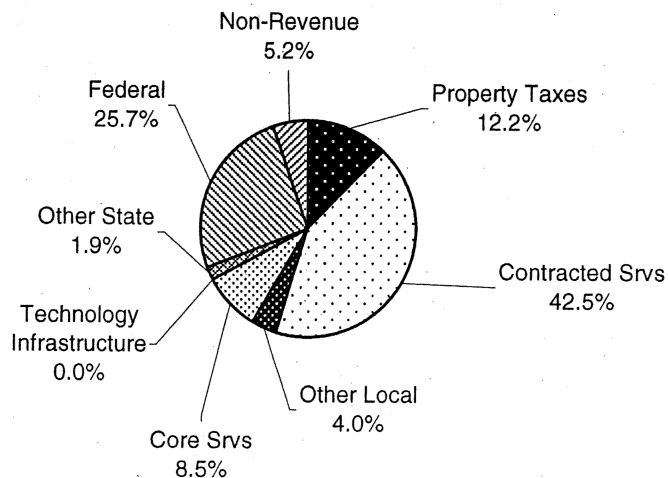
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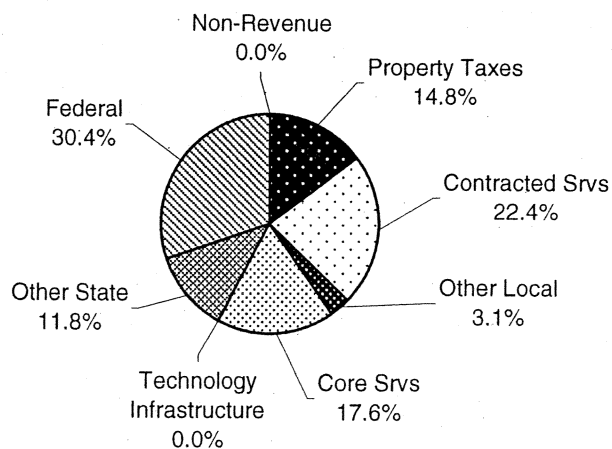
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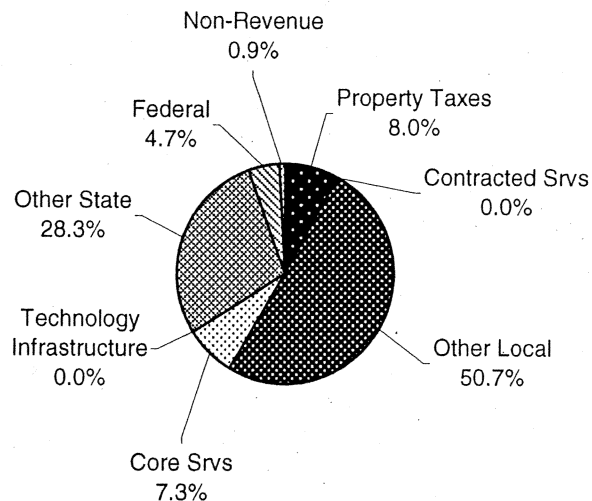
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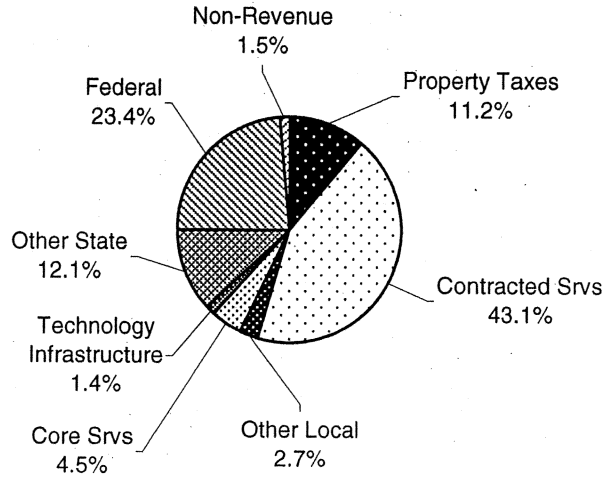
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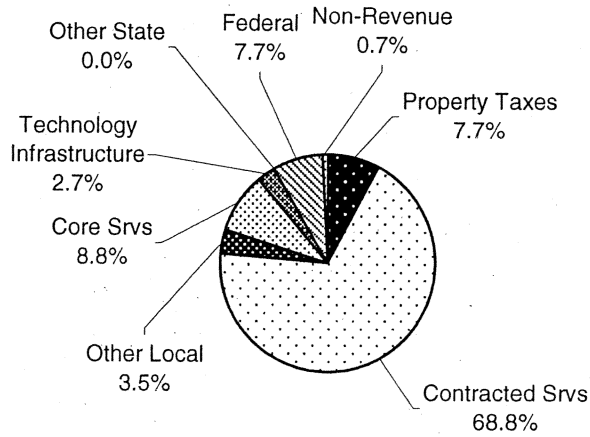
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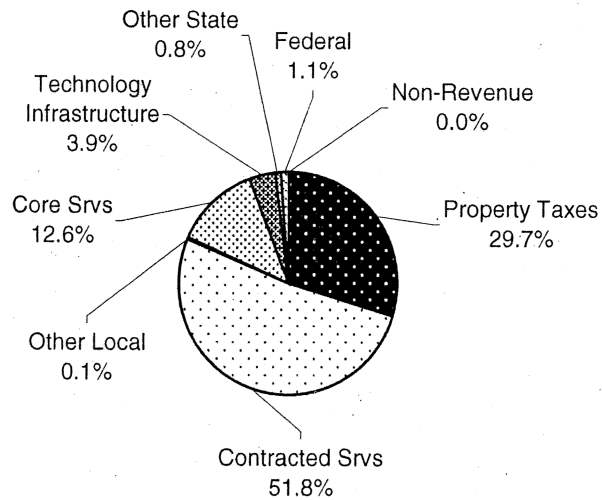
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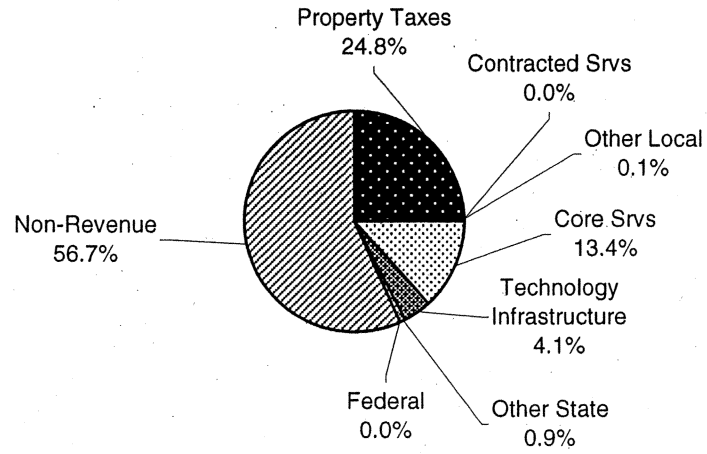
### 2004-05 ESU #17 Revenues



### 2004-05 ESU #18 Revenues



# 2004-05 ESU #19 Revenues



**EDUCATIONAL SERVICE UNITS**

General Fund Receipts - AFR

FY 2004-05

	State-Wide	% of Total Receipts
<b>1000 LOCAL RECEIPTS (1000)</b>		
1110 Local Property Taxes	16,890,207.68	14.59%
1115 Carline Taxes	10,861.59	0.01%
1120 Public Power District Sales Tax	0.00	0.00%
1125 Motor Vehicle Taxes	0.00	0.00%
1290 Tuition Receipts for Classes (School Bus Driver Training, etc.)	2,769,156.63	2.39%
1410 Interest	814,478.50	0.70%
1960 Contracted Services	40,890,271.90	35.33%
1990 Other Local Receipts	6,618,894.93	5.72%
<b>1000 Total Local Receipts (Add 1110 through 1990)</b>	<b>67,993,871.23</b>	<b>58.74%</b>
<b>2000 COUNTY RECEIPTS (2000)</b>		
2130 Other County Sources	272.00	0.00%
<b>3000 STATE RECEIPTS (3000)</b>		
3120 Special Education Programs (School Age)	2,586,607.87	2.23%
3125 Special Education Transportation (School Age)	0.00	0.00%
3130 Homestead Exemption	197,323.71	0.17%
3150 School Lunch	30.00	0.00%
3165 Birth to Age 5 Special Education (State)	1,921,705.47	1.66%
3180 Pro-Rate Motor Vehicle	41,358.75	0.04%
3400 Contracted Services (Flow-Through Funds from the State)	1,399,788.91	1.21%
3500 State Categorical Programs	2,317,015.15	2.00%
3501 Nursing Services Funds	93,507.00	0.08%
3550 Core Services	8,417,080.30	7.27%
3560 Technology Infrastructure	2,151,965.50	1.86%
3990 Other State Receipts	1,002,476.66	0.87%
<b>3000 Total State Receipts (Add 3120 through 3990)</b>	<b>20,128,859.32</b>	<b>17.39%</b>

**4000 FEDERAL RECEIPTS (4000)**

4100	Title I NCLB, Carry Over from Previous Fiscal Year								
4200	Title I NCLB, Current Fiscal Year					0.00	2,776,332.00	0.00	0.00%
4300	Innovative Education Program Strategies						15,097.00		2.40%
4310	Teacher & Principal Training & Recruiting Fund (Title II, Part A NCLB)						1,035,280.24		0.01%
4315	Math & Science Partnerships (Title II, Part B NCLB)						130,095.48		0.89%
4320	Innovation Programs (Title V, Part A NCLB)						92,277.00		0.11%
	<b>Title VIB</b>								0.08%
	4401 IDEA	4401	237,263.00						
	4410 IDEA	4410	38,487.00						
	4415 IDEA	4415	1,268,449.80						
4400	Total IDEA Title VI B - Birth to Age 5 Special Education (Add 4401 through 4403)	4400	1,544,199.80						1.33%
4690	Other Federal Non-Categorical Receipts	4690					3,193,612.12		2.76%
4700	Federal Vocational and Applied Technology Education (Carl Perkins)	4700					1,396,516.10		1.21%
4800	School Lunch	4800					30,230.00		0.03%
4915	Migrant Education (Title I, Part C NCLB)	4915					994,203.03		0.86%
4917	Comprehensive School Reform (Title I, Part F NCLB)	4917					0.00		0.00%
4925	Language Acquisition (Title III, NCLB)	4925					241,801.88		0.21%
4940	Head Start	4940					18,597.06		0.02%
4942	Even Start (Title I, Part B NCLB)	4942					0.00		0.00%
4950	Reading First (Title Subpart A of Part B NCLB)	4950					50,000.00		0.04%
4955	Dwight D Eisenhower - Math/Science (ESEA Title II, Part A)	4955					0.00		0.00%
4960	Safe & Drug Free Schools (Title IV, Part A NCLB)	4960					321,812.70		0.28%
4962	Community Service (Title IV, Part A NCLB)	4962					25,000.00		0.02%
4970	STAR Grants (NCLB)	4970					811,666.17		0.70%
4975	Comprehensive School Reform (Title I, Part F NCLB)	4975					10,000.00		
4985	Technology (Title II, Part D NCLB)	4985					697,914.00		0.60%
4990	Other Federal Categorical Receipts	4990					6,285,491.53		5.43%
4995	Categorical Grants from Corps. & Other Pvt. Interests	4995					92,248.00		0.08%
	<b>4000 Total Federal Receipts (Add 4100 through 4300, 4400, and 4690 through 4990)</b>	4000					19,762,374.11		17.07%

**5000 NON-REVENUE RECEIPTS (5000)**

5300	Insurance Adjustments	5300	43,723.57	0.04%
5400	Sale of Property	5400	17,287.50	0.01%
5500	Transfer From Other Funds	5500	5,030,026.40	4.35%
5690	Other Non-Revenue Receipts	5690	2,775,880.90	2.40%
	<b>5000 Total Non-Revenue Receipts (Add 5300 through 5690)</b>	<b>5000</b>	<b>7,866,918.37</b>	<b>6.80%</b>

**10000 GRAND TOTAL OF ALL REVENUE RECEIPTS**

(Add 1000, 2130, 3000, 4000, and 5000)

**10000** **115,752,295.03**

**ESU Financial Data**

<u>Tax Year</u>	<u>Fiscal Year</u>	<u>Valuation</u>	<u>Taxes</u>	<u>Average Levy</u>	<u># of Students</u>	<u>Valuation Per Student</u>	<u>Taxes Per Student</u>	<u>State Aid Per Student</u>	<u>Total Tax &amp; Aid Per Student</u>
1985	85/86	42,300,545,294	12,182,557.04	0.02880	255,325	165,673	47.71		47.71
1988	88/89	43,560,865,713	11,459,503.61	0.02631					
1989	89/90	48,568,984,774	12,774,644.19	0.02630					
1990	90/91	51,429,139,836	13,191,878.59	0.02565					
1991	91/92	52,750,793,766	13,937,940.47	0.02642					
1992	92/93	54,677,514,770	14,455,798.58	0.02644					
1993	93/94	56,535,745,451	17,016,631.00	0.03010	272,460	207,501	62.46		62.46
1994	94/95	62,052,134,233	19,920,316.00	0.03210					
1995	95/96	65,387,323,911	20,549,755.00	0.03143					
1996	96/97	69,527,958,795	21,966,717.00	0.03159					
1997	97/98	68,088,762,106	22,569,813.00	0.03315					
1998	98/99	74,046,104,285	11,525,117.00	0.01556	283,482	261,202	40.66	34.22	74.88
1999	99/00	80,892,741,806	13,310,655.00	0.01645	280,579	288,306	47.44	45.26	92.70
2000	00/01	87,698,592,194	13,692,877.00	0.01561	278,348	315,068	49.19	45.90	95.09
2001	01/02	93,392,583,448	14,875,223.00	0.01593	279,038	334,695	53.31	46.93	100.24
2002	02/03	97,946,431,298	15,521,434.90	0.01585	278,893	351,197	55.65	44.27	99.92
2003	03/04	104,009,357,568	16,452,234.33	0.01582	278,684	373,216	59.04	38.10	97.14
2004	04/05	108,919,281,446	17,076,960.69	0.01568	278,688	390,829	61.28	37.91	99.19
2005	05/06	116,027,660,838	18,054,775.49	0.01556	279,177	415,606	64.67	38.32	102.99

Students - exclude non-public and schools not assigned to ESU  
 FY93-94 - Additional .5 cent tax levy for technology infrastructure  
 FY98-99 - Tax levy reduced from 3.5 cents to 1.5 cents - .5 cent technology levy eliminated



**Educational Service Units  
State Aid Received and Property Taxes Levied Per Student**

<u>ESU</u>	<u>City</u>	<u>Aid &amp; Tax Per Student FY99</u>	<u>Aid &amp; Tax Per Student FY00</u>	<u>Aid &amp; Tax Per Student FY01</u>	<u>Aid &amp; Tax Per Student FY02</u>	<u>Aid &amp; Tax Per Student FY03</u>	<u>Aid &amp; Tax Per Student FY04</u>	<u>Aid &amp; Tax Per Student FY05</u>	<u>Aid &amp; Tax Per Student FY06</u>
1	Wakefield	70.92	86.81	91.82	95.59	93.83	91.67	92.66	96.93
2	Fremont	79.52	89.94	90.94	97.05	99.39	97.40	100.64	107.05
3	Omaha	62.12	90.98	94.01	98.47	97.37	93.22	94.03	98.32
4	Auburn	73.89	90.17	95.83	100.96	102.29	98.91	102.46	106.73
5	Beatrice	84.59	100.88	103.80	110.88	108.48	106.28	111.05	118.14
6	Milford	93.49	108.61	111.34	119.27	117.02	117.19	119.79	115.29
7	Columbus	86.99	102.20	107.93	112.43	109.77	106.33	110.08	115.47
8	Neligh	78.09	94.19	96.79	96.77	97.80	96.11	102.46	109.33
9	Hastings	81.07	96.70	101.78	104.80	103.24	99.39	102.92	108.51
10	Kearney	69.50	82.61	84.61	88.71	87.19	83.29	87.03	89.82
11	Holdrege	99.49	121.21	126.65	134.72	137.30	134.11	141.10	144.71
13	Scottsbluff	66.87	85.51	90.06	80.04	91.48	88.30	90.57	109.65
14	Sidney	123.32	150.93	155.94	160.47	166.02	159.18	168.22	0.00
15	Trenton	104.89	116.90	131.55	138.29	141.10	138.12	144.02	151.31
16	Ogallala	85.33	99.70	108.52	109.04	107.61	106.48	106.65	111.96
17	Ainsworth	176.72	213.85	225.06	229.43	235.24	228.90	234.45	248.04
18	Lincoln	74.97	88.83	90.64	97.49	96.16	97.88	99.50	101.33
19	Omaha	66.08	80.26	76.53	88.83	87.89	84.52	84.41	88.81
<b>Total</b>		<b>74.88</b>	<b>92.70</b>	<b>95.09</b>	<b>100.24</b>	<b>99.92</b>	<b>97.14</b>	<b>99.19</b>	<b>102.99</b>
<b>\$ Range</b>		<b>\$62-177</b>	<b>\$80-214</b>	<b>\$77-225</b>	<b>\$80-229</b>	<b>\$87-235</b>	<b>\$83-229</b>	<b>\$84-234</b>	<b>\$89-248</b>
<b># of ESU's</b>									
\$60-80		9	0	1	0	0	0	0	0
\$80-100		6	11	8	8	8	10	6	4
\$100-120		1	4	5	6	6	4	8	10
\$120-140		1	1	2	2	1	2	0	0
\$140-160		1	1	1	0	1	1	2	2
\$160+		0	1	1	2	2	1	2	1

State Aid



**STATE AID TO ESU'S**  
**Core Services & Technology Infrastructure**

CORE SERVICES										
ESU	City	State Aid FY99	State Aid FY00	State Aid FY01	State Aid FY02	State Aid FY03	State Aid FY04	State Aid FY05	State Aid FY06	State Aid FY07
1	Wakefield	396,535.12	398,724.75	391,664.32	391,613.14	360,702.63	310,216.70	303,907.28	310,737.42	312,892.38
2	Fremont	441,098.09	440,114.18	438,874.70	448,348.00	417,620.87	357,957.77	353,317.33	354,144.11	352,992.52
3	Omaha	1,818,723.24	1,832,944.40	1,849,460.62	1,915,179.90	1,800,882.21	1,573,388.12	1,595,371.10	1,647,402.46	1,700,518.12
4	Auburn	253,231.48	251,989.10	249,233.56	250,023.23	234,394.45	202,569.08	201,556.23	204,075.68	206,658.13
5	Beatrice	242,500.00	242,500.00	242,500.00	248,562.50	234,394.45	202,569.08	201,556.23	204,075.68	206,658.13
6	Milford	421,236.09	416,562.83	416,101.13	425,832.08	390,859.42	339,323.87	334,571.04	335,647.70	340,680.84
7	Columbus	431,135.46	425,291.43	423,425.77	429,029.80	399,008.23	342,247.88	337,603.14	339,160.68	337,408.45
8	Neligh	427,466.69	419,102.06	414,949.66	418,381.71	391,661.95	333,661.92	324,499.20	315,873.84	311,470.77
9	Hastings	335,592.64	333,783.99	330,892.15	334,416.75	312,550.54	268,004.66	263,830.82	261,316.08	260,829.26
10	Kearney	891,597.77	888,922.79	886,573.64	918,050.68	856,885.21	744,378.71	740,846.12	739,002.50	749,326.73
11	Holdrege	242,500.00	242,500.00	242,500.00	248,562.50	234,394.45	202,569.08	201,556.23	204,075.68	206,658.13
13	Scottsbluff	384,994.29	379,063.83	373,899.66	371,788.91	403,366.30	338,845.93	327,954.74	329,510.97	329,510.97
14	Sidney*	242,500.00	242,500.00	242,500.00	248,562.50	234,394.45	202,569.08	201,556.23	0.00	0.00
15	Trenton	242,500.00	242,500.00	242,500.00	248,562.50	234,394.45	202,569.08	201,556.23	204,075.68	206,658.13
16	Ogallala	310,944.17	308,757.04	304,624.19	304,234.86	279,057.06	236,093.89	238,320.05	241,293.38	240,038.34
17	Ainsworth	242,500.00	242,500.00	242,500.00	248,562.50	234,394.45	202,569.08	201,556.23	204,075.68	206,658.13
18	Lincoln	970,793.34	979,382.79	984,064.99	1,023,278.85	966,307.75	840,605.15	839,508.03	850,114.03	864,745.39
19	Omaha	1,404,151.62	1,412,860.81	1,423,735.61	1,469,509.59	1,390,509.13	1,202,623.92	1,193,182.77	1,218,445.43	1,232,620.58
<b>Total</b>		<b>9,700,000.00</b>	<b>9,700,000.00</b>	<b>9,700,000.00</b>	<b>9,942,500.00</b>	<b>9,375,778.00</b>	<b>8,102,763.00</b>	<b>8,062,249.00</b>	<b>8,163,027.00</b>	<b>8,266,325.00</b>

TECHNOLOGY INFRASTRUCTURE										
ESU	City	State Aid FY99	State Aid FY00	State Aid FY01	State Aid FY02	State Aid FY03	State Aid FY04	State Aid FY05	State Aid FY06	State Aid FY07
1	Wakefield		123,316.93	124,161.63	124,145.40	114,346.44	96,296.71	94,338.17	96,458.36	97,127.31
2	Fremont		136,117.79	139,127.80	142,130.93	132,390.11	111,116.38	109,675.92	109,932.55	109,575.10
3	Omaha		566,890.03	586,298.07	607,131.78	570,898.18	488,407.33	495,231.27	511,382.64	527,870.80
4	Auburn		77,934.77	79,009.61	79,259.95	74,305.45	62,881.00	62,566.60	63,348.68	64,150.33
5	Beatrice		75,000.00	76,875.00	78,796.88	74,305.45	62,881.00	62,566.60	63,348.68	64,150.33
6	Milford		128,833.87	131,908.35	134,993.15	123,906.45	105,332.09	103,856.74	104,190.94	105,753.34
7	Columbus		131,533.43	134,230.34	136,006.86	126,489.71	106,239.75	104,797.96	105,281.44	104,737.53
8	Neligh		129,619.19	131,543.32	132,631.32	124,160.86	103,574.52	100,730.26	98,052.79	96,686.02
9	Hastings		103,232.16	104,896.22	106,013.55	99,081.73	83,193.35	81,897.73	81,117.11	80,966.00
10	Kearney		274,924.57	281,052.98	291,031.53	271,641.42	231,068.23	229,971.68	229,399.36	232,604.23
11	Holdrege		75,000.00	76,875.00	78,796.88	74,305.45	62,881.00	62,566.60	63,348.68	64,150.33
13	Scottsbluff		117,236.23	118,530.05	117,860.91	127,871.26	105,183.73	101,802.92	164,369.52	164,369.52
14	Sidney*		75,000.00	76,875.00	78,796.88	74,305.45	62,881.00	62,566.60	0.00	0.00
15	Trenton		75,000.00	76,875.00	78,796.88	74,305.45	62,881.00	62,566.60	63,348.68	64,150.33
16	Ogallala		95,491.87	96,569.01	96,445.59	88,463.96	73,287.69	73,978.74	74,901.71	74,512.14
17	Ainsworth		75,000.00	76,875.00	78,796.88	74,305.45	62,881.00	62,566.60	63,348.68	64,150.33
18	Lincoln		302,901.90	311,958.75	324,389.95	306,329.49	260,938.61	260,598.07	263,890.33	268,432.21
19	Omaha		436,967.26	451,338.87	465,849.68	440,805.69	373,315.61	370,384.94	378,226.85	382,627.15
<b>Total</b>		<b>0.00</b>	<b>3,000,000.00</b>	<b>3,075,000.00</b>	<b>3,151,875.00</b>	<b>2,972,218.00</b>	<b>2,515,240.00</b>	<b>2,502,664.00</b>	<b>2,533,947.00</b>	<b>2,566,013.00</b>

**State Aid to ESU's**  
Core Services & Technology Infrastructure

ESU	City	State Aid FY99	State Aid FY00	State Aid FY01	State Aid FY02	State Aid FY03	State Aid FY04	State Aid FY05	State Aid FY06	State Aid FY07	Aid Per Student FY99	Aid Per Student FY01	Aid Per Student FY02	Aid Per Student FY03	Aid Per Student FY04	Aid Per Student FY05	Aid Per Student FY06
1	Wakefield	396,535.12	522,041.68	515,825.95	515,758.54	475,049.07	406,513.41	398,245.45	407,195.78	410,019.69	33.02	44.70	46.60	43.10	37.47	36.29	37.22
2	Fremont	441,098.09	576,231.97	578,002.50	530,478.93	550,010.98	469,074.15	462,993.25	464,076.66	462,567.62	33.13	43.81	45.73	42.91	36.87	36.73	37.32
3	Omaha	1,818,723.24	2,399,834.43	2,435,758.69	2,522,311.68	2,371,780.39	2,061,795.45	2,090,602.37	2,158,785.10	2,228,388.92	31.80	41.91	42.35	40.51	34.46	34.16	34.45
4	Auburn	253,231.48	329,923.87	328,243.17	329,233.18	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46	34.29	45.66	47.91	45.99	40.28	40.70	41.71
5	Beatrice	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46	37.46	50.63	54.46	52.29	45.61	45.22	47.50
6	Millford	421,236.09	545,896.70	548,009.48	560,825.23	514,765.87	444,658.96	438,427.78	439,838.64	446,434.18	33.51	43.84	46.56	42.48	37.02	36.81	36.73
7	Columbus	431,135.46	556,824.86	557,656.11	565,036.66	525,497.94	449,487.63	442,401.10	444,442.12	442,145.98	33.56	44.24	45.90	42.98	36.98	36.74	37.49
8	Neligh	427,466.69	548,721.25	546,492.38	551,013.03	515,822.81	437,236.44	425,229.46	413,926.63	408,156.73	33.79	44.23	45.13	43.53	37.60	38.08	38.02
9	Hastings	335,592.64	437,016.15	435,788.37	440,430.30	411,632.27	351,198.01	345,728.55	342,433.19	341,795.26	33.68	44.69	46.32	43.63	37.65	37.92	38.05
10	Kearney	891,597.77	1,163,847.36	1,167,626.62	1,209,082.21	1,128,526.63	975,436.94	970,817.80	968,401.86	981,930.96	32.48	42.87	44.54	41.25	35.57	35.87	35.99
11	Holdrege	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46	38.59	52.19	53.76	55.05	48.00	49.44	51.15
13	Scottsbluff	384,934.29	496,300.06	492,429.71	489,619.82	531,237.56	444,029.66	429,757.66	433,880.49	433,880.49	33.80	44.62	46.04	43.91	37.45	37.00	48.40
14	Sidney	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46	65.67	88.98	90.44	95.32	88.31	90.91	90.00
15	Trenton	310,944.17	404,248.91	401,193.20	400,680.45	367,521.02	309,381.58	312,298.79	316,195.09	314,550.48	33.89	45.13	47.57	44.64	37.00	37.33	38.45
16	Ogallala	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46	112.03	148.44	160.73	152.94	138.32	139.69	145.92
17	Ainsworth	970,793.34	1,282,284.69	1,296,023.74	1,347,668.80	1,272,637.24	1,101,543.76	1,100,106.10	1,114,004.36	1,133,177.60	32.04	42.46	43.92	41.09	35.35	35.21	35.35
18	Lincoln	1,404,151.62	1,849,828.07	1,875,074.48	1,935,359.27	1,831,314.82	1,575,938.53	1,558,567.71	1,596,672.28	1,615,247.73	31.94	42.09	42.62	41.07	35.85	34.68	35.90
19	Omaha	9,700,000.00	12,700,000.00	12,775,000.00	13,094,375.00	12,347,996.00	10,618,003.00	10,564,913.00	10,696,974.00	10,832,338.00	34.22	45.26	46.93	44.27	38.10	37.91	38.32
	<b>Total</b>																

ESU	City	Membership FY99	Membership FY00	Membership FY01	Membership FY02	Membership FY03	Membership FY04	Membership FY05	Membership FY06	Membership FY07	Change FY00	Change FY01	Change FY02	Change FY03	Change FY04	Change FY05	Change FY06
1	Wakefield	11,995.00	12,009.00	11,298.00	11,068.00	11,022.00	10,849.00	10,975.00	10,840.00	10,832,338.00	-2.76%	-3.25%	-2.04%	-0.42%	-1.57%	1.16%	-0.32%
2	Fremont	13,404.00	13,313.00	13,019.00	12,912.00	12,818.00	12,723.00	12,606.00	12,435.00	12,435,000.00	-1.19%	-1.03%	0.82%	0.73%	0.74%	0.92%	1.36%
3	Omaha	56,962.00	57,195.00	57,514.00	57,726.00	58,542.00	59,831.00	61,200.00	62,673.00	62,673,000.00	0.10%	0.45%	0.37%	1.41%	2.20%	2.29%	2.41%
4	Auburn	7,464.00	7,366.00	7,003.00	6,873.00	6,712.00	6,599.00	6,490.00	6,412.00	6,412,000.00	-2.18%	-3.07%	-1.86%	-2.34%	-1.65%	-1.65%	-1.20%
5	Beatrice	6,572.00	6,474.00	6,197.00	6,011.00	5,904.00	5,820.00	5,777.00	5,630.00	5,630,000.00	-3.14%	-1.18%	-3.00%	-1.78%	-1.42%	-0.74%	-2.54%
6	Millford	12,776.00	12,571.00	12,336.00	12,045.00	12,117.00	12,012.00	11,911.00	11,976.00	11,976,000.00	-1.03%	-0.85%	-2.36%	-0.60%	-0.82%	0.84%	0.55%
7	Columbus	13,089.00	12,846.00	12,433.00	12,309.00	12,227.00	12,127.00	12,043.00	11,854.00	11,854,000.00	-1.36%	-1.88%	-1.00%	-0.67%	-0.87%	-0.69%	-1.57%
8	Neligh	10,068.11	9,963.00	9,563.00	9,508.00	9,434.00	9,329.00	9,118.00	8,999.00	8,999,000.00	-1.86%	-2.20%	-0.58%	-0.78%	-1.11%	-2.26%	-1.31%
9	Hastings	27,647.98	27,453.00	27,267.00	27,143.00	27,355.00	27,421.00	27,067.00	27,211.00	27,211,000.00	-1.10%	0.45%	0.45%	0.76%	0.24%	1.29%	0.56%
10	Kearney	6,325.89	6,284.00	5,941.00	5,744.00	5,608.00	5,530.00	5,342.00	5,228.00	5,228,000.00	-3.18%	-2.35%	-3.32%	-2.37%	-1.39%	-3.40%	-2.13%
11	Holdrege	11,630.10	11,359.57	10,696.65	10,450.19	12,099.02	11,761.06	11,615.20	11,536.99	11,536,999.00	-2.34%	-3.83%	-16.39%	-2.82%	-2.79%	-1.24%	-23.43%
13	Scottsbluff	3,806.08	3,692.89	3,531.36	3,395.39	3,238.54	3,005.72	2,905.33	0.00	0.00	-3.38%	-1.03%	-3.85%	-4.62%	-7.19%	-3.34%	-100.00%
14	Sidney	9,288.77	9,174.51	8,956.75	8,422.90	8,233.53	8,025.00	7,890.00	7,795.00	7,795,000.00	2.54%	-5.25%	-2.14%	-2.66%	-1.64%	3.35%	2.44%
15	Trenton	2,263.67	2,164.62	2,041.26	2,036.71	2,018.41	1,919.16	1,830.84	1,823.88	1,823,880.00	-2.37%	-3.45%	-2.60%	-2.25%	-1.55%	0.05%	-1.69%
16	Ogallala	30,152.00	30,303.00	30,459.00	30,688.00	30,975.00	31,163.00	31,242.00	31,514.00	31,514,000.00	-1.19%	-4.57%	-0.22%	0.90%	0.61%	0.25%	0.87%
17	Ainsworth	43,854.00	43,960.00	43,995.00	44,431.00	44,594.00	44,577.00	45,032.00	45,229.00	45,229,000.00	-0.93%	0.11%	0.98%	0.37%	0.04%	1.15%	0.35%
18	Lincoln	284,987.60	283,481.59	278,579.39	279,038.19	278,893.50	278,683.38	278,688.02	279,176.57	279,176,570.00	-1.02%	-0.80%	0.25%	-0.05%	-0.08%	0.00%	0.18%
	<b>Total</b>																

Note: The computation of the state aid amount for each fiscal year is actually based on fall membership of the prior year. This chart shows state aid per student based on actual fall membership in the year shown.

TOTAL STATE AID										
ESU	City	State Aid FY99	State Aid FY00	State Aid FY01	State Aid FY02	State Aid FY03	State Aid FY04	State Aid FY05	State Aid FY06	State Aid FY07
1	Wakefield	396,535.12	522,041.68	515,825.95	515,758.54	475,049.07	406,513.41	398,245.45	407,195.78	410,019.69
2	Fremont	441,098.09	576,231.97	578,002.50	590,478.93	550,010.98	469,074.15	462,993.25	464,076.66	462,567.62
3	Omaha	1,818,723.24	2,399,834.43	2,435,758.69	2,522,311.68	2,371,780.39	2,061,795.45	2,090,602.37	2,158,785.10	2,228,388.92
4	Auburn	253,231.48	329,923.87	328,243.17	329,283.18	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46
5	Beatrice	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46
6	Millford	421,236.09	545,396.70	548,009.48	560,825.23	514,765.87	444,655.96	438,427.78	439,838.64	446,434.18
7	Columbus	431,135.46	556,824.86	557,656.11	565,036.66	525,497.94	448,487.63	442,401.10	444,442.12	442,145.98
8	Neigh	427,466.69	548,721.25	546,492.98	551,013.03	515,822.81	437,236.44	425,229.46	413,926.63	408,156.79
9	Hastings	335,592.64	437,016.15	435,788.37	440,430.30	411,632.27	351,198.01	345,728.55	342,433.19	341,795.26
10	Kearney	891,597.77	1,163,847.36	1,167,626.62	1,209,082.21	1,128,526.63	975,446.94	970,817.80	968,401.86	981,930.96
11	Holdrege	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46
13	Scottsbluff	384,994.29	496,300.06	492,429.71	489,649.82	531,237.56	444,029.66	429,757.66	693,880.49	693,880.49
14	Sidney*	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	0.00	0.00
15	Trenton	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46
16	Ogallala	310,944.17	404,248.91	401,193.20	400,680.45	367,521.02	309,381.58	312,298.79	316,195.09	314,550.48
17	Ainsworth	242,500.00	317,500.00	319,375.00	327,359.38	308,699.90	265,450.08	264,122.83	267,424.36	270,808.46
18	Lincoln	970,793.34	1,282,284.69	1,296,023.74	1,347,668.80	1,272,637.24	1,101,543.76	1,100,106.10	1,114,004.36	1,133,177.60
19	Omaha	1,404,151.62	1,849,828.07	1,875,074.48	1,935,359.27	1,831,314.82	1,575,939.53	1,563,567.71	1,596,672.28	1,615,247.73
<b>Total</b>		<b>9,700,000.00</b>	<b>12,700,000.00</b>	<b>12,775,000.00</b>	<b>13,094,375.00</b>	<b>12,347,996.00</b>	<b>10,618,003.00</b>	<b>10,564,913.00</b>	<b>10,696,974.00</b>	<b>10,832,338.00</b>

\*Merged with ESU #13 in FY2005-06

## ESU Aid Funding

	<u>1998-99</u>	<u>1999-00</u>	<u>2000-01</u>	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>
<b>Core Services</b>	9,700,000	9,700,000	9,700,000	9,942,500	9,375,778	8,102,763	8,062,249	8,163,027	8,266,325
<b>Tech. Infrastructure</b>	0	3,000,000	3,075,000	3,151,875	2,972,218	2,515,240	2,502,664	2,533,948	2,566,013
<b>Total ESU Aid</b>	9,700,000	12,700,000	12,775,000	13,094,375	12,347,996	10,618,003	10,564,913	10,696,975	10,832,338
<b>% Change</b>		30.93%	0.59%	2.50%	-5.70%	-14.01%	-0.50%	1.25%	1.27%
<b>Student Membership*</b>	284,988	283,482	280,579	278,348	279,038	278,894	278,684	278,688	
<b>% Change Membership</b>		-0.5284%	-1.0241%	-0.7951%	0.2479%	-0.0516%	-0.0753%	0.0014%	
<b>Allowable Growth Rate</b>		2.50%	2.50%	2.50%	2.50%	0.00%	0.00%	2.50%	
<b>Total % Increase</b>		2.500%	2.500%	2.500%	2.748%	0.000%	0.000%	2.501%	2.500%
<b>Base per Intent Language</b>		12,942,500	13,266,063	13,597,714	13,971,364	13,971,364	13,971,364	14,320,849	14,678,870
<b>Appropriation</b>		12,700,000	12,775,000	13,094,375	12,347,996	10,618,003	10,564,913	10,696,975	10,832,338
<b>Decrease in Aid Base</b>		242,500	491,063	503,339	1,623,368	3,353,361	3,406,451	3,623,874	3,846,532

\*Prior year membership

Property Taxes and Levies





**History of Property Tax Levies for ESU's  
FY1988-89 to FY 2005-06**

<u>ESU</u>	<u>City</u>	<u>1988</u> FY88-89	<u>1989</u> FY89-90	<u>1990</u> FY90-91	<u>1991</u> FY91-92	<u>1992</u> FY92-93	<u>1993</u> FY93-94	<u>1994</u> FY94-95	<u>1995</u> FY95-96	<u>1996</u> FY96-97	<u>1997</u> FY97-98	<u>1998</u> FY98-99	<u>1999</u> FY99-00	<u>2000</u> FY00-01	<u>2001</u> FY01-02	<u>2002</u> FY02-03	<u>2003</u> FY03-04	<u>2004</u> FY04-05	<u>2005</u> FY05-06
1	Wakefield	0.0350	0.0340	0.0323	0.0332	0.0312	0.0367	0.0377	0.0366	0.0369	0.0380	0.0193	0.0192	0.0185	0.0183	0.0182	0.0180	0.0178	0.0176
2	Fremont	0.0299	0.0283	0.0271	0.0274	0.0274	0.0330	0.0313	0.0316	0.0366	0.0330	0.0160	0.0145	0.0136	0.0140	0.0146	0.0149	0.0146	0.0150
3	Omaha	0.0265	0.0256	0.0254	0.0267	0.0275	0.0333	0.0331	0.0313	0.0293	0.0380	0.0134	0.0193	0.0176	0.0174	0.0172	0.0167	0.0167	0.0166
4	Auburn	0.0350	0.0350	0.0320	0.0335	0.0330	0.0377	0.0386	0.0381	0.0400	0.0400	0.0151	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
5	Beatrice	0.0351	0.0350	0.0350	0.0350	0.0350	0.0400	0.0400	0.0399	0.0400	0.0400	0.0165	0.0164	0.0164	0.0158	0.0150	0.0150	0.0150	0.0150
6	Milford	0.0242	0.0249	0.0252	0.0258	0.0261	0.0310	0.0298	0.0294	0.0313	0.0324	0.0179	0.0173	0.0167	0.0174	0.0173	0.0173	0.0171	0.0156
7	Columbus	0.0318	0.0297	0.0295	0.0305	0.0298	0.0348	0.0361	0.0366	0.0392	0.0381	0.0164	0.0163	0.0162	0.0162	0.0153	0.0150	0.0150	0.0150
8	Neligh	0.0350	0.0350	0.0320	0.0340	0.0325	0.0385	0.0399	0.0393	0.0400	0.0400	0.0161	0.0164	0.0159	0.0150	0.0150	0.0150	0.0150	0.0149
9	Hastings	0.0350	0.0347	0.0350	0.0350	0.0350	0.0398	0.0390	0.0388	0.0382	0.0373	0.0155	0.0156	0.0156	0.0156	0.0155	0.0155	0.0154	0.0154
10	Kearney	0.0303	0.0350	0.0317	0.0328	0.0301	0.0304	0.0285	0.0284	0.0296	0.0339	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
11	Holdrege	0.0327	0.0310	0.0299	0.0320	0.0310	0.0363	0.0371	0.0398	0.0400	0.0400	0.0174	0.0182	0.0182	0.0182	0.0182	0.0182	0.0180	0.0173
12	Alliance	0.0350	0.0350	0.0350	0.0350	0.0350	0.0400	0.0400	0.0400	0.0400	0.0400								
13	Scottsbluff	0.0350	0.0350	0.0350	0.0350	0.0350	0.0400	0.0397	0.0393	0.0400	0.0400	0.0155	0.0177	0.0176	0.0174	0.0171	0.0170	0.0169	0.0161
14	Sidney	0.0350	0.0350	0.0348	0.0345	0.0350	0.0400	0.0400	0.0400	0.0400	0.0400	0.0174	0.0173	0.0171	0.0150	0.0150	0.0150	0.0150	0.0150
15	Trenton	0.0219	0.0229	0.0229	0.0237	0.0234	0.0299	0.0310	0.0309	0.0391	0.0396	0.0175	0.0141	0.0150	0.0144	0.0143	0.0150	0.0150	0.0150
16	Ogallala	0.0350	0.0350	0.0344	0.0350	0.0345	0.0396	0.0388	0.0384	0.0383	0.0355	0.0179	0.0171	0.0169	0.0161	0.0152	0.0156	0.0150	0.0150
17	Ainsworth	0.0350	0.0328	0.0309	0.0319	0.0306	0.0346	0.0356	0.0371	0.0367	0.0362	0.0173	0.0157	0.0146	0.0135	0.0150	0.0150	0.0150	0.0150
18	Lincoln LPS	0.0080	0.0071	0.0071	0.0072	0.0076	0.0078	0.0082	0.0082	0.0081	0.0089	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
19	Omaha OPS	0.0174	0.0178	0.0180	0.0319	0.0197	0.0197	0.0382	0.0350	0.0334	0.0318	0.0150	0.0149	0.0117	0.0150	0.0150	0.0150	0.0150	0.0150
	# below levy cap	9	11	15	14	14	15	16	17	12	12	1	3	3	3	2	1	1	1
	% below levy cap	47.4%	57.9%	78.9%	73.7%	73.7%	78.9%	84.2%	89.5%	63.2%	63.2%	5.6%	16.7%	16.7%	16.7%	11.1%	5.6%	5.6%	5.6%

Source: CTL (Dept. of Property Assessment & Taxation)

**Property Tax Levy Cap**

FY89 - FY93 -- 3.5 cents  
 FY94 - FY98 -- 4.0 cents (Additional .5 tax levy for technology infrastructure)  
 FY99 - FY05 -- 1.5 cents (State aid provided to ESU's)

ESU's  
Property Taxes Levied

ESU	City	Property Taxes Levied FY99	Property Taxes Levied FY00	Property Taxes Levied FY01	Property Taxes Levied FY02	Property Taxes Levied FY03	Property Taxes Levied FY04	Property Taxes Levied FY05	Property Taxes Levied FY06	Tax Per Student FY99	Tax Per Student FY00	Tax Per Student FY01	Tax Per Student FY02	Tax Per Student FY03	Tax Per Student FY04	Tax Per Student FY05	Tax Per Student FY06
1	Wakefield	455,188.63	491,737.01	521,555.53	542,270.04	559,140.83	588,011.56	618,624.58	653,231.18	37.90	42.11	46.16	48.99	50.73	54.20	56.37	59.71
2	Fremont	617,566.24	606,748.12	605,965.66	662,625.62	723,982.42	770,145.19	803,666.53	867,109.67	46.39	46.13	46.54	51.32	56.88	60.53	63.91	69.73
3	Omaha	1,734,254.48	2,809,647.58	2,971,172.86	3,162,222.87	3,328,890.22	3,510,702.83	3,664,030.64	4,003,228.39	30.32	49.07	51.66	54.78	56.86	58.76	59.87	63.87
4	Auburn	292,512.13	321,573.88	342,886.68	364,599.46	377,863.22	387,224.49	400,790.74	416,897.14	39.60	44.51	48.96	53.05	56.30	58.68	61.76	65.02
5	Beatrice	305,115.50	315,111.72	323,844.55	339,135.14	331,761.08	353,117.17	377,390.40	397,683.02	47.13	50.25	52.26	56.42	56.19	60.67	65.39	70.64
6	Milford	753,951.36	805,828.40	825,531.15	875,750.26	903,196.49	962,974.40	988,378.64	940,831.72	59.98	64.77	66.92	72.71	74.34	80.17	82.96	78.56
7	Columbus	686,299.90	738,156.65	784,282.23	818,945.48	816,609.40	841,027.39	883,273.92	924,378.12	53.43	58.26	66.53	66.53	66.79	69.35	73.34	77.98
8	Neigh	560,484.34	619,791.23	625,586.73	617,079.38	648,455.91	680,825.03	718,944.01	776,393.09	44.30	49.96	51.66	51.42	54.47	58.51	64.38	71.31
9	Hastings	472,150.68	508,572.73	537,563.11	556,031.16	562,381.87	575,934.18	592,706.54	634,075.97	47.39	52.01	56.21	58.48	59.61	61.74	65.00	70.46
10	Kearney	1,016,301.73	1,078,873.65	1,139,574.78	1,199,006.35	1,256,558.20	1,308,462.81	1,384,807.29	1,475,743.64	37.02	39.74	41.79	44.17	45.94	47.72	51.16	54.23
11	Holdrege	382,665.67	419,931.47	433,016.15	446,470.46	461,284.59	476,182.65	489,669.50	489,147.42	60.90	69.02	72.89	77.73	82.25	86.11	91.66	93.56
13	Scottsbluff	376,695.46	454,750.62	470,867.61	506,786.88	575,852.30	594,514.89	622,218.47	876,193.87	33.07	40.89	44.02	40.71	47.57	50.55	53.57	61.25
14	Sidney	212,886.23	221,043.15	231,296.50	217,497.82	228,958.97	213,000.99	224,622.72	296,106.84	57.65	61.95	65.50	64.06	70.70	70.87	77.31	0.00
15	Trenton	245,431.74	212,486.81	285,791.92	254,022.78	268,880.92	290,472.99	296,106.84	306,786.41	52.76	46.87	57.24	60.42	65.66	72.17	76.42	80.84
16	Ogallala	471,951.25	488,732.43	537,289.40	517,718.30	518,487.16	580,912.95	579,887.61	604,515.47	51.44	54.57	62.13	61.47	62.97	69.48	69.32	73.51
17	Ainsworth	140,027.49	139,908.44	140,029.41	139,923.65	166,118.67	173,828.91	179,178.46	187,148.68	64.69	65.41	68.60	68.70	82.30	90.58	94.76	102.12
18	Lincoln	1,300,816.53	1,400,373.81	1,464,731.82	1,643,855.00	1,705,837.47	1,948,615.29	2,008,515.06	2,079,266.76	42.93	46.37	48.09	53.57	55.07	62.53	64.29	65.98
19	Omaha	1,500,816.94	1,677,386.55	1,491,838.19	2,011,302.77	2,067,675.18	2,191,681.31	2,242,149.54	2,420,199.94	34.14	38.17	33.91	45.27	46.82	49.17	49.73	53.51
Total		11,525,116.92	13,310,654.75	13,692,876.68	14,875,223.42	15,521,434.90	16,452,234.33	17,076,960.69	18,054,775.49	40.66	47.44	49.19	53.31	55.65	59.04	61.28	64.67

ESU	Membership	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06	% Change FY00	% Change FY01	% Change FY02	% Change FY03	% Change FY04	% Change FY05	% Change FY06
1	Wakefield	12,009.00	11,678.00	11,298.00	11,068.00	11,022.00	10,849.00	10,975.00	10,940.00	-2.76%	-3.25%	-2.04%	-0.42%	-0.42%	-1.57%	-0.32%
2	Fremont	13,313.00	13,154.00	13,019.00	12,912.00	12,818.00	12,723.00	12,806.00	12,493.00	-1.19%	1.03%	-0.82%	0.73%	-0.74%	-0.95%	-1.36%
3	Omaha	57,195.00	57,255.00	57,514.00	57,726.00	58,542.00	59,831.00	61,200.00	62,673.00	0.10%	0.45%	0.37%	1.41%	2.20%	2.29%	2.41%
4	Auburn	7,886.00	7,225.00	7,003.00	6,873.00	6,712.00	6,599.00	6,490.00	6,412.00	-2.16%	-3.07%	-1.86%	-1.68%	-1.68%	-1.65%	-1.20%
5	Beatrice	6,474.00	6,271.00	6,197.00	6,011.00	5,904.00	5,820.00	5,777.00	5,630.00	-3.14%	-1.18%	-3.00%	-1.78%	-1.42%	-0.74%	-2.54%
6	Milford	12,571.00	12,442.00	12,336.00	12,045.00	12,117.00	12,012.00	11,911.00	11,976.00	1.03%	-0.65%	-2.86%	0.80%	0.87%	0.84%	0.55%
7	Columbus	12,846.00	12,671.00	12,433.00	12,309.00	12,227.00	12,127.00	12,043.00	11,854.00	-1.36%	-1.88%	-1.00%	-0.67%	-0.82%	-0.69%	-1.57%
8	Neigh	12,651.00	12,406.00	12,170.00	12,071.00	11,904.00	11,630.00	11,168.00	10,887.00	-1.94%	-2.93%	-0.82%	-1.88%	-2.30%	-3.97%	-2.52%
9	Hastings	9,963.00	9,778.00	9,563.00	9,508.00	9,434.00	9,329.00	9,118.00	8,999.00	-1.86%	-2.20%	-0.58%	-0.78%	-1.11%	-2.26%	-1.31%
10	Kearney	27,453.00	27,151.00	27,267.00	27,143.00	27,355.00	27,421.00	27,067.00	27,211.00	-1.10%	0.43%	-0.45%	0.48%	0.24%	-1.29%	0.53%
11	Holdrege	6,284.00	6,084.00	5,941.00	5,744.00	5,608.00	5,530.00	5,342.00	5,228.00	-3.18%	-2.35%	-3.32%	-2.37%	-1.39%	-3.40%	-2.13%
13	Scottsbluff	11,389.57	11,122.60	10,696.65	12,450.19	12,699.02	11,761.06	11,615.20	14,336.99	2.34%	-3.83%	16.39%	-2.82%	-2.79%	1.21%	23.43%
14	Sidney	3,692.89	3,568.13	3,531.36	3,395.39	3,238.54	3,005.72	2,905.33	0.00	-3.38%	-1.09%	-3.85%	-4.62%	-7.19%	-3.34%	-100.00%
15	Trenton	4,652.00	4,534.00	4,296.00	4,204.00	4,092.00	4,025.00	3,990.00	3,795.00	-2.54%	-5.25%	-2.14%	-2.65%	-1.64%	1.64%	-3.35%
16	Ogallala	9,174.51	8,956.75	8,647.46	8,422.90	8,233.53	8,361.44	8,965.65	8,223.68	-2.37%	-3.45%	-2.60%	-2.25%	1.55%	0.05%	-1.69%
17	Ainsworth	2,164.62	2,139.00	2,041.26	2,036.71	2,018.41	1,919.16	1,890.84	1,832.70	-1.19%	-4.57%	-0.22%	-0.90%	-4.92%	-1.48%	-3.07%
18	Lincoln	30,303.00	30,199.00	30,459.00	30,688.00	30,975.00	31,163.00	31,242.00	31,514.00	-0.34%	0.86%	0.75%	0.94%	0.94%	0.61%	0.87%
19	Omaha	43,960.00	43,945.00	43,995.00	44,451.00	44,594.00	44,577.00	45,082.00	45,229.00	-0.03%	0.11%	0.99%	0.52%	0.04%	1.13%	0.33%
Total		283,481.59	280,579.39	278,347.73	279,038.19	278,893.50	278,683.38	278,668.02	279,176.57	-1.02%	-0.80%	0.25%	-0.05%	-0.08%	0.00%	-0.18%

Property Taxes v. State Aid for Technology Infrastructure



**Comparison of Property Taxes  
Levied for Technology Infrastructure  
and State Aid**

ESU	FY City	1997-98		1998-99		1999-00		1999-00		1999-00	
		Valuations	Technology Levy	Taxes Levied for Technology	Valuations	Technology Levy*	Estimated Taxes Levied	Valuations	Technology Levy*	Estimated Taxes Levied	Technology Infrastructure Aid
1	Wakefield	2,194,965,810	0.005	109,748	2,358,492,366	0.005	117,925	2,561,128,200	0.005	128,056	123,316.93
2	Fremont	3,623,035,964	0.00439	159,051	3,857,731,177	0.00439	169,354	4,198,900,330	0.00439	184,332	136,117.79
3	Omaha	11,919,617,197	0.005	595,981	12,922,801,612	0.005	646,140	14,550,210,449	0.005	727,511	566,890.03
4	Auburn	1,760,293,465	0.005	88,015	1,949,035,246	0.005	97,452	2,143,788,977	0.005	107,189	77,934.77
5	Beatrice	1,765,275,367	0.005	88,264	1,851,639,658	0.005	92,582	1,956,543,954	0.005	97,827	75,000.00
6	Milford	3,878,831,723	0.0041	159,032	4,208,296,098	0.0041	172,540	4,651,260,685	0.0041	190,702	128,833.87
7	Columbus	3,900,413,369	0.0047	183,319	4,187,475,933	0.0047	196,811	4,531,339,628	0.0047	212,973	131,533.43
8	Neligh	3,116,678,072	0.005	155,834	3,481,264,123	0.005	174,063	3,784,876,914	0.005	189,244	129,619.19
9	Hastings	2,742,189,816	0.00457	125,318	3,040,066,911	0.00457	138,931	3,266,918,447	0.00457	149,298	103,232.16
10	Kearney	6,389,863,107	0.005	319,493	6,775,218,066	0.005	338,761	7,192,338,901	0.005	359,617	274,924.57
11	Holdrege	2,151,022,060	0.005	107,551	2,199,520,017	0.005	109,976	2,303,959,480	0.005	115,198	75,000.00
12	Alliance	536,506,800	0.005	26,825	0	0.005	0	0	0.005	0	0.00
13	Scottsbluff	1,237,909,439	0.005	61,895	2,433,538,682	0.005	121,677	2,564,992,423	0.005	128,250	117,236.23
14	Sidney	1,168,615,443	0.005	58,431	1,225,502,202	0.005	61,275	1,280,117,557	0.005	64,006	75,000.00
15	Trenton	1,310,190,719	0.004635	60,727	1,402,462,665	0.004635	65,004	1,510,006,881	0.004635	69,989	75,000.00
16	Ogallala	2,499,650,160	0.00411	102,736	2,634,711,589	0.00411	108,287	2,858,638,225	0.00411	117,490	95,491.87
17	Ainsworth	825,913,179	0.005	41,296	809,880,394	0.005	40,494	889,448,300	0.005	44,472	75,000.00
18	Lincoln	7,664,716,485	0.002576	197,443	8,689,489,204	0.002576	223,841	9,352,660,217	0.002576	240,925	302,901.90
19	Omaha	9,403,073,931	0.001758	165,306	10,018,978,342	0.001758	176,134	11,295,612,238	0.001758	198,577	436,967.26
<b>Total</b>		68,088,762,106	0.00452	2,806,266	74,046,104,285	0.00452	3,051,247	80,892,741,806	0.00452	3,325,655	3,000,000.00

\*Assume 1997 tax rate



Potential Resources with \$0.04 Levy v. \$0.015 Levy & State Aid





**Change in Potential ESU Resources from 4 Cent Levy  
to 1.5 Cent Levy and State Aid  
2005-06**

ESU	City	1997		2005		2005		2005		Difference in Resources:	
		Total ESU Tax Levy	ESU Technology Levy	2005 Valuation	Potential Property Tax Receipts 1997 Rate	Potential Property Tax Receipts 4.0 Cent Rate	Actual Property Tax Receipts 1.5 Cent Rate	2005 State Aid Core Services/ Technology Infrastructure	Actual Property Tax Plus State Aid	4 Cent Levy Versus 1.5 Cent Levy & State Aid	Difference in Resources: 1997 Levy Versus 1.5 Cent Levy & State Aid
1	Wakefield	0.0380	0.005	3,701,668,894	1,406,634	1,480,668	653,231	407,196	1,060,427	420,241	346,207
2	Fremont	0.0330	0.00439	5,780,694,372	1,907,629	2,312,278	867,110	464,077	1,331,186	981,091	576,443
3	Omaha	0.0380	0.005	24,159,293,576	9,190,195	9,663,717	4,003,228	2,158,785	6,162,013	3,501,704	3,028,182
4	Auburn	0.0400	0.005	2,779,248,744	1,111,422	1,111,699	416,897	267,424	684,322	427,378	427,100
5	Beatrice	0.0400	0.005	2,651,184,300	1,060,474	1,060,474	397,683	267,424	665,107	395,366	395,366
6	Milford	0.0324	0.0041	6,029,041,097	1,953,409	2,411,616	940,832	439,839	1,380,670	1,030,946	572,739
7	Columbus	0.0381	0.0047	6,162,946,479	2,349,438	2,465,179	924,378	444,442	1,368,820	1,096,358	980,618
8	Neligh	0.0400	0.005	5,207,214,034	2,082,886	2,082,886	776,393	413,927	1,190,320	892,566	892,566
9	Hastings	0.0373	0.00457	4,110,175,342	1,533,630	1,644,070	634,076	342,433	976,509	667,561	557,121
10	Kearney	0.0339	0.005	9,898,159,603	3,337,104	3,935,264	1,475,744	968,402	2,444,146	1,491,118	892,958
11	Holdrege	0.0400	0.005	2,820,628,199	1,128,251	1,128,251	489,147	267,424	756,572	371,679	371,679
12	Alliance	0.0400	0.005	0	0	0	0	0	0	0	0
13	Scottsbluff	0.0400	0.005	5,464,447,973	2,185,779	2,185,779	878,139	693,880	1,572,019	613,760	613,760
14	Sidney	0.0400	0.005	0	0	0	0	0	0	0	0
15	Trenton	0.0396	0.004635	2,045,214,304	810,621	818,086	306,786	267,424	574,211	243,875	236,410
16	Ogallala	0.0355	0.00411	4,030,056,916	1,430,348	1,612,023	604,515	316,195	920,711	691,312	509,637
17	Ainsworth	0.0362	0.005	1,250,319,804	452,366	500,128	187,149	267,424	454,573	45,555	-2,207
18	Lincoln	0.0089	0.002576	13,862,702,560	1,231,840	5,545,081	2,079,267	1,114,004	3,193,271	2,351,810	-1,961,431
19	Omaha	0.0318	0.001758	16,134,664,641	5,130,823	6,453,866	2,420,200	1,596,672	4,016,872	2,436,994	1,113,951
<b>Total</b>				<b>116,027,660,838</b>	<b>38,302,849</b>	<b>46,411,064</b>	<b>18,054,775</b>	<b>10,696,974</b>	<b>28,751,749</b>	<b>17,659,315</b>	<b>9,551,099</b>



Federal Funds



Federal Funds Awarded to or Programs funded through Educational Service Units

ESU	NCLB Con.	MSP	Title II-D	STAR	Title II-A	ARMS	NCLB Total	PERKINS
1			\$ 19,500	\$ 93,500		\$ 4,676	\$ 117,676	\$ 40,000
2	\$ 723,408			\$ 150,500			\$ 873,908	
3	\$ 548,202	\$ 331,080	\$ 68,760	\$ 131,500			\$ 1,079,542	
4	\$ 245,433		\$ 12,495	\$ 83,000		\$ 35,427	\$ 376,355	
5	\$ 247,361			\$ 50,000		\$ 24,136	\$ 321,497	
6	\$ 136,028	\$ 101,051	\$ 33,645	\$ 192,500		\$ 64,113	\$ 527,337	\$ 40,000
7	\$ 1,978,589		\$ 19,996	\$ 160,500	\$ 61,450		\$ 2,220,535	
8	\$ 134,703	\$ 330,000	\$ 21,235	\$ 106,500			\$ 592,438	
9	\$ 777,715		\$ 21,146	\$ 75,000		\$ 32,669	\$ 906,530	
10	\$ 1,556,507		\$ 54,865	\$ 124,000			\$ 1,735,372	\$ 39,559
11	\$ 360,858		\$ 88,119	\$ 91,500			\$ 540,477	
13	\$ 659,740		\$ 33,000	\$ 160,500	\$ 5,000		\$ 858,240	
15	\$ 65,172			\$ 54,000			\$ 119,172	
16	\$ 597,869		\$ 71,931	\$ 70,500		\$ 17,717	\$ 758,017	
17	\$ 99,365			\$ 45,000			\$ 144,365	
18	\$ 142,724						\$ 142,724	
19							\$ -	
	\$ 8,273,674	\$ 762,131	\$ 425,192	\$ 1,495,000	\$ 66,450	\$ 174,062	\$ 11,314,185	\$ 119,559

**All NCLB Consolidated Application amounts include all available funds as of July 15, 1006.**

Title II-D competitive grants.

Title II-A are direct grants.

MSP (Math and Science Partnerships - Title II-B) are statewide activity grants through an ESU.

STAR and ARMS grants are formula amounts allocated to districts for work on standards, assessment and reporting.

All the remaining grants (NCLB and Perkins) are assigned by districts for multi-district projects.



Disbursements





**EDUCATIONAL SERVICE UNITS  
GENERAL FUND DISBURSEMENTS  
ANNUAL FINANCIAL REPORT  
FY 2004-05**

**1100 FUNCTION - GENERAL EDUCATION INSTRUCTIONAL SERVICES TO SCHOOLS  
(NON-SPECIAL EDUCATION)**

Code	Object	State-Wide	% of Total Disbursements
100	Salaries	2,602,660.42	
200	Employee Benefits	428,079.84	
284	Early Retirement or Voluntary Termination	0.00	
300	Purchased Services	303,780.31	
400	Supplies and Materials	83,550.21	
500	Furniture and Equipment (New and Replacement)	27,986.62	
600	Other Expenses	94,620.40	
<b>1100</b>	<b>1100 Total General Education Instructional Services to Schools [Non-Special Education] (Add 100 through 600)</b>	<b>3,540,677.80</b>	<b>3.18%</b>

**1200 FUNCTION - SPECIAL EDUCATION PROGRAMS AND SERVICES TO SCHOOLS**

Code	Object	State-Wide	% of Total Disbursements
100	Salaries	21,985,580.33	
200	Employee Benefits	5,708,753.59	
284	Early Retirement or Voluntary Termination	2,508.48	
300	Purchased Services	2,054,082.28	
400	Supplies and Materials	498,225.46	
500	Furniture and Equipment (New and Replacement)	325,785.29	
600	Other Expenses	1,110,481.35	
<b>1200</b>	<b>1200 Total Special Education Programs and Services to Schools (Add 100 through 600)</b>	<b>31,685,416.78</b>	<b>28.45%</b>

**2100 FUNCTION - STUDENT NON-INSTRUCTIONAL (SUPPORT) SERVICES AND  
PROGRAMS TO SCHOOLS**

Code	Object	State-Wide	% of Total Disbursements
100	Salaries	2,062,706.01	
200	Employee Benefits	547,481.88	
284	Early Retirement or Voluntary Termination	24,400.00	
300	Purchased Services	584,331.57	
400	Supplies and Materials	172,679.08	
500	Furniture and Equipment (New and Replacement)	436,894.91	
600	Other Expenses	57,754.01	
<b>2100</b>	<b>2100 Total Student Non-Instructional (Support) Services and Programs to Schools (Add 100 through 600)</b>	<b>3,886,247.46</b>	<b>3.49%</b>

**2150 FUNCTION SUPPORT SERVICES - PUPILS - SAFETY & SECURITY**

Code	Object	
100	Salaries	0.00
200	Employee Benefits	0.00
284	Early Retirement or Voluntary Termination	0.00
300	Purchased Services	34,851.96
400	Supplies and Materials	68.13
500	Furniture and Equipment (New and Replacement)	866.80
600	Other Expenses	455.29

**2150 Total Support Services -- Pupils -- Safety & Security  
(Add 100 through 600)**

**2150** 36,242.18

**0.03%**

**2200 FUNCTION - SUPPORT SERVICES STAFF**

**2212 STAFF DEVELOPMENT AND IN-SERVICE TO SCHOOLS**

Code	Object	
100	Salaries	110,757.37
200	Employee Benefits	31,948.50
284	Early Retirement or Voluntary Termination	0.00
300	Purchased Services	623,793.90
400	Supplies and Materials	46,491.90
500	Furniture and Equipment (New and Replacement)	10,489.00
600	Other Expenses	344,299.51

**2212 Total Staff Development and In-Service to Schools  
(Add 100 through 600)**

**2212** 1,167,780.18

**1.05%**

**2222 PRODUCTION AND MEDIA SERVICES TO SCHOOLS**

Code	Object	
100	Salaries	1,948,075.75
200	Employee Benefits	468,960.41
284	Early Retirement or Voluntary Termination	0.00
300	Purchased Services	567,378.19
400	Supplies and Materials	199,104.14
500	Furniture and Equipment (New and Replacement)	254,319.41
600	Other Expenses	51,108.22

**2222 Total Production and Media Services to Schools  
(Add 100 through 600)**

**2222** 3,488,946.12

**3.13%**

**2200 Total Support Services Staff (Add 2212 and 2222)**

**2200** 4,656,726.30

**4.18%**

2300 FUNCTION - GOVERNANCE AND GENERAL ADMINISTRATION

2310 BOARD OF CONTROL

Code	Object	
100	Salaries	49,075.13
200	Employee Benefits	23,270.60
284	Early Retirement or Voluntary Termination	3,467.00
300	Purchased Services	549,945.05
400	Supplies and Materials	10,371.49
500	Furniture and Equipment (New and Replacement)	554.96
600	Other Expense	275,741.56
<b>2310</b>	<b>Total Board of Control (Add 100 through 600)</b>	<b>912,425.79</b>

0.82%

2320 GENERAL ADMINISTRATION

Code	Object	
100	Salaries	1,877,525.07
200	Employee Benefits	396,311.54
284	Early Retirement or Voluntary Termination	0.00
300	Purchased Services	100,115.53
400	Supplies and Materials	64,017.67
500	Furniture and Equipment (New and Replacement)	37,705.36
600	Other Expenses	150,951.63
<b>2320</b>	<b>Total General Administration (Add 100 through 600)</b>	<b>2,626,626.80</b>

2.36%

2300 Total Board of Control and General Administration  
(Add 2310 and 2320)

2300 3,539,052.59

3.18%

2500 FUNCTION - SUPPORT SERVICES

2510 GENERAL ADMINISTRATION - BUSINESS SERVICES

Code	Object	
100	Salaries	1,631,302.49
200	Employee Benefits	409,890.74
284	Early Retirement or Voluntary Termination	29,024.40
300	Purchased Services	757,556.31
400	Supplies and Materials	386,293.40
500	Furniture and Equipment (New and Replacement)	130,965.05
600	Other Expenses	73,435.10
<b>2510</b>	<b>Total General Administration - Business Services (Add 100 through 600)</b>	<b>3,418,467.49</b>

3.07%

**2515 BUILDING AND SITES**

Code	Object	
500	Furniture and Equipment (New and Replacement)	121,781.66
510	Site Acquisition and Improvements	1,135.00
520	Building and Acquisition and Improvements	766,563.76
600	Other Expenses	14,874.09
<b>2515</b>	<b>Total Building and Sites (Add 500 through 600)</b>	<b>904,354.51</b>

**0.81%**

**2520 VEHICLE ACQUISITION AND MAINTENANCE OTHER THAN STUDENT TRANSPORTATION VEHICLES**

Code	Object	
100	Salaries	9,579.89
200	Employee Benefits	2,424.58
284	Early Retirement or Voluntary Termination	0.00
300	Purchased Services	22,635.41
400	Supplies and Materials	30.96
500	Vehicle Acquisition (New and Replacement)	61,773.99
600	Other Expenses	16,941.77

**2520 Total Vehicle Acquisition and Maintenance Other Than Student Transportation Vehicles (Add 100 through 600)**

**113,386.60**

**0.10%**

**2500 Total Support Services (Add 2510, 2515 and 2520)**

**4,436,208.60**

**3.98%**

**2600 FUNCTION - SUPPORT SERVICES, MAINTENANCE AND OPERATION OF BUILDING(S) AND SITE(S)**

Code	Object	
100	Salaries	248,716.02
200	Employee Benefits	62,168.35
284	Early Retirement or Voluntary Termination	5,024.04
300	Purchased Services	1,118,058.77
400	Supplies and Materials	67,573.34
500	Furniture and Equipment (New and Replacement)	226,328.29
600	Other Expenses	86,708.77

**2600 Total Maintenance and Operation of Building(s) and Site(s) (Add 100 through 600)**

**1,814,577.58**

**1.63%**

2700 FUNCTION - SUPPORT SERVICES - PUPIL TRANSPORTATION

2750 REGULAR PUPIL TRANSPORTATION

Code	Object		
100	Salaries	100	0.00
200	Employee Benefits	200	0.00
284	Early Retirement or Voluntary Termination	284	0.00
300	Purchased Services	300	0.00
333	Transportation Paid to School District	333	0.00
400	Supplies and Materials	400	0.00
500	Vehicle Acquisition (New and Replacement)	500	0.00
600	Other Expenses	600	0.00
		<b>2750</b>	<b>0.00</b>
			<b>0.00%</b>

2750 Total Regular Pupil Transportation (Add 100 through 600)

2760 SCHOOL AGE SPECIAL EDUCATION PUPIL TRANSPORTATION

Code	Object		
100	Salaries	100	62,157.14
200	Employee Benefits	200	36,584.66
284	Early Retirement or Voluntary Termination	284	0.00
300	Purchased Services	300	24,953.81
333	Transportation Paid to School District	333	0.00
400	Supplies and Materials	400	610.97
500	Vehicle Acquisition (New and Replacement)	500	60.00
600	Other Expenses	600	8,292.03
		<b>2760</b>	<b>132,658.61</b>
			<b>0.12%</b>

2760 Total School Age Special Education Pupil Transportation (Add 100 through 600)

2700 Total Pupil Transportation (Add 2750 and 2760)

<b>2700</b>	<b>132,658.61</b>
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**0.12%**

2800 FUNCTION - ADMINISTRATIVE SERVICES AND SUPPORT TO SCHOOLS

Code	Object		
100	Salaries	100	288,475.74
200	Employee Benefits	200	77,156.82
300	Purchased Services	300	1,062,223.89
400	Supplies and Materials	400	70,902.61
500	Furniture and Equipment (New and Replacement)	500	6,516.23
600	Other Expenses	600	33,795.17
		<b>2800</b>	<b>1,539,070.46</b>
			<b>1.38%</b>

2800 Total Administrative Services and Support to Schools (Add 100 through 600)

**2900 FUNCTION - MATERIALS AND EQUIPMENT SERVICES TO SCHOOLS**

Code	Object	
100	Salaries	1,034,226.53
200	Employee Benefits	223,848.01
300	Purchased Services	587,657.14
400	Supplies and Materials	2,752,821.91
500	Furniture and Equipment (New and Replacement)	689,453.88
600	Other Expenses	1,760,450.16

**2900** 7,048,457.63

**6.33%**

**2900 Total Materials and Equipment Services (Add 100 through 600)**

**3500 FUNCTION - STATE CATEGORICAL PROGRAMS**

Code	Object	
100	Salaries	2,259,251.27
200	Employee Benefits	769,599.72
300	Purchased Services	983,493.61
400	Supplies and Materials	245,147.28
500	Furniture and Equipment (New and Replacement)	475,354.17
600	Other Expenses	284,939.22

**3500** 5,017,785.27

**4.50%**

**3500 Total State Categorical Programs (Add 100 through 600)**

**3550 FUNCTION - CORE SERVICES**

**3552 STAFF DEVELOPMENT**

Code	Object	
100	Salaries	3,577,615.20
200	Employee Benefits	766,717.98
300	Purchased Services	1,561,952.81
400	Supplies and Materials	368,768.60
500	Furniture and Equipment (New and Replacement)	59,712.85
600	Other Expenses	199,135.01

**3552** 6,533,902.45

**5.87%**

**3552 Total Staff Development (Add 100 through 600)**

**3554 TECHNOLOGY**

Code	Object	
100	Salaries	3,735,724.28
200	Employee Benefits	814,794.73
300	Purchased Services	2,936,873.12
400	Supplies and Materials	531,125.42
500	Furniture and Equipment (New and Replacement)	649,842.77
600	Other Expenses	679,744.98

**3554** 9,348,105.30

**8.39%**

**3554 Total Technology (Add 100 through 600)**

**3556 INSTRUCTIONAL MATERIALS**

Code	Object	
100	Salaries	706,810.29
200	Employee Benefits	193,089.34
300	Purchased Services	298,395.92
400	Supplies and Materials	569,975.34
500	Furniture and Equipment (New and Replacement)	25,591.59
600	Other Expenses	158,051.78
<b>3556</b>	<b>3556 Total Instructional Materials (Add 100 through 600)</b>	<b>1,951,914.26</b>
<b>3550</b>	<b>3550 Total Core Services (Add 3552, 3554 and 3556)</b>	<b>17,833,922.01</b>

1.75%

16.01%

**3560 FUNCTION - TECHNOLOGY INFRASTRUCTURE**

Code	Object	
100	Salaries	1,608,772.12
200	Employee Benefits	384,578.93
300	Purchased Services	621,205.42
400	Supplies and Materials	122,662.11
500	Furniture and Equipment (New and Replacement)	110,659.16
600	Other Expenses	66,373.86
<b>3560</b>	<b>3560 Total Technology Infrastructure (Add 100 through 600)</b>	<b>2,914,251.60</b>

2.62%

**4000 FUNCTION - FEDERALLY FUNDED OR MANDATED PROGRAMS (NON-SPECIAL EDUCATION)**

Code	Object	
100	Salaries	5,558,479.78
200	Employee Benefits	1,278,644.11
300	Purchased Services	7,669,743.46
400	Supplies and Materials	1,524,177.94
500	Furniture and Equipment (New and Replacement)	1,336,005.48
600	Other Expenses	2,723,405.68
<b>4000</b>	<b>4000 Total Federally Funded or Mandated Programs (Non-Special Education) (Add 100 through 600)</b>	<b>20,090,456.45</b>

18.04%



**4400 FUNCTION - SPECIAL EDUCATION PROGRAMS TO SCHOOLS (BIRTH TO AGE FIVE)**

**4401 SPECIAL EDUCATION PROGRAMS TO SCHOOLS (BIRTH TO AGE FIVE)**

Code	Object	
100	Salaries	1,826,750.33
200	Employee Benefits	716,370.81
300	Purchased Services	262,164.93
400	Supplies and Materials	77,458.04
500	Furniture and Equipment (New and Replacement)	20,010.02
600	Other Expenses	110,298.48
<b>4401</b>		<b>3,013,052.61</b>

**2.71%**

**4401 Total Special Education Programs to Schools (Birth to Age Five)  
(Add 100 through 600)**

**4402 SPECIAL EDUCATION PUPIL TRANSPORTATION (BIRTH TO AGE FIVE)**

Code	Object	
100	Salaries	45,704.00
200	Employee Benefits	35,186.00
300	Purchased Services	17,179.00
400	Supplies and Materials	327.00
500	Vehicle Acquisition (New and Replacement)	50,000.00
600	Other Expenses	50,000.00
<b>4402</b>		<b>198,396.00</b>

**0.18%**

**4402 Total Special Education (Birth to Age Five)  
(Add 100 through 600)**

**4400 Total Special Education (Birth to Age Five)  
(Add 4401 and 4402)**

**4400** 3,211,448.61

**2.88%**

**8000 FUNCTION - TRANSFERS**

Code	Object	
759	Transfers to Other Funds	
<b>8000</b>		<b>0.00</b>

**0.00%**

**8000 Total Transfers to Other Funds (759)**

**20500 TOTAL DISBURSEMENTS (Add 1100, 1200, 2100, 2150, 2200, 2300,  
2500, 2600, 2700, 2800, 2900, 3500, 3550, 4000, 4400, and 8000)**

**20500** 111,383,199.93

**100.00%**

**SUMMARY OF CASH BALANCE**

99101	Cash on Hand - Beginning Balance	37,290,110.27
99105	Cash with Fiscal Agent - Beginning Balance	4,650,099.67
99201	Cash on Hand - Ending Balance	40,435,814.69
99205	Cash with Fiscal Agent - Ending Balance	4,414,839.38

General Fund Disbursements  
 ESU's 1-6  
 FY2002-03

Category of Expenditure	Statewide	% of Total	ESU #1	% of Total	ESU #2	% of Total	ESU #3	% of Total	ESU #4	% of Total	ESU #5	% of Total	ESU #6	% of Total
Gen. Ed. Instruct. Svcs. to Schools	2,110,319	2.1%	0	0.0%	0	0.0%	181,304	1.2%	0	0.0%	311,461	5.4%	0	0.0%
Sp. Ed. Prog. & Svcs. to Schools	26,601,030	26.3%	2,765,038	48.8%	825,216	18.9%	2,504,153	15.9%	763,288	16.8%	1,122,353	19.5%	2,027,953	43.4%
Student Non-Instruc. Support Svcs. & Progs. to Schools	2,995,570	3.0%	0	0.0%	219,746	5.0%	211,734	1.3%	98,269	2.2%	132,452	2.3%	0	0.0%
Support Svcs.-Safety & Security	337,985	0.3%	0	0.0%	0	0.0%	17,171	0.1%	0	0.0%	0	0.0%	0	0.0%
Support Svcs. to Schools-Staff Dev. & Product. & Media	3,229,107	3.2%	0	0.0%	388,682	8.9%	255,089	1.6%	88,593	1.9%	143,058	2.5%	395,064	8.4%
Governance - Bd. & Gen. Admin.	3,610,131	3.6%	140,346	2.5%	249,818	5.7%	669,986	4.3%	178,234	3.9%	199,881	3.5%	159,031	3.4%
ESU Support Svcs.-Business, Bldg. & Vehicles	2,282,643	2.3%	117,194	2.1%	0	0.0%	373,296	2.4%	331,309	7.3%	100,636	1.8%	113,683	2.4%
ESU Support Svcs.-Maintenance & Operation of Bldgs.	1,287,819	1.3%	92,991	1.6%	52,316	1.2%	319,739	2.0%	40,157	0.9%	44,402	0.8%	151,970	3.2%
Pupil Transportation-Sp. Ed.	112,633	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Admin. Svcs. & Support to Schools	2,393,676	2.4%	17,688	0.3%	0	0.0%	1,127,320	7.2%	51,098	1.1%	6,173	0.1%	0	0.0%
Materials & Equip. Svcs. to Schools	6,956,594	6.9%	374,877	6.6%	743,440	17.0%	811,020	5.2%	239,388	5.3%	544,377	9.5%	305,760	6.5%
State Categorical Progs.	5,132,230	5.1%	87,215	1.5%	0	0.0%	1,312,135	8.3%	1,811,876	39.8%	142,151	2.5%	42,353	0.9%
Core Services														
Staff Development	7,286,109	7.2%	227,894	4.0%	198,029	4.5%	1,824,707	11.6%	246,282	5.4%	201,452	3.5%	613,661	13.1%
Technology	5,274,942	5.2%	73,469	1.3%	338,715	7.8%	412,744	2.6%	119,769	2.6%	148,264	2.6%	341,319	7.3%
Instructional Materials	1,934,324	1.9%	64,525	1.1%	67,064	1.5%	193,398	1.2%	41,145	0.9%	135,331	2.4%	0	0.0%
Technology Infrastructure	3,407,023	3.4%	137,167	2.4%	0	0.0%	718,832	4.6%	0	0.0%	0	0.0%	0	0.0%
Federal Progs.-Non-Sp. Ed.	19,291,835	19.1%	1,563,936	27.6%	1,275,420	29.2%	2,010,955	12.8%	397,506	8.7%	2,504,401	43.6%	489,669	10.5%
Federal Progs.-Sp. Ed.	6,143,137	6.1%	0	0.0%	9,417	0.2%	2,852,308	18.1%	147,832	3.2%	6,015	0.1%	35,732	0.8%
Transfers	741,719	0.7%	0	0.0%	0	0.0%	-48,563	-0.3%	0	0.0%	0	0.0%	0	0.0%
<b>Total Disbursements</b>	<b>101,128,826</b>		<b>5,662,340</b>		<b>4,367,863</b>		<b>15,747,328</b>		<b>4,554,746</b>		<b>5,742,407</b>		<b>4,676,195</b>	
# of Pupils Expenditures/Pupil	278,894 362.61		11,022 513.73		12,818 340.76		58,542 268.99		6,712 678.60		5,904 972.63		12,117 385.92	

General Fund Disbursements

ESU's 7-13

FY2002-03

Category of Expenditure	Statewide	% of Total	ESU #7	% of Total	ESU #8	% of Total	ESU #9	% of Total	ESU #10	% of Total	ESU #11	% of Total	ESU #13	% of Total
Gen. Ed. Instruct. Svcs. to Schools	2,110,319	2.1%	0	0.0%	0	0.0%	25,294	0.3%	13,791	0.1%	163,165	3.7%	434,091	9.5%
Sp. Ed. Prog. & Svcs. to Schools	26,601,030	26.3%	2,034,802	28.6%	2,636,929	42.2%	3,091,119	36.7%	1,801,910	19.5%	1,935,305	43.9%	1,175,286	25.6%
Student Non-Instruc. Support Svcs. & Progs. to Schools	2,995,570	3.0%	43,740	0.6%	288,861	4.6%	4,578	0.1%	227,842	2.5%	12,368	0.3%	1,731	0.0%
Support Svcs.-Safety & Security	337,985	0.3%	0	0.0%	0	0.0%	0	0.0%	320,813	3.5%	0	0.0%	0	0.0%
Support Svcs. to Schools-Staff Dev. & Product. & Media	3,229,107	3.2%	490,162	6.9%	140,077	2.2%	146,622	1.7%	698,246	7.6%	206,097	4.7%	135,949	3.0%
Governance - Bd. & Gen. Admin.	3,610,131	3.6%	256,199	3.6%	179,965	2.9%	146,948	1.7%	395,518	4.3%	144,724	3.3%	243,558	5.3%
ESU Support Svcs.-Business, Bldg. & Vehicles	2,282,643	2.3%	78,380	1.1%	119,592	1.9%	291,451	3.5%	177,886	1.9%	89,222	2.0%	213,605	4.7%
ESU Support Svcs.-Maintenance & Operation of Bldgs.	1,287,819	1.3%	60,045	0.8%	86,104	1.4%	59,129	0.7%	87,757	1.0%	41,847	0.9%	73,954	1.6%
Pupil Transportation-Sp. Ed.	112,633	0.1%	0	0.0%	0	0.0%	82,966	1.0%	0	0.0%	0	0.0%	29,667	0.6%
Admin. Svcs. & Support to Schools	2,393,676	2.4%	0	0.0%	46,015	0.7%	0	0.0%	0	0.0%	0	0.0%	78,048	1.7%
Materials & Equip. Svcs. to Schools	6,956,594	6.9%	790,241	11.1%	150,761	2.4%	381,174	4.5%	759,198	8.2%	200,096	4.5%	418,993	9.1%
State Categorical Progs.	5,132,230	5.1%	0	0.0%	368,065	5.9%	752,364	8.9%	214,681	2.3%	0	0.0%	138,511	3.0%
Core Services														
Staff Development	7,286,109	7.2%	287,455	4.0%	211,406	3.4%	254,460	3.0%	525,111	5.7%	271,864	6.2%	410,640	9.0%
Technology	5,274,942	5.2%	167,364	2.4%	120,738	1.9%	81,262	1.0%	374,227	4.1%	112,764	2.6%	111,053	2.4%
Instructional Materials	1,934,324	1.9%	122,446	1.7%	272,756	4.4%	40,337	0.5%	280,683	3.0%	21,452	0.5%	0	0.0%
Technology Infrastructure	3,407,023	3.4%	33,922	0.5%	81,370	1.3%	134,032	1.6%	430,369	4.7%	0	0.0%	126,286	2.8%
Federal Progs.-Non-Sp. Ed.	19,291,835	19.1%	2,743,045	38.6%	1,351,699	21.6%	1,462,321	17.4%	2,748,598	29.8%	611,253	13.9%	989,384	21.6%
Federal Progs.-Sp. Ed.	6,143,137	6.1%	0	0.0%	197,495	3.2%	1,431,058	17.0%	52,688	0.6%	598,334	13.6%	5,640	0.1%
Transfers	741,719	0.7%	0	0.0%	0	0.0%	40,000	0.5%	127,202	1.4%	2,601	0.1%	0	0.0%
<b>Total Disbursements</b>	<b>101,128,826</b>		<b>7,107,801</b>		<b>6,251,833</b>		<b>8,425,115</b>		<b>9,236,520</b>		<b>4,411,092</b>		<b>4,586,396</b>	
# of Pupils Expenditures/Pupil	278,894		12,227		11,904		9,434		27,355		5,608		12,099	
	362.61		581.32		525.19		893.06		337.65		786.57		379.07	

General Fund Disbursements  
 ESU's 14-19  
 FY2002-03

Category of Expenditure	Statewide		% of Total		ESU #14		% of Total		ESU #15		% of Total		ESU #16		% of Total		ESU #17		% of Total		ESU #18		% of Total		ESU #19		% of Total			
Gen. Ed. Instruct. Svcs. to Schools	2,110,319	2.1%	0	0.0%	217,838	7.2%	0	0.0%	217,838	7.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	763,376	19.6%	0	0.0%	0	0.0%	0	0.0%		
Sp. Ed. Prog. & Svcs. to Schools	26,601,030	26.3%	417,566	28.0%	797,666	26.2%	417,566	28.0%	797,666	26.2%	1,544,545	36.7%	1,544,545	36.7%	1,062,489	45.9%	1,062,489	45.9%	95,410	2.4%	95,410	2.4%	95,410	2.4%	0	0.0%	0	0.0%		
Student Non-Instruc. Support Svcs. & Progs. to Schools	2,995,570	3.0%	32,835	2.2%	5,643	0.2%	32,835	2.2%	5,643	0.2%	154,324	3.7%	154,324	3.7%	39,646	1.7%	39,646	1.7%	840,423	21.6%	840,423	21.6%	840,423	21.6%	681,378	12.6%	0	0.0%		
Support Svcs.-Safety & Security	337,985	0.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Support Svcs. to Schools-Staff Dev. & Product. & Media	3,229,107	3.2%	8,547	0.6%	0	0.0%	8,547	0.6%	0	0.0%	27,090	0.6%	27,090	0.6%	105,832	4.6%	105,832	4.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Governance - Bd. & Gen. Admin.	3,610,131	3.6%	112,904	7.6%	167,889	5.5%	112,904	7.6%	167,889	5.5%	169,907	4.0%	169,907	4.0%	96,458	4.2%	96,458	4.2%	77,414	2.0%	77,414	2.0%	77,414	2.0%	21,352	0.4%	0	0.0%		
ESU Support Svcs.-Business, Bldg. & Vehicles	2,282,643	2.3%	77,505	5.2%	31,511	1.0%	77,505	5.2%	31,511	1.0%	124,579	3.0%	124,579	3.0%	42,794	1.8%	42,794	1.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
ESU Support Svcs.-Maintenance & Operation of Bldgs.	1,287,819	1.3%	43,137	2.9%	16,705	0.5%	43,137	2.9%	16,705	0.5%	93,804	2.2%	93,804	2.2%	23,762	1.0%	23,762	1.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Pupil Transportation-Sp. Ed.	112,633	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Admin. Svcs. & Support to Schools	2,393,676	2.4%	0	0.0%	844,982	27.7%	0	0.0%	844,982	27.7%	82,351	2.0%	82,351	2.0%	140,002	6.0%	140,002	6.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Materials & Equip. Svcs. to Schools	6,956,594	6.9%	112,389	7.5%	120,584	4.0%	112,389	7.5%	120,584	4.0%	150,818	3.6%	150,818	3.6%	141,995	6.1%	141,995	6.1%	0	0.0%	0	0.0%	0	0.0%	711,484	13.2%	0	0.0%		
State Categorical Progs.	5,132,230	5.1%	0	0.0%	170,959	5.6%	0	0.0%	170,959	5.6%	91,919	2.2%	91,919	2.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Core Services	7,286,109	7.2%	237,877	15.9%	129,625	4.3%	237,877	15.9%	129,625	4.3%	203,467	4.8%	203,467	4.8%	132,910	5.7%	132,910	5.7%	722,297	18.5%	722,297	18.5%	722,297	18.5%	586,974	10.9%	0	0.0%		
Staff Development	5,274,942	5.2%	0	0.0%	72,280	2.4%	0	0.0%	72,280	2.4%	102,690	2.4%	102,690	2.4%	79,716	3.4%	79,716	3.4%	1,370,943	35.2%	1,370,943	35.2%	1,370,943	35.2%	1,247,626	23.1%	0	0.0%		
Instructional Materials	1,934,324	1.9%	0	0.0%	18,361	0.6%	0	0.0%	18,361	0.6%	44,011	1.0%	44,011	1.0%	17,022	0.7%	17,022	0.7%	28,816	0.7%	28,816	0.7%	28,816	0.7%	586,977	10.9%	0	0.0%		
Technology Infrastructure	3,407,023	3.4%	184,241	12.3%	83,522	2.7%	184,241	12.3%	83,522	2.7%	115,648	2.7%	115,648	2.7%	78,426	3.4%	78,426	3.4%	0	0.0%	0	0.0%	0	0.0%	1,283,208	23.8%	0	0.0%		
Federal Progs.-Non-Sp. Ed.	19,291,835	19.1%	245,525	16.4%	133,800	4.4%	245,525	16.4%	133,800	4.4%	430,929	10.2%	430,929	10.2%	333,393	14.4%	333,393	14.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Federal Progs.-Sp. Ed.	6,143,137	6.1%	21,377	1.4%	234,706	7.7%	21,377	1.4%	234,706	7.7%	550,534	13.1%	550,534	13.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		
Transfers	741,719	0.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	319,800	7.6%	319,800	7.6%	20,677	0.9%	20,677	0.9%	0	0.0%	0	0.0%	0	0.0%	280,000	5.2%	0	0.0%		
<b>Total Disbursements</b>	<b>101,128,826</b>		<b>1,493,903</b>		<b>3,046,071</b>		<b>1,493,903</b>		<b>3,046,071</b>		<b>4,206,416</b>		<b>4,206,416</b>		<b>2,315,122</b>		<b>2,315,122</b>		<b>3,898,679</b>		<b>3,898,679</b>		<b>5,398,999</b>		<b>5,398,999</b>					
# of Pupils Expenditures/Pupil	278,894		3,239		4,092		3,239		4,092		8,234		8,234		2,018		2,018		30,975		30,975		44,594		44,594		0		0	
	362.61		461.22		744.40		461.22		744.40		510.86		510.86		1,147.24		1,147.24		125.87		125.87		121.07		121.07					

General Fund Disbursements

ESU's 1-6

FY2004-05

Category of Expenditure	Statewide	% of Total	ESU #1	% of Total	ESU #2	% of Total	ESU #3	% of Total	ESU #4	% of Total	ESU #5	% of Total	ESU #6	% of Total
Gen. Ed. Instruct. Svcs. to Schools	3,540,679	3.2%	0	0.0%	0	0.0%	1,527,112	8.6%	0	0.0%	353,948	6.9%	0	0.0%
Sp. Ed. Prog. & Svcs. to Schools	31,685,417	28.4%	3,223,415	50.0%	898,223	17.6%	5,741,484	32.2%	888,253	18.5%	1,416,925	27.6%	2,309,830	40.6%
Student Non-Instruc. Support Svcs. & Progs. to Schools	3,886,247	3.5%	34,790	0.5%	168,316	3.3%	92,952	0.5%	91,077	2.0%	175,396	3.4%	0	0.0%
Support Svcs.-Safety & Security	36,242	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Support Svcs. to Schools-Staff Dev. & Product. & Media	4,656,727	4.2%	36,644	0.6%	373,791	7.3%	59,505	0.3%	56,630	1.2%	123,029	2.4%	559,801	9.8%
Governance - Bd. & Gen. Admin.	3,539,051	3.2%	144,391	2.2%	305,633	6.0%	253,985	1.4%	196,194	4.3%	109,560	2.1%	165,891	2.9%
ESU Support Svcs.-Business, Bldg. & Vehicles	4,436,209	4.0%	137,872	2.1%	0	0.0%	845,930	4.7%	343,290	7.6%	110,488	2.2%	127,061	2.2%
ESU Support Svcs.-Maintenance & Operation of Bldgs.	1,814,577	1.6%	82,853	1.3%	44,133	0.9%	555,258	3.1%	37,029	0.8%	67,864	1.3%	420,894	7.4%
Pupil Transportation-Sp. Ed.	132,659	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Admin. Svcs. & Support to Schools	1,539,070	1.4%	61,248	1.0%	123,905	2.4%	137,319	0.8%	57,538	1.3%	12,342	0.2%	0	0.0%
Materials & Equip. Svcs. to Schools	7,048,457	6.3%	289,033	4.5%	906,466	17.7%	934,229	5.2%	265,593	5.9%	516,949	10.1%	350,651	6.2%
State Categorical Progs.	5,017,786	4.5%	55,346	0.9%	0	0.0%	1,560,025	8.8%	1,699,401	37.5%	9,760	0.2%	20,547	0.4%
Core Services	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Staff Development	6,533,902	5.9%	237,465	3.7%	236,180	4.6%	1,499,623	8.4%	225,536	5.0%	166,103	3.2%	493,768	8.7%
Technology	9,348,105	8.4%	93,203	1.4%	298,766	5.8%	1,606,825	9.0%	85,591	1.9%	12,802	0.2%	384,381	6.8%
Instructional Materials	1,951,914	1.8%	56,194	0.9%	76,625	1.5%	736,520	4.1%	58,799	1.3%	134,347	2.6%	60,645	1.1%
Technology Infrastructure	2,914,251	2.6%	139,233	2.2%	0	0.0%	494,414	2.8%	0	0.0%	0	0.0%	0	0.0%
Federal Progs.-Non-Sp. Ed.	20,090,457	18.0%	1,852,553	28.7%	1,683,234	32.9%	1,774,554	10.0%	428,404	9.4%	1,906,732	37.2%	789,899	13.9%
Federal Progs.-Sp. Ed.	3,211,450	2.9%	0	0.0%	377	0.0%	0	0.0%	153,472	3.4%	10,213	0.2%	0	0.0%
Transfers	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total Disbursements</b>	<b>111,383,200</b>		<b>6,444,240</b>		<b>5,115,649</b>		<b>17,819,735</b>		<b>4,536,807</b>		<b>5,126,478</b>		<b>5,683,308</b>	
# of Pupils	278,688		10,975		12,606		61,200		6,490		5,777		11,911	
Expenditures/Pupil	399.67		587.17		405.81		291.17		699.05		887.39		477.15	

General Fund Disbursements  
 ESU's 7-13  
 FY2004-05

Category of Expenditure	Statewide	% of Total	ESU #7	% of Total	ESU #8	% of Total	ESU #9	% of Total	ESU #10	% of Total	ESU #11	% of Total	ESU #13	% of Total
Gen. Ed. Instruct. Svcs. to Schools	3,540,679	3.2%	0	0.0%	0	0.0%	19,447	0.2%	14,323	0.2%	157,795	4.2%	455,642	9.5%
Sp. Ed. Prog. & Svcs. to Schools	31,685,417	28.4%	1,783,721	23.9%	2,876,197	56.4%	3,630,843	40.2%	2,052,604	22.1%	1,631,828	43.2%	1,312,519	27.4%
Student Non-Instruc. Support Svcs. & Progs. to Schools	3,886,247	3.5%	0	0.0%	283,906	5.6%	5,100	0.1%	434,209	4.7%	15,560	0.4%	2,227	0.0%
Support Svcs.-Safety & Security	36,242	0.0%	36,242	0.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Support Svcs. to Schools-Staff Dev. & Product. & Media	4,656,727	4.2%	420,412	5.6%	125,702	2.5%	76,590	0.8%	844,423	9.1%	267,853	7.1%	148,136	3.1%
Governance - Bd. & Gen. Admin.	3,539,051	3.2%	195,525	2.6%	185,618	3.6%	165,079	1.8%	402,845	4.3%	152,281	4.0%	258,262	5.4%
ESU Support Svcs.-Business, Bldg. & Vehicles	4,436,209	4.0%	121,054	1.6%	80,147	1.6%	234,709	2.6%	82,233	0.9%	78,137	2.1%	194,901	4.1%
ESU Support Svcs.-Maintenance & Operation of Bldgs.	1,814,577	1.6%	59,352	0.8%	70,900	1.4%	54,032	0.6%	80,719	0.9%	47,631	1.3%	86,880	1.8%
Pupil Transportation-Sp. Ed.	132,659	0.1%	0	0.0%	0	0.0%	113,898	1.3%	0	0.0%	0	0.0%	18,761	0.4%
Admin. Svcs. & Support to Schools	1,539,070	1.4%	0	0.0%	39,968	0.8%	0	0.0%	0	0.0%	0	0.0%	88,966	1.9%
Materials & Equip. Svcs. to Schools	7,048,457	6.3%	926,948	12.4%	123,968	2.4%	355,343	3.9%	554,041	6.0%	196,132	5.2%	268,029	5.6%
State Categorical Progs.	5,017,786	4.5%	0	0.0%	341,655	6.7%	866,909	9.6%	34,843	0.4%	0	0.0%	153,205	3.2%
Core Services	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Staff Development	6,533,902	5.9%	250,586	3.4%	232,516	4.6%	264,420	2.9%	453,912	4.9%	240,867	6.4%	375,961	7.8%
Technology	9,348,105	8.4%	87,633	1.2%	75,356	1.5%	87,983	1.0%	217,105	2.3%	116,730	3.1%	90,921	1.9%
Instructional Materials	1,951,914	1.8%	88,073	1.2%	271,633	5.3%	0	0.0%	264,648	2.8%	23,993	0.6%	0	0.0%
Technology Infrastructure	2,914,251	2.6%	44,919	0.6%	150,609	3.0%	132,819	1.5%	565,922	6.1%	0	0.0%	110,991	2.3%
Federal Progs.-Non-Sp. Ed.	20,090,457	18.0%	3,447,061	46.2%	0	0.0%	1,490,433	16.5%	3,244,181	34.9%	386,091	10.2%	1,225,668	25.6%
Federal Progs.-Sp. Ed.	3,211,450	2.9%	0	0.0%	245,528	4.8%	1,533,546	17.0%	58,846	0.6%	460,970	12.2%	0	0.0%
Transfers	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total Disbursements</b>	<b>111,363,200</b>		<b>7,461,526</b>		<b>5,103,703</b>		<b>9,031,151</b>		<b>9,304,854</b>		<b>3,775,868</b>		<b>4,791,069</b>	
# of Pupils	278,688		12,043		11,168		9,118		27,067		5,342		11,615	
Expenditures/Pupil	399.67		619.57		456.99		990.47		343.77		706.83		412.49	

General Fund Disbursements  
 ESU's 14-19  
 FY2004-05

Category of Expenditure	Statewide	% of Total	ESU #14	% of Total	ESU #15	% of Total	ESU #16	% of Total	ESU #17	% of Total	ESU #18	% of Total	ESU #19	% of Total
Gen. Ed. Instruct. Svcs. to Schools	3,540,679	3.2%	0	0.0%	206,432	6.6%	0	0.0%	0	0.0%	805,980	11.7%	0	0.0%
Sp. Ed. Prog. & Svcs. to Schools	31,685,417	28.4%	313,411	30.0%	766,367	24.4%	1,610,346	35.3%	1,195,187	53.8%	84,264	1.2%	0	0.0%
Student Non-Instruc. Support Svcs. & Progs. to Schools	3,886,247	3.5%	0	0.0%	1,800	0.1%	152,571	3.3%	28,072	1.3%	975,989	14.1%	1,424,282	15.3%
Support Svcs.-Safety & Security	36,242	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Support Svcs. to Schools-Staff Dev. & Product. & Media	4,656,727	4.2%	0	0.0%	118,735	3.8%	27,635	0.6%	50,762	2.3%	893,637	12.9%	473,442	5.1%
Governance - Bd. & Gen. Admin.	3,539,051	3.2%	87,693	8.4%	189,240	6.0%	195,031	4.3%	86,317	3.9%	82,974	1.2%	362,512	3.9%
ESU Support Svcs.-Business, Bldg. & Vehicles	4,436,209	4.0%	40,243	3.9%	32,114	1.0%	87,781	1.9%	22,673	1.0%	1,897,576	27.4%	0	0.0%
ESU Support Svcs.-Maintenance & Operation of Bldgs.	1,814,577	1.6%	46,082	4.4%	37,215	1.2%	98,180	2.2%	25,555	1.2%	0	0.0%	0	0.0%
Pupil Transportation-Sp. Ed.	132,659	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Admin. Svcs. & Support to Schools	1,539,070	1.4%	0	0.0%	858,252	27.3%	155,141	3.4%	4,391	0.2%	0	0.0%	0	0.0%
Materials & Equip. Svcs. to Schools	7,048,457	6.3%	0	0.0%	109,393	3.5%	184,577	4.0%	301,218	13.6%	0	0.0%	765,887	8.2%
State Categorical Progs.	5,017,786	4.5%	0	0.0%	189,123	6.0%	86,972	1.9%	0	0.0%	0	0.0%	0	0.0%
Core Services	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Staff Development	6,533,902	5.9%	0	0.0%	109,481	3.5%	204,021	4.5%	96,017	4.3%	726,885	10.5%	720,561	7.7%
Technology	9,348,105	8.4%	92,820	8.9%	163,536	5.2%	104,540	2.3%	56,787	2.6%	1,293,681	18.7%	4,479,445	48.1%
Instructional Materials	1,951,914	1.8%	0	0.0%	0	0.0%	43,076	0.9%	95,936	4.3%	26,761	0.4%	14,664	0.2%
Technology Infrastructure	2,914,251	2.6%	0	0.0%	0	0.0%	133,589	2.9%	73,943	3.3%	0	0.0%	1,067,812	11.5%
Federal Progs.-Non-Sp. Ed.	20,090,457	18.0%	462,998	44.4%	115,265	3.7%	968,473	21.2%	185,272	8.3%	129,699	1.9%	0	0.0%
Federal Progs.-Sp. Ed.	3,211,450	2.9%	0	0.0%	241,701	7.7%	506,797	11.1%	0	0.0%	0	0.0%	0	0.0%
Transfers	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total Disbursements</b>	<b>111,383,200</b>		<b>1,043,247</b>		<b>3,138,654</b>		<b>4,558,730</b>		<b>2,222,130</b>		<b>6,917,446</b>		<b>9,308,605</b>	
# of Pupils Expenditures/Pupil	278,688 399.67		2,905 359.12		3,890 806.85		8,366 544.91		1,891 1,175.11		31,242 221.41		45,082 206.48	

Certificated Personnel





FTE Certificat SU School Personnel

Position	2005-06	2004-05	2003-04	2002-03	1997-98	1992-93	10 Yr. % Change FY 93 to FY03	5 Yr. % Change FY98 to FY03	FY93	% of Total Staff FY03	FY06
Administrative Assistant	2.18	1.20	2.02	1.24	4.45	4.70	-73.62%	-72.13%	1.6%	0.2%	0.4%
Audiologist	3.00	3.00	3.00	3.00	4.00	3.15	-4.76%	-25.00%	1.1%	0.5%	0.5%
Business Manager	3.80	3.80	4.80	4.00	3.80	3.80	5.26%	5.26%	1.3%	0.7%	0.7%
Chief Administrator	14.21	15.41	15.41	15.45	15.62	17.07	-9.49%	-1.09%	5.9%	2.7%	2.6%
Coordinator	11.95	18.55	16.40	16.97	18.97	16.02	5.93%	-10.54%	5.6%	2.9%	2.2%
Curriculum Specialist	7.80	7.50	6.00	6.80	10.20	6.20	9.68%	-33.33%	2.1%	1.2%	1.4%
Elementary Counselor	3.19	3.09	3.10	3.50	0.40	0.20	1650.00%	775.00%	0.1%	0.6%	0.6%
Head Teacher	0.00	2.00	2.00	2.00	1.85	0.00		8.11%	0.0%	0.3%	0.0%
Home School Liaison	1.07	3.87	3.47	4.17	5.00	6.08	-31.41%	-16.60%	2.1%	0.7%	0.2%
Media Specialist	6.40	8.40	10.40	7.50	10.45	9.90	-24.24%	-28.23%	3.4%	1.3%	1.2%
Occupational Therapist	14.83	17.38	16.52	16.82	14.90	9.71	73.22%	12.89%	3.4%	2.9%	2.7%
Physical Therapist	5.21	7.10	6.14	7.50	13.40	8.60	-12.79%	-44.03%	3.0%	1.3%	1.0%
Principal	0.02	0.00	0.24	0.20	0.00	0.00			0.0%	0.0%	0.0%
Prog. Consult./Coordinator	52.17	50.94	47.79	43.52	29.96	28.17	54.49%	45.26%	9.8%	7.5%	9.5%
Prog. Supervisor/Director	6.00	5.10	6.61	7.01	5.80	5.20	34.81%	20.86%	1.8%	1.2%	1.1%
Psychologist	43.74	41.30	39.76	41.65	21.29	17.32	140.47%	95.63%	6.0%	7.2%	8.0%
Psychologist Assistant	4.50	3.00	3.00	2.50	2.60	0.00	-3.85%	-3.85%	0.0%	0.4%	0.8%
School Nurse	17.66	17.56	16.97	15.67	16.45	16.69	-6.11%	-4.74%	5.8%	2.7%	3.2%
School Transition Specialist	7.80	8.11	8.35	6.55	0.00	0.00	0.00%	0.00%	0.0%	1.1%	1.4%
Secondary Counselor	2.31	3.01	2.15	2.75	0.50	1.30	111.54%	450.00%	0.5%	0.5%	0.4%
Sign Language Interpreter	6.30	5.95	5.95	4.50	0.00	0.00	0.00%	0.00%	0.0%	0.8%	1.2%
Social Worker	3.40	3.40	3.40	2.00	1.00	0.62	222.58%	100.00%	0.2%	0.3%	0.6%
SPED Admin./Director	11.79	11.29	12.29	13.30	12.26	11.10	19.82%	8.48%	3.8%	2.3%	2.2%
SPED Teacher Collaborating/Co Teaching	30.20	NA	NA	NA	NA	NA	NA	NA	NA	NA	5.5%
SPED Teacher Core Subjects/Alt Stds	44.65	NA	NA	NA	NA	NA	NA	NA	NA	NA	8.2%
SPED Teacher Core Subjects/Grading	17.49	NA	NA	NA	NA	NA	NA	NA	NA	NA	3.2%
Speech Language Technician	5.57	3.30	1.60	1.25	0.57	1.27	-1.57%	119.30%	0.4%	0.2%	1.0%
Speech Pathologist	140.80	149.89	160.47	158.70	25.62	24.17	556.60%	519.44%	8.4%	27.5%	25.7%
Staff Development Coordinator	20.19	15.70	15.20	14.50	0.00	0.00			0.0%	2.5%	3.7%
Staff Development Director	5.91	9.00	8.00	8.50	8.49	8.05	5.59%	0.12%	2.8%	1.5%	1.1%
Supervisor/Director	7.70	8.75	9.80	8.28	3.10	7.60	8.95%	167.10%	2.6%	1.4%	1.4%
Teacher	45.87	148.51	161.17	158.03	77.81	78.46	101.41%	103.10%	27.2%	27.3%	8.4%
Vocational Adjust. Counselor	NA	NA	0.00	0.00	4.23	3.00	-100.00%	-100.00%	1.0%	0.0%	0.0%
<b>Total Certificated FTE</b>	<b>547.71</b>	<b>576.11</b>	<b>592.01</b>	<b>577.86</b>	<b>312.72</b>	<b>288.38</b>	<b>100.38%</b>	<b>84.79%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Source: Statistics and Facts about Nebraska Schools



Appendix H: Formula Model



## Formula Model for E.S.U. State Aid

The current E.S.U. formula for both core services and technology infrastructure funds is: (appropriation/all students) x (students in the E.S.U.), except that every E.S.U. receives at least than 2.5% of the appropriation.

The following model is one way that an equalization component and other equity factors could be included in a formula to distribute state aid to E.S.U.'s. The model would:

- Create an equalization formula based on Needs – Resources = Aid
- Combine the core services and technology infrastructure funding into a single funding source
- Provide a base allocation of needs to each E.S.U. equal to 2.5% of the appropriation plus the current telecommunications factor provided for in LB 1208
  - Note: There is not data available to model the impact of the current telecommunications factor
- Provide a needs component equal to 1% of the appropriation for satellite office in qualifying E.S.U.'s
  - For the needs calculation, an E.S.U. would not be allowed more than one office for each 4,000 square miles, including the E.S.U. headquarters
  - The model assumes that there is an office for each 4,000 square miles
- Set a local effort rate at \$0.0135 per \$100 of adjusted valuation
- Provide a student adjustment for sparsity equal to  $1 + (10\% * \text{the square miles per student})$
- Determine the remainder of the needs calculation by:
  - Adding the appropriation to the amount generated by applying the local effort rate to the statewide valuation to determine total resources
  - Subtracting the base allocations and the satellite location allocations from the total resources to arrive at the remaining needs
  - Dividing the remaining needs by the students as adjusted for sparsity to arrive at the per student allocation
  - Multiplying the per student allocation by the number of adjusted students for each E.S.U. to arrive at the E.S.U. student allocation
- Determine the aid for each E.S.U. by subtracting the amount generated by applying the local effort rate to the E.S.U.'s valuation from the needs calculated for the E.S.U.

Two alternative variations of the model are included. Variation 2 simply increases the appropriation to the level that it would have been if the legislative intent language had been followed. Variation 3 is also based on the increased appropriation, but it lowers the base allocation to 2.0% of the appropriation.

# ESU Formula Model - Variation 1

## Current Appropriation of \$10,696,972

	Students		Square Miles		Square Miles per Student		Student Factor	Adjusted Students	Valuation	LER	Yield from Allocation	Model Base Allocation		Satellite Qualification		Satellite Allocation		Student Allocation		Total Needs		Total Model Aid	
	Current	Change in	Current	Change in	Current	Change in						Plus Taxes	Plus Taxes	Model Aid	Model Aid	Student	Student	Student	Student	Student	Student	Student	Student
1 Wakefield	10,940	3,425	0.3131	1.0313	11,283	3,701,668,894	489,725	267,424	0	841,051	1,108,476	608,750											
2 Fremont	12,435	2,671	0.2148	1.0215	12,702	5,780,694,372	780,394	267,424	0	946,875	1,214,299	433,906											
3 Omaha	62,673	1,222	0.0195	1.0019	62,795	24,159,293,576	3,261,505	267,424	0	4,681,053	4,948,478	1,686,973											
4 Auburn	6,412	2,499	0.3897	1.0390	6,662	2,779,248,744	375,199	267,424	0	496,610	764,034	388,835											
5 Beatrice	5,630	2,099	0.3728	1.0373	5,840	2,651,184,300	357,910	267,424	0	435,334	702,758	344,848											
6 Millford	11,976	2,894	0.2416	1.0242	12,265	6,029,041,097	813,921	267,424	0	912,816	1,181,746	367,825											
7 Columbus	11,854	3,912	0.3300	1.0330	12,245	6,162,946,479	831,998	267,424	0	912,816	1,180,240	348,242											
8 Neligh	10,887	5,935	0.5451	1.0545	11,481	5,207,214,034	702,974	267,424	0	855,811	1,123,235	420,262											
9 Hastings	8,999	2,856	0.3174	1.0317	9,285	4,110,175,342	554,874	267,424	0	692,118	959,543	404,669											
10 Kearney	27,211	9,579	0.3520	1.0352	28,169	9,838,159,603	1,328,152	267,424	1	106,970	2,474,238	1,146,086											
11 Holdrege	5,228	3,641	0.6964	1.0696	5,592	2,820,628,199	380,785	267,424	0	416,862	684,286	303,501											
13 Scottsbluff	14,337	13,476	0.9399	1.0940	15,685	5,464,447,973	737,700	267,424	2	213,939	1,650,568	912,867											
15 Trenton	3,795	4,753	1.2524	1.1252	4,270	2,045,214,304	276,104	267,424	0	318,328	585,753	309,649											
16 Ogallala	8,224	11,018	1.3398	1.1340	9,326	4,030,056,916	544,058	267,424	1	106,970	1,069,575	525,517											
17 Ainsworth	1,833	6,972	3.8042	1.3804	2,530	1,250,319,804	168,793	267,424	0	188,591	456,015	287,222											
18 Lincoln	31,514	110	0.0035	1.0003	31,525	13,862,702,560	1,871,465	267,424	0	2,350,024	2,617,448	745,983											
19 Omaha	45,229	135	0.0030	1.0003	45,243	16,134,684,641	2,178,180	267,424	0	3,372,591	3,640,016	1,461,836											
<b>Total</b>	<b>279,177</b>	<b>77,197</b>	<b>0.2765</b>	<b>1.0277</b>	<b>286,896</b>	<b>116,027,660,838</b>	<b>15,663,734</b>	<b>4,546,213</b>	<b>4</b>	<b>427,879</b>	<b>26,360,706</b>	<b>10,696,972</b>											

	Total Current Aid		Change in per Student		Model Aid per Student		Change per Student		Prop. Taxes at \$0.0150		Current Aid & Taxes per Student		Model Aid & Taxes per Student		Total Current Aid & Taxes per Student		Total Model Aid & Taxes per Student	
	Current	Change in	Current	Change in	Model Aid	Change in	Student	Student	at \$0.0150	Plus Taxes	Model Aid	Plus Taxes	Student	Student	Student	Student	Student	Student
1 Wakefield	407,196	201,554	37.22	55.64	18.42	53.96	555,250	962,446	1,164,001	87.97	106.40	85.30	103.17					
2 Fremont	464,077	-30,171	37.32	34.89	-2.43	34.16	867,104	1,331,181	1,301,010	107.05	104.62	104.80	102.42					
3 Omaha	2,158,785	-471,812	34.45	26.92	-7.53	26.86	3,623,894	5,782,679	5,310,867	92.27	84.74	92.09	84.57					
4 Auburn	267,424	121,411	41.71	60.64	18.94	58.37	416,887	684,311	805,723	106.72	125.66	102.72	120.94					
5 Beatrice	267,424	77,424	47.50	61.25	13.75	59.05	397,678	665,102	742,526	118.14	131.89	113.89	127.15					
6 Millford	439,839	-72,014	36.73	30.71	-6.01	29.99	904,356	1,344,195	1,272,181	112.24	106.23	109.59	103.72					
7 Columbus	444,442	-96,200	37.49	29.38	-8.12	28.44	924,442	1,368,884	1,272,684	115.48	107.36	111.79	103.93					
8 Neligh	413,927	6,335	38.02	38.60	0.58	36.61	781,082	1,195,009	1,201,344	109.76	110.35	104.09	104.64					
9 Hastings	342,433	62,236	38.05	44.97	6.92	43.58	616,526	958,959	1,021,195	106.56	113.48	103.28	109.99					
10 Kearney	968,402	177,684	35.59	42.12	6.53	40.69	1,475,724	2,444,126	2,621,810	89.82	96.35	86.77	93.07					
11 Holdrege	267,424	36,077	51.15	58.05	6.90	54.27	423,094	690,518	726,595	132.08	138.98	123.48	129.93					
13 Scottsbluff	693,880	218,987	48.40	63.67	15.27	52.20	819,667	1,513,547	1,732,534	105.57	120.84	96.50	110.46					
15 Trenton	267,424	42,225	70.47	81.59	11.13	72.51	306,782	574,206	616,431	151.31	162.43	134.47	144.35					
16 Ogallala	316,195	209,322	38.45	63.90	25.45	56.35	604,509	920,704	1,130,025	111.95	137.41	98.73	121.17					
17 Ainsworth	267,424	19,798	145.92	156.72	10.80	113.53	187,548	454,972	474,770	248.25	259.05	179.84	187.66					
18 Lincoln	1,114,004	-368,021	35.35	23.67	-11.68	23.66	2,079,405	3,193,409	2,825,388	101.33	89.66	101.30	89.62					
19 Omaha	1,596,672	-134,836	35.30	32.32	-2.98	32.31	2,420,200	4,016,872	3,882,036	88.81	85.83	88.79	85.81					
<b>Total</b>	<b>10,696,972</b>	<b>0</b>	<b>38.32</b>	<b>38.32</b>	<b>0.00</b>	<b>37.29</b>	<b>17,404,149</b>	<b>28,101,121</b>	<b>28,101,121</b>	<b>100.66</b>	<b>100.66</b>	<b>97.95</b>	<b>97.95</b>					

## ESU Formula Model - Variation 2 \$14,320,846 Appropriation, 2.5% Base Allocation

	Students		Square Miles		Square Miles per Student		Student Factor	Adjusted Students	Valuation	Yield from LER	Model Base Allocation	Satellite Qualification	Satellite Allocation	Student Allocation	Total Needs	Total Aid
	Students	Square Miles	Square Miles	per Student	per Student	Model Base Allocation										
1 Wakefield	10,940	3,425	0.3131	1.0313	11,283	3,701,668,894	499,725	358,021	0	917,296	1,275,317	775,591				
2 Fremont	12,435	2,671	0.2148	1.0215	12,702	5,780,694,372	780,394	358,021	0	1,032,713	1,390,734	610,340				
3 Omaha	62,673	1,222	0.0195	1.0019	62,795	24,159,293,576	3,261,505	358,021	0	5,105,407	5,463,429	2,201,924				
4 Auburn	6,412	2,499	0.3897	1.0390	6,662	2,779,248,744	375,199	358,021	0	541,629	899,650	524,452				
5 Beatrice	5,630	2,099	0.3728	1.0373	5,840	2,651,184,300	357,910	358,021	0	474,799	832,820	474,910				
6 Milford	11,976	2,894	0.2416	1.0242	12,265	6,029,041,097	813,921	358,021	0	997,208	1,355,229	541,308				
7 Columbus	11,854	3,912	0.3300	1.0330	12,245	6,162,946,479	831,998	358,021	0	933,393	1,291,415	521,589				
8 Neligh	10,887	5,935	0.5451	1.0545	11,481	5,207,214,034	702,974	358,021	0	754,861	1,112,882	588,441				
9 Hastings	8,999	2,856	0.3174	1.0317	9,285	4,110,175,342	554,874	358,021	0	754,861	1,112,882	588,441				
10 Kearney	27,211	9,579	0.3520	1.0352	28,169	9,838,159,603	1,328,152	358,021	1	143,208	2,290,202	2,791,432				
11 Holdrege	5,228	3,641	0.6964	1.0696	5,592	2,820,628,199	380,785	358,021	0	454,652	812,673	431,888				
13 Scottsbluff	14,337	13,476	0.9399	1.0940	15,685	5,464,447,973	737,700	358,021	2	286,417	1,275,197	1,919,635				
15 Trenton	3,795	4,753	1.2524	1.1252	4,270	2,045,214,304	276,104	358,021	0	347,186	705,207	429,103				
16 Ogallala	8,224	11,018	1.3398	1.1340	9,326	4,030,056,916	544,058	358,021	1	143,208	758,201	1,259,431				
17 Ainsworth	1,833	6,972	3.8042	1.3804	2,530	1,250,319,804	168,793	358,021	0	205,687	563,708	394,915				
18 Lincoln	31,514	110	0.0035	1.0003	31,525	13,862,702,560	1,871,465	358,021	0	2,563,062	2,921,083	1,049,618				
19 Omaha	45,229	135	0.0030	1.0003	45,243	16,134,664,641	2,178,180	358,021	0	3,678,329	4,036,350	1,858,170				
Total	279,177	77,197	0.2765	1.0277	286,896	116,027,660,838	15,663,734	6,086,360	4	572,834	23,325,387	29,984,580				
																14,320,846

	Current Aid		Change in		Current Aid per Student		Model Aid per Student	Change per Student	Model Aid per Adj. Student	Prop. Taxes at \$0.0150	Current Aid Plus Taxes		Current Aid Model Aid Plus Taxes		Current Aid Model Aid Plus Taxes per & Taxes per	
	Current Aid	Change in	Current Aid	per Student	per Student	Model Aid					Plus Taxes	Student	Student	Student	Student	Student
1 Wakefield	407,196	368,395	37,222	70.90	33.67	68.74	555,250	962,446	1,330,842	87.97	121.65	85.30	117.96			
2 Fremont	464,077	146,263	37,32	49.08	11.76	48.05	867,104	1,331,181	1,477,444	107.05	118.81	104.80	116.31			
3 Omaha	2,158,785	43,139	34,45	35.13	0.69	35.07	3,623,894	5,782,679	5,825,818	92.27	92.96	92.09	92.77			
4 Auburn	267,424	257,028	41,71	81.79	40.09	78.72	416,887	684,311	941,339	106.72	146.81	102.72	141.30			
5 Beatrice	267,424	207,486	47,50	84.35	36.85	81.32	397,678	665,102	872,587	118.14	154.99	113.89	149.42			
6 Milford	439,839	101,469	36,73	45.20	8.47	44.13	904,356	1,344,195	1,445,665	112.24	120.71	109.59	117.87			
7 Columbus	444,442	77,147	37,49	44.00	6.51	42.60	924,442	1,368,884	1,446,031	115.48	121.99	111.79	118.09			
8 Neligh	413,927	174,514	38,02	54.05	16.03	51.26	781,082	1,195,009	1,369,523	109.76	125.79	104.09	119.29			
9 Hastings	342,433	215,576	38,05	62.01	23.96	60.10	616,526	958,959	1,174,535	106.56	130.52	103.28	126.50			
10 Kearney	968,402	494,878	35,59	53.78	18.19	51.95	1,475,724	2,444,126	2,939,004	89.82	108.01	86.77	104.34			
11 Holdrege	267,424	164,464	51,15	82.61	31.46	77.23	423,094	690,518	854,982	132.08	163.54	123.48	152.89			
13 Scottsbluff	693,880	488,054	48,40	82.44	34.04	75.36	819,667	1,513,547	2,001,601	105.57	139.61	96.50	127.62			
15 Trenton	267,424	161,679	70,47	113.07	42.60	100.49	306,782	574,206	735,885	151.31	193.91	134.47	172.33			
16 Ogallala	316,195	399,178	38,45	86.99	48.54	76.71	604,509	920,704	1,319,882	111.95	160.49	98.73	141.53			
17 Ainsworth	267,424	127,491	145,92	215.48	69.56	156.10	187,548	454,972	582,463	248.25	317.82	179.84	230.23			
18 Lincoln	1,114,004	-64,386	35,35	33.31	-2.04	33.29	2,079,405	3,193,409	3,129,023	101.33	99.29	101.30	99.26			
19 Omaha	1,596,672	261,498	35,30	41.08	5.78	41.07	2,420,200	4,016,872	4,278,370	86.81	94.59	88.79	94.57			
Total	10,696,972	3,623,874	38,32	51.30	12.98	49.92	17,404,149	28,101,121	31,724,995	100.66	113.64	97.95	110.58			





Appendix I: Summary of School District Survey Results



### School District Survey on E.S.U.'s

#### *Survey Summary:*

A two-part survey was sent to all 261 of Nebraska's school districts. The survey tool is included in this appendix. There was an overall response rate of 64%. This summary reflects the information gathered the survey tool and summary tables that follow.

#### *Type, Priority and Effectiveness of E.S.U. Services:*

The most received services statewide include Staff Development in workshops computer training and technology training. Distance learning and media services are also among the top five utilized services. All of these were indicated by more than 80% of the school district respondents. S.T.A.R.S. grants were also indicated by 80% of the respondents.

The highest priority rating was attributed to School Age Special Education followed by staff development, CO-OP Purchasing, Below Age Five Special Education, and distance learning.

The most effective services as rated by respondents statewide were CO-OP purchasing, Special Education School Age, Staff Development, Special Education Below Age Five, and Administration of Federal Programs.

There seems to be considerable consistency in the specific services used and the priority and effectiveness rating. The survey indicates that many school districts have become reliant on E.S.U.'s for Special Education and Staff Development.

Services from a Longitudinal Perspective: A similar survey tool was used in studies conducted in 1986 and 1995. One can anticipate certain changes such as the declining use of old technologies (e.g. video tapes) and an increase in newer technologies, including distance education. Three tables in this report examine the utilization, priority, and effectiveness ratings given in the three instances of this survey tool. A comparison of findings from previous years is difficult due to the dramatic reduction in elementary-only districts over the last 20 years. However, it does seem possible to give consideration to how those services have changed in use, priority and effectiveness over time.

Generally, it seems that the most used services are in the same or at least similar areas as those found in previous studies. Few survey respondents suggested many new services. However, it does seem as if the services offered are more widely used by school districts in the state. There is a strong indication that E.S.U.'s have expanded services in special education and staff development over the last 20 years. The expansion of these services has not apparently diminished the demand for or the provision of services in other traditional E.S.U. functions including co-op purchasing, media, and technology. Distance learning and coordination of distance learning technologies and services have certainly increased with the improvement in technology. There is an indication that E.S.U.'s are increasingly being viewed by school districts as an important source of expertise in grant writing and administration for state and federal programs such as Perkins and S.T.A.R.S..

## Educational Service Units (L.R. 336)

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Services that have apparently been reduced include nursing and bus driver training. Those are two services that do not appear in the top 25 from at least one of the prior surveys and do not do so currently on a statewide basis. In the case of nursing services it went from among the highest priorities to among the lowest from 1986 to 2006. Materials and equipment loans remain very low in priority and effectiveness ratings statewide as is the case for data processing.

### *Other Survey Indicators on Services:*

When examining the school district survey by E.S.U., those serving smaller districts tend to reflect Distance Learning among the highest priorities and most effective services. In E.S.U.'s serving larger districts, distance learning is a lower priority.

COOP purchasing, a coordinated effort among E.S.U.'s statewide, is consistently rated as a high priority, very effective service.

### School District Questionnaire Responses:

**Boundaries:** There are two questions on the school district survey that address the issue of boundaries.

- *Should all school districts be required to participate in an E.S.U.?* Respondents were evenly split on the question with 50% indicating “yes” and 50% responding “no”. Interestingly, the responses to this question in the two previous instances of the survey were also evenly split. In 1995, 47.41% of respondents answered “yes” compared to 46.55% “no”. In 1986, the responses were 49.4% “yes” and 43.1% “no”.
- *Are the E.S.U. boundaries set up in the best way to enhance their role of providing supplemental services?* Sixty-six percent answered “yes” and 19% answered “no” in the current survey.

**Finance:** Three questions on the survey directly reflect E.S.U. finance. The questions relate specifically to E.S.U. levy authority.

- School districts overwhelmingly indicated that the current levy should be retained and that the levy authority should rest with the E.S.U.. Eighty-two percent responded “yes” when asked if the current levy authorized by statute to fund E.S.U.'s should be retained. With regard to where that levy authority should reside, only 1.9% of the school districts responded that the E.S.U. levy should be shifted back to local school districts. These results are consistent with previous surveys.
- Approximately 44% of respondents to the current survey felt that the E.S.U. levy is too low and none of the respondents indicated it was too high. This is a fairly dramatic change from the past two surveys. Previously, only 8 to 10 percent believed the levy was too low, 10 to 14 percent thought it was too high, and

## Educational Service Units (L.R. 336)

roughly two thirds felt the levy was adequate. In the current survey, nearly 55% responded that the levy was adequate.

**Governance:** Two questions related to E.S.U. governance were asked in the 2006 survey. A majority of respondents indicated a desire to maintain elected E.S.U. boards. Of note, the 2006 survey included the additional option of composing E.S.U. boards from school board members. That option garnered more responses than past surveys when additional options were limited to “other”.

<i>Should E.S.U. boards be:</i>			
	2006	1995	1986
Elected (as current law provides)	75.9%	87.93%	82%
Appointed	7.4%	3.45%	8.2%
School Board Members	13.0%	Not Asked in 1995	Not Asked in 1986
Other	.9%	1.72%	3.9%
No Response	2.8%	6.9%	5.9%

The view on the relationship between E.S.U.’s and the State Board of Education appears fairly consistent over the last 20 years. Few school districts believe that E.S.U.’s should be under the direct control of the State Board. A majority of respondents expressed support for the State Board to play a role in some capacity. However, there are varying levels of support for what that role should be.

<i>What should the relationship be between the state Board of Education and E.S.U.’s?</i>		
	2006	1986
Independent – no control by the State Board	36.1%	38.0%
Supervision and coordination by the State Board	28.7%	25.9%
Direct control by the State Board	0.9%	4.5%
Combination (Supervisory role along with some direct control)	25.0%	22.2%
No Response	9.3%	9.4%

*Note: Question was not asked in 1995 survey.*

**Services:** The bulk of the school district survey was dedicated to services provided, the priority of those services, and the effectiveness of such services. In the questionnaire portion of the survey, five questions addressed the general area of services.

**Other service providers:** The school districts were asked to respond to two questions about private or public cooperative arrangements outside of E.S.U.’s. Nearly 44% indicated that they receive services under such an arrangement. They typically listed such services as special education, physical and occupational therapy, insurance, utilities, distance learning, technology, busing, and online assessment. When asked if these services received were more beneficial than services received from their E.S.U., the response was about 14% “yes” and nearly 65% “no”. Respondents who answered “yes”

## Educational Service Units (L.R. 336)

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and elaborated on why the service was considered more beneficial indicated that the service was a) not provided by the E.S.U., b) less expensive than the E.S.U., c) more convenient, or d) that the service quality was better. Distance was also cited as a factor.

*Service Request Denial:* Only 6.5% of school districts indicated that their E.S.U. had denied a request for services. The most common reason for denial was that the service was cost prohibitive. The types of services denied included substitute teachers, special education, staff development, health services, technology support, Title III consortium, workshops, and support for student information system.

*Supplemental vs. Mandated Services:* School districts strongly indicated that both supplemental services determined by the local school districts and statewide mandated services should be among the services offered by E.S.U.'s. No respondents suggested that only the mandated services be offered by E.S.U.'s, while just 9.3% indicated that E.S.U.'s should offer only supplemental services. The remaining 90.7% of respondents believed that a combination of both was appropriate. This may reflect a change from the 1986 survey when nearly 28% of the respondents indicated that E.S.U.'s should offer only locally determined supplemental services.

*Services needed in the future:* It seems clear that school districts believe that E.S.U.'s are important for the future delivery of special education, staff development, technology and distance learning. The previous surveys also had similar findings as to the importance of these types of services in the future. The 1986 survey indicated a strong role for E.S.U.'s in staff development, in-service, curriculum workshops, and coordination of shared staff. By 1995, some of the focus had shifted to technology and distance learning as a means to address shared staff and curriculum. That emphasis remains in the 2006 survey results.

Appendix J: School District Survey Results





## Questions for School Districts Statewide Results

### 1. Does your district receive services from any private or public cooperative arrangement?

43.5% YES    54.6% NO    1.9% MISSING

#### If yes, what services are received?

Common Responses: Special Education; Physical/Occupational Therapy; Insurance; Utilities; Distance Learning/Technology; Busing; Online Assessment

### 2. Do you feel your district benefits more by these cooperative arrangements than by services your district receives or could receive from an E.S.U.?

13.9% YES    64.8% NO    21.3% MISSING

#### If yes, please specify why you believe the non-E.S.U. cooperative arrangement is more beneficial.

Common Responses: E.S.U. cannot or does not provide the service; Service is less expensive; More convenient; Distance; Service quality is better

### 3. Has your school district's request for services from an E.S.U. ever been denied?

6.5% YES    87.0% NO    6.5% MISSING

#### If yes, why?

Common Response: Cost prohibitive

#### What service was denied?

Responses: Substitute Teachers; Special Education; Staff Development; Health Services; Technology Support; Title III Consortium; Workshops; Support for Student Information System

### 4. What should the relationship be between the State Board of Education and E.S.U.'s?

36.1% Independent - no control by the State Board  
28.7% Supervision and coordination by the State Board  
0.9% Direct control by the State Board  
25.0% Combination (Supervisory role along with some direct control)  
9.3% Missing

### 5. Should E.S.U. boards be:

75.9% Elected (as current law provides)  
7.4% Appointed  
13.0% School Board Members  
0.9% Other  
2.8% Missing

### 6. Should all school districts be required to participate in an E.S.U.?

50.0% YES    50.0% NO    0.0% MISSING

### 7. Are the E.S.U. boundaries set up in the best way to enhance their role of providing supplemental services?

65.7% YES    19.4% NO    14.8% MISSING

**Comment:** There was no prevalent theme among the comments.

**8. Should the current levy authorized by statute to fund E.S.U.'s be retained?**

81.5% YES    11.1% NO    7.4% MISSING

**9. Does your school district feel the E.S.U. tax levy should be reduced and shifted back to the local schools?**

1.9% YES    90.7% NO    7.4% MISSING

**10. Does your school district feel the current E.S.U. tax levy is:**

43.5% Too Low  
0.0% Too High  
54.6% Adequate  
1.9% Missing

**11. Should E.S.U.'s offer:**

9.3% only supplemental services as determined by local school district needs  
0.0% only mandated services offered consistently throughout the state  
90.7% a combination of both

**12. Which of the services that your district currently is receiving from an E.S.U. will be of greatest need in the next ten years? (List top three needs.)**

1. Special Education (38); Staff Development (26); Technology/Distance Learning/Internet (26)
2. Technology/Distance Learning/Internet (35); Special Education (21); Staff Development (20)
3. Staff Development (27); Special Education (17); Technology/Distance Learning/Internet (15)

**13. What additional services that are currently not being provided by E.S.U.'s do you feel will be needed in the next ten years? (Ranked in order of number of times listed on survey.)**

1. Technology (includes Distance Learning and Technology Support) (19)
2. Staff Development (11)
3. Special Education (7)

**14. This survey was filled out by:**

98.1% Superintendent/Principal  
0.0% School Board Member  
0.0% Teacher  
0.9% Parent/Other  
0.9% Missing

\*Results based on responses from 108 school districts.

**SCHOOL DISTRICT SURVEY  
OF  
E.S.U. SERVICES**

**STATEWIDE RESULTS**

Does your school district belong to an E.S.U.?  
If yes, which one? \_\_\_\_\_

YES \_\_\_\_\_

NO \_\_\_\_\_

**PRIORITY** - Indicate which services are of most value to your district by placing numerical designation beside each major category of services only.  
(5 - highest 1 - lowest)

**EFFECTIVENESS** - Rate services with corresponding number:  
5 - Very Effective  
4 - Effective  
3 - Somewhat Effective  
2 - Not Effective  
1 - Do Not Know

**Note: Results are the average of responses and do not include missing data.**

**SERVICES**  
Check if receive **SERVICES OFFERED BY E.S.U.'S**

**ADMINISTRATIVE/OFFICE SRVS.**

- 48% Administrative Support
- 14% Budgetary Accounting/Payroll
- 28% Other Administrative Services (specify) \_\_\_\_\_

3.60

3.97

**MATERIALS/EQUIPMENT/REPAIR SRVS.**

- 68% AV Equipment Repair
- 68% Computer Repair
- 15% Other Repair (specify) \_\_\_\_\_

3.49

4.11

SERVICES RECEIVED	SERVICES OFFERED BY E.S.U.'S	PRIORITY	EFFECTIVENESS
	<b>LOANED MATERIALS/EQUIPMENT</b>	<u>2.57</u>	<u>3.23</u>
<u>8%</u> Computers			
<u>19%</u> AV Equipment			
<u>18%</u> Other Loaned Equipment/Materials			
	(specify) _____		
	<b>PRODUCTION SERVICES</b>	<u>2.97</u>	<u>4.00</u>
<u>33%</u> Printing-Binding Production			
<u>18%</u> Art Services			
<u>48%</u> Laminating			
<u>11%</u> Other Production Services			
	(specify) _____		
	<b>MEDIA SERVICES</b>	<u>3.73</u>	<u>4.31</u>
<u>34%</u> Film (16mm) Library			
<u>85%</u> Videotape/disc Library			
<u>65%</u> Materials Distribution			
	<b>CO-OP PURCHASING</b>	<u>4.57</u>	<u>4.66</u>
	<b>DATA PROCESSING</b>	<u>3.11</u>	<u>3.41</u>
<u>8%</u> Budgetary Accounting			
<u>7%</u> Payroll Accounting			
<u>11%</u> Student Scheduling			
<u>19%</u> Test Scoring			
<u>8%</u> Student Census			
<u>6%</u> Grade Reporting			
<u>18%</u> Other Data Processing Services			
	(specify) _____		

**SERVICES RECEIVED**      **SERVICES OFFERED BY E.S.U.'S**      **PRIORITY**      **EFFECTIVENESS**

**ADMIN./SUPERVISION OF FEDERAL PROGRAMS**      4.24      4.44

32% Title I - NCLB  
34% Title II - NCLB Teacher/Principal Train. & Recruit.  
35% Title II - Math & Science Partnerships  
37% Title II - Technology  
30% Title III - Language Acquisition  
50% IDEA  
66% Perkins  
20% Migrant Education  
53% Safe & Drug Free Schools  
80% STAR Grants  
17% Other Federal Programs  
(specify) \_\_\_\_\_

**STAFF & CURRICULUM DEVELOPMENT CENTERS**      3.85      4.08

60% Educators Resource Center  
9% Other Centers  
(specify) \_\_\_\_\_

**STAFF DEVELOPMENT**      4.59      4.56

84% Computer Training  
61% Teacher Consultant Services  
50% Teacher Project Development  
5% Job Placement  
90% Workshops  
31% Vocational Rehabilitation  
83% Technology Training  
37% Bus Driver Training  
28% Student Testing  
31% Student Career Exploration  
47% Instructional Research and Design  
66% Technology Sharing  
21% Field Trips, Tours and Student Enrichment Activities  
49% Teacher Pre-service

**SERVICES OFFERED BY E.S.U.'S**

**PRIORITY**

**EFFECTIVENESS**

**SERVICES RECEIVED**

**STAFF DEVELOPMENT, CONT.**

- 32% School Consultants: Art, Foreign Language, Music, P.E.
- 7% Summer Honors Program
- 13% Artist in Residence
- 34% Gifted and Talented Consulting/Services
- 8% Driver Education Programs
- 25% Behavioral Counseling (Non-SPED)
- 22% Entry Year Assistance
- 11% Other Services
- (specify) \_\_\_\_\_

**TELECOMPUTING**

- 49% Telecomputing Services

4.16

4.17

**NURSING SERVICES**

- 21% Student Health Services
- 23% Nursing Services - School Nurse
- 25% Health Screening
- 8% Other Health Services
- (specify) \_\_\_\_\_

3.41

3.60

**SPECIAL EDUCATION SCHOOL AGE**

- 54% Administrative Services
- 74% Program Supervision
- 57% Program Consultation
- 68% Financial
- 60% In-service
- 60% Evaluation Services
- 65% Audiological
- 60% Speech-Language
- 60% PT/OT
- 40% Behavioral
- 48% Academic
- 74% Vocational
- 74% Psychological

4.61

4.59

**SERVICES RECEIVED**

**SERVICES OFFERED BY E.S.U.'S**

**PRIORITY**

**EFFECTIVENESS**

**SPECIAL EDUCATION SCHOOL AGE, CONT.**

<u>34%</u>	Instructional Services
	Resource Programs
	Programs for the:
<u>29%</u>	Developmental Training Program
<u>41%</u>	Visually Impaired
<u>47%</u>	Hearing Impaired
<u>46%</u>	Behaviorally Impaired
<u>43%</u>	Multi-Handicapped
<u>25%</u>	Teacher Aide
	Therapy Services
<u>63%</u>	Speech-Language
<u>47%</u>	Physical
<u>47%</u>	Occupational
	Counseling Services
<u>37%</u>	Behavioral
<u>22%</u>	Academic
<u>36%</u>	Vocational
<u>17%</u>	Home-School Liaison
<u>8%</u>	Transportation Services

**SPECIAL EDUCATION BELOW AGE FIVE**

	Administrative Services
<u>57%</u>	Program Supervision
<u>69%</u>	Program Consultation
<u>46%</u>	Financial
<u>53%</u>	In-service
	Evaluation Services
<u>53%</u>	Audiological
<u>65%</u>	Speech-Language
<u>57%</u>	PT/OT
<u>62%</u>	Psychological
<u>59%</u>	Developmental Assessment

4.52

4.45



**SERVICES RECEIVED      SERVICES OFFERED BY E.S.U.'S      PRIORITY      EFFECTIVENESS**

**SPECIAL EDUCATION BELOW AGE FIVE, CONT.**

Instructional Services

56%

Home Based

33%

Center Based

Therapy Services

62%

Speech-Language

54%

Physical

49%

Occupational

14%

Transportation Services

81% DISTANCE LEARNING

4.35

4.40

\*\*Results based on responses from 167 public school districts.

**STATEWIDE**

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	SPED SCHOOL AGE	COOP PURCHASING
Media Services - Videotape/disc library	STAFF DEVELOPMENT	SPED SCHOOL AGE
Staff Development - Computer Training	COOP PURCHASING	STAFF DEVELOPMENT
Staff Development - Technology Training	SPED BELOW AGE FIVE	SPED BELOW AGE FIVE
Distance Learning	DISTANCE LEARNING	ADMIN.OF FEDERAL PROGRAMS
STAR Grants	ADMIN.OF FEDERAL PROGRAMS	DISTANCE LEARNING
SPED School Age - Program Consultation	TELECOMPUTING	MEDIA SERVICES
SPED School Age - Psychological	STAFF & CURRIC. DEVEL. CENTERS	TELECOMPUTING
SPED Below 5 - Program Consultation	MEDIA SERVICES	MATERIALS/EQUIPMENT/REPAIR SF
AV Equipment Repair	ADMINISTRATIVE/OFFICE SRVS.	STAFF & CURRIC. DEVEL. CENTERS
Computer Repair	MATERIALS/EQUIPMENT/REPAIR SF	PRODUCTION SERVICES
SPED School Age - Inservice	NURSING SERVICES	ADMINISTRATIVE/OFFICE SRVS.
Staff Development - Technology Sharing	DATA PROCESSING	NURSING SERVICES
Perkins	PRODUCTION SERVICES	DATA PROCESSING
SPED Below 5 - Speech/Language Evaluation	LOANED MATERIALS/EQUIPMENT	LOANED MATERIALS/EQUIPMENT
Media Services - Materials Distribution		
SPED School Age - Speech/Language Evaluation		
SPED School Age - Speech-Language Therapy		
SPED Below 5 - Psychological		
SPED Below 5 - Speech-Language Therapy		
Staff Development - Teacher Consultant Services		
Educators Resource Center		
SPED School Age - PT/OT Evaluation		
SPED School Age - Audiological		
SPED School Age - Behavioral Evaluation		
SPED Below 5 - Developmental Assessment		
SPED School Age - Financial		
SPED Below 5 - PT/OT Evaluation		

167 Responses/261 Districts =  
64% Response Rate

ESU #1

Most Received Services	Highest Priority Services	Most Effective Services
SPED School Age - Audiological	SPED BELOW AGE FIVE	SPED SCHOOL AGE
SPED School Age - PT/OT Evaluation	SPED SCHOOL AGE	COOP PURCHASING
Perkins	STAFF DEVELOPMENT	SPED BELOW AGE FIVE
Staff Development - Workshops	NURSING SERVICES	STAFF DEVELOPMENT
SPED School Age - Psychological	DISTANCE LEARNING	DISTANCE LEARNING
SPED School Age - Speech-Language Therapy	COOP PURCHASING	ADMINISTRATIVE/OFFICE SRVS.
SPED School Age - Physical	ADMIN.OF FEDERAL PROGRAMS	MATERIALS/EQUIPMENT/REPAIR SF
SPED Below 5 - Speech-Language Therapy	ADMINISTRATIVE/OFFICE SRVS.	STAFF & CURRIC. DEVEL. CENTERS
AV Equipment Repair	STAFF & CURRIC. DEVEL. CENTERS	MEDIA SERVICES
Videotape/disc Library	MEDIA SERVICES	ADMIN.OF FEDERAL PROGRAMS
STAR Grants	MATERIALS/EQUIPMENT/REPAIR SF	LOANED MATERIALS/EQUIPMENT
Staff Development - Computer Training	TELECOMPUTING	NURSING SERVICES
Staff Development - Technology Training	PRODUCTION SERVICES	PRODUCTION SERVICES
SPED School Age - Program Consultation	LOANED MATERIALS/EQUIPMENT	TELECOMPUTING
SPED School Age - Speech-Language Evaluation	DATA PROCESSING	DATA PROCESSING
SPED School Age - Vocational Evaluation		
SPED School Age - Occupational Therapy		
SPED Below 5 - PT/OT Evaluation		
SPED Below 5 - Psychological		
SPED Below 5 - Physical Therapy		
SPED Below 5 - Occupational Therapy		
Distance Learning		
SPED Below 5 - Program Consultation		
SPED Below 5 - Speech-Language Evaluation		
Materials Distribution		
SPED Below 5 - Developmental Assessment		
SPED Below 5 - Home Based		
SPED Below 5 - Audiological		
SPED School Age - Vocational Counseling		
		16 Responses/24 Members = 67% Response Rate

ESU #2

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Technology Training	DISTANCE LEARNING	DISTANCE LEARNING
Distance Learning	SPED BELOW AGE FIVE	COOP PURCHASING
Videotape/disc Library	SPED SCHOOL AGE	TELECOMPUTING
Staff Development - Computer Training	COOP PURCHASING	SPED SCHOOL AGE
Staff Development - Workshops	ADMIN.OF FEDERAL PROGRAMS	SPED BELOW AGE FIVE
SPED School Age - Psychological	TELECOMPUTING	STAFF DEVELOPMENT
STAR Grants	STAFF DEVELOPMENT	MATERIALS/EQUIPMENT/REPAIR SF
SPED School Age - Program Consultation	STAFF & CURRIC. DEVEL. CENTERS	ADMIN.OF FEDERAL PROGRAMS
SPED Below 5 - Program Consultation	MATERIALS/EQUIPMENT/REPAIR SF	MEDIA SERVICES
SPED Below 5 - Home Based	MEDIA SERVICES	PRODUCTION SERVICES
SPED School Age - In-service	PRODUCTION SERVICES	STAFF & CURRIC. DEVEL. CENTERS
SPED School Age - Financial	ADMINISTRATIVE/OFFICE SRVS.	ADMINISTRATIVE/OFFICE SRVS.
IDEA	LOANED MATERIALS/EQUIPMENT	LOANED MATERIALS/EQUIPMENT
Telecomputing Services	DATA PROCESSING	DATA PROCESSING
AV Equipment Repair	NURSING SERVICES	NURSING SERVICES
SPED Below 5 - Psychological		
SPED Below 5 - Speech-Language Evaluation		
Materials Distribution		
SPED Below 5 - Developmental Assessment		
SPED Below 5 - Program Supervision		
SPED Below 5 - In-service		
	11 Responses/19 Members = 58% Response Rate	



ESU #4

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Computer Training	STAFF DEVELOPMENT	SPED SCHOOL AGE 4.78
Staff Development - Workshops	SPED SCHOOL AGE	STAFF DEVELOPMENT 4.78
STAR Grants	STAFF & CURRIC. DEVEL. CENTERS	ADMIN.OF FEDERAL PROGRAMS 4.78
SPED Below 5 - Speech-Language Evaluation	SPED BELOW AGE FIVE	SPED BELOW AGE FIVE 4.67
Staff Development - Technology Training	ADMIN.OF FEDERAL PROGRAMS	DISTANCE LEARNING 4.67
Computer Repair	COOP PURCHASING	TELECOMPUTING 4.60
SPED School Age - In-service	DISTANCE LEARNING	COOP PURCHASING 4.50
SPED School Age - Audiological	TELECOMPUTING	MEDIA SERVICES 4.40
SPED Below 5 - Audiological	NURSING SERVICES	STAFF & CURRIC. DEVEL. CENTER\$ 4.33
Perkins	ADMINISTRATIVE/OFFICE SRVS.	MATERIALS/EQUIPMENT/REPAIR SF 4.25
SPED Below 5 - Speech-Language	MATERIALS/EQUIPMENT/REPAIR SF	NURSING SERVICES 4.00
Safe & Drug Free Schools	MEDIA SERVICES	DATA PROCESSING 3.67
SPED School Age - Speech-Language Evaluation	DATA PROCESSING	ADMINISTRATIVE/OFFICE SRVS. 3.50
Staff Development - Technology Sharing	PRODUCTION SERVICES	PRODUCTION SERVICES 3.50
SPED School Age - Program Consultation	LOANED MATERIALS/EQUIPMENT	LOANED MATERIALS/EQUIPMENT 1.00
SPED Below 5 - Psychological		
Student Health Services		
AV Equipment Repair		
SPED Below 5 - Program Consultation		
SPED School Age - Psychological		
SPED School Age - Speech-Language Therapy		
SPED Below 5 - Home Based		
Staff Development - Teacher Pre-service		
Health Screening		
Title II - Technology		
		10 Responses/13 Members = 77% Response Rate

ESU #5

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Computer Training	STAFF DEVELOPMENT	TELECOMPUTING 5.00
Videotape/disc Library	DISTANCE LEARNING	STAFF DEVELOPMENT 4.67
Distance Learning	SPED SCHOOL AGE	SPED SCHOOL AGE 4.50
Staff Development - Workshops	TELECOMPUTING	NURSING SERVICES 4.50
STAR Grants	NURSING SERVICES	DISTANCE LEARNING 4.20
SPED Below 5 - Speech-Language Evaluation	ADMIN.OF FEDERAL PROGRAMS	ADMIN.OF FEDERAL PROGRAMS 4.17
Staff Development - Technology Training	MEDIA SERVICES	COOP PURCHASING 4.00
SPED School Age - Audiological	SPED BELOW AGE FIVE	PRODUCTION SERVICES 4.00
SPED Below 5 - Speech-Language Therapy	COOP PURCHASING	SPED BELOW AGE FIVE 3.80
SPED Below 5 - Psychological	STAFF & CURRIC. DEVEL. CENTERS	MATERIALS/EQUIPMENT/REPAIR SF 3.75
SPED Below 5 - Program Consultation	ADMINISTRATIVE/OFFICE SRVS.	MEDIA SERVICES 3.67
SPED School Age - Psychological	MATERIALS/EQUIPMENT/REPAIR SF	ADMINISTRATIVE/OFFICE SRVS. 3.67
Title II - Technology	PRODUCTION SERVICES	STAFF & CURRIC. DEVEL. CENTERS 3.00
SPED Below 5 - Physical Therapy	LOANED MATERIALS/EQUIPMENT	DATA PROCESSING 1.00
Title II - Math & Science Partnerships	DATA PROCESSING	LOANED MATERIALS/EQUIPMENT 1.00
SPED School Age - Behavioral Evaluation		
Staff Development - Teacher Consultant Services		
SPED Below 5 - Occupational Therapy		
		6 Responses/10 Members = 60% Response Rate

ESU #6

Most Received Services	Highest Priority Services	Most Effective Services
Videotape/disc Library	STAFF DEVELOPMENT	STAFF DEVELOPMENT
Distance Learning	SPED SCHOOL AGE	ADMIN.OF FEDERAL PROGRAMS
Staff Development - Workshops	COOP PURCHASING	COOP PURCHASING
STAR Grants	SPED BELOW AGE FIVE	MATERIALS/EQUIPMENT/REPAIR SF
Staff Development - Technology Training	MATERIALS/EQUIPMENT/REPAIR SF	MEDIA SERVICES
Laminating	DISTANCE LEARNING	PRODUCTION SERVICES
Printing-Binding Production	ADMIN.OF FEDERAL PROGRAMS	SPED BELOW AGE FIVE
Staff Development - Computer Training	STAFF & CURRIC. DEVEL. CENTERS	STAFF & CURRIC. DEVEL. CENTERS
SPED Below 5 - Program Consultation	TELECOMPUTING	SPED SCHOOL AGE
Staff Development - Teacher Consultant Service	MEDIA SERVICES	DISTANCE LEARNING
SPED Below 5 - Program Consultation	PRODUCTION SERVICES	ADMINISTRATIVE/OFFICE SRVS.
Staff Development - Technology Sharing	ADMINISTRATIVE/OFFICE SRVS.	TELECOMPUTING
AV Equipment Repair	LOANED MATERIALS/EQUIPMENT	LOANED MATERIALS/EQUIPMENT
Staff Development - Entry Year Assistance	DATA PROCESSING	DATA PROCESSING
SPED School Age - In-service	NURSING SERVICES	NURSING SERVICES
Staff Development - Teacher Project Development		
Materials Distribution		
Computer Repair		
SPED School Age - Psychological		
SPED School Age - PT/OT Evaluation		
SPED Below 5 - Developmental Assessment		
SPED Below 5 - PT/OT Evaluation		
SPED Below 5 - Program Supervision		
SPED School Age - Program Supervision		
Telecomputing Services		
Staff Development - Teacher Pre-service		
Educators Resource Center		
Staff Development - Instructional Research and L		
		10 Responses/16 Members = 63% Response Rate



ESU #7

Most Received Services	Highest Priority Services	Most Effective Services
Distance Learning	STAFF DEVELOPMENT	PRODUCTION SERVICES 4.89
Staff Development - Workshops	COOP PURCHASING	COOP PURCHASING 4.67
Laminating	ADMIN.OF FEDERAL PROGRAMS	MEDIA SERVICES 4.56
Printing-Binding Production	SPED SCHOOL AGE	SPED SCHOOL AGE 4.50
SPED School Age - Program Consultation	PRODUCTION SERVICES	STAFF DEVELOPMENT 4.44
SPED School Age - In-service	MEDIA SERVICES	ADMIN.OF FEDERAL PROGRAMS 4.44
Videotape/disc Library	SPED BELOW AGE FIVE	MATERIALS/EQUIPMENT/REPAIR SF 4.13
AV Equipment Repair	TELECOMPUTING	SPED BELOW AGE FIVE 3.89
Computer Repair	DISTANCE LEARNING	DISTANCE LEARNING 3.78
SPED School Age - Program Supervision	MATERIALS/EQUIPMENT/REPAIR SF	TELECOMPUTING 3.67
Title II - NCLB Teacher/Principal Train. & Recruit.	ADMINISTRATIVE/OFFICE SRVS.	ADMINISTRATIVE/OFFICE SRVS. 3.43
STAR Grants	STAFF & CURRIC. DEVEL. CENTERS	STAFF & CURRIC. DEVEL. CENTERS 3.33
SPED Below 5 - Program Consultation	NURSING SERVICES	NURSING SERVICES 2.50
IDEA	DATA PROCESSING	DATA PROCESSING 1.83
Staff Development - Bus Driver Training	LOANED MATERIALS/EQUIPMENT	LOANED MATERIALS/EQUIPMENT 1.00
SPED School Age - Speech-Language Evaluation		
Title I - NCLB		
		10 Responses/21 Members = 48% Response Rate

ESU #8

Most Received Services	Highest Priority Services	Most Effective Services
Distance Learning	SPED SCHOOL AGE	COOP PURCHASING 4.93
Staff Development - Workshops	SPED BELOW AGE FIVE	NURSING SERVICES 4.92
Videotape/disc Library	COOP PURCHASING	DISTANCE LEARNING 4.87
Staff Development - Computer Training	DISTANCE LEARNING	SPED BELOW AGE FIVE 4.77
SPED School Age - Psychological	NURSING SERVICES	SPED SCHOOL AGE 4.71
SPED School Age - Speech-Language Evaluation	TELECOMPUTING	TELECOMPUTING 4.56
STAR Grants	STAFF DEVELOPMENT	ADMIN.OF FEDERAL PROGRAMS 4.54
SPED Below 5 - Home Based	STAFF & CURRIC. DEVEL. CENTERS	MEDIA SERVICES 4.47
SPED Below 5 - Speech-Language Evaluation	MEDIA SERVICES	STAFF DEVELOPMENT 4.47
SPED School Age - Behavioral Evaluation	ADMIN.OF FEDERAL PROGRAMS	ADMINISTRATIVE/OFFICE SRVS. 4.45
SPED School Age - Program Consultation	ADMINISTRATIVE/OFFICE SRVS.	STAFF & CURRIC. DEVEL. CENTERS 4.36
SPED Below 5 - Program Consultation	PRODUCTION SERVICES	PRODUCTION SERVICES 4.31
Staff Development - Technology Training	LOANED MATERIALS/EQUIPMENT	MATERIALS/EQUIPMENT/REPAIR SF 3.77
SPED Below 5 - Developmental Assessment	MATERIALS/EQUIPMENT/REPAIR SF	LOANED MATERIALS/EQUIPMENT 3.63
SPED Below 5 - Psychological	DATA PROCESSING	DATA PROCESSING 3.38
SPED School Age - Speech-Language Therapy		
Materials Distribution		
SPED Below 5 - Program Supervision		
Nursing Services - School Nurse		
SPED School Age - In-service		
Computer Repair		
SPED School Age - Program Supervision		
SPED School Age - Audiological		
SPED Below 5 - Speech-Language Therapy		
Perkins		
Art Services		
Staff Development - Technology Sharing		
SPED School Age - Academic Evaluation		

16 Responses/21 Members =  
76% Response Rate

ESU #9

Most Received Services	Highest Priority Services	Most Effective Services
Distance Learning	TELECOMPUTING	TELECOMPUTING
Staff Development - Workshops	DATA PROCESSING	DATA PROCESSING
SPED School Age - Financial	COOP PURCHASING	COOP PURCHASING
AV Equipment Repair	SPED SCHOOL AGE	DISTANCE LEARNING
Title I - NCLB	SPED BELOW AGE FIVE	SPED BELOW AGE FIVE
Videotape/disc Library	DISTANCE LEARNING	SPED SCHOOL AGE
Staff Development - Computer Training	ADMIN.OF FEDERAL PROGRAMS	ADMIN.OF FEDERAL PROGRAMS
SPED School Age - Psychological	STAFF & CURRIC. DEVEL. CENTERS	ADMINISTRATIVE/OFFICE SRVS.
STAR Grants	MEDIA SERVICES	STAFF & CURRIC. DEVEL. CENTERS
SPED Below 5 - Home Based	STAFF DEVELOPMENT	STAFF & CURRIC. DEVEL. CENTERS
Computer Repair	MATERIALS/EQUIPMENT/REPAIR SF	MATERIALS/EQUIPMENT/REPAIR SF
SPED School Age - Audiological	MEDIA SERVICES	MEDIA SERVICES
IDEA	ADMINISTRATIVE/OFFICE SRVS.	PRODUCTION SERVICES
Safe & Drug Free Schools	LOANED MATERIALS/EQUIPMENT	STAFF DEVELOPMENT
SPED School Age - Speech-Language Evaluation	PRODUCTION SERVICES	LOANED MATERIALS/EQUIPMENT
SPED School Age - Program Consultation	NURSING SERVICES	NURSING SERVICES
SPED Below 5 - Program Consultation		
Staff Development - Technology Training		
SPED Below 5 - Psychological		
SPED School Age - Speech-Language Therapy		
Materials Distribution		
SPED Below 5 - Speech-Language Therapy		
Staff Development - Technology Sharing		
SPED Below 5 - Center Based		
SPED Below 5 - PT/OT Evaluation		
Staff Development - Teacher Consultant Services		
Staff Development - Teacher Project Development		
SPED School Age - Physical Therapy		
Title II - Technology		
		7 Responses/14 Members = 50% Response Rate

ESU #10

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	COOP PURCHASING	COOP PURCHASING
AV Equipment Repair	SPED BELOW AGE FIVE	MATERIALS/EQUIPMENT/REPAIR SF
Videotape/disc Library	SPED SCHOOL AGE	STAFF DEVELOPMENT
Staff Development - Computer Training	TELECOMPUTING	SPED BELOW AGE FIVE
Staff Development - Technology Training	STAFF DEVELOPMENT	ADMIN.OF FEDERAL PROGRAMS
Distance Learning	ADMIN.OF FEDERAL PROGRAMS	SPED SCHOOL AGE
Computer Repair	MATERIALS/EQUIPMENT/REPAIR SF	MEDIA SERVICES
SPED School Age - Audiological	DISTANCE LEARNING	STAFF & CURRIC. DEVEL. CENTERS
SPED School Age - Program Consultation	STAFF & CURRIC. DEVEL. CENTERS	TELECOMPUTING
SPED School Age - PT/OT Evaluation	MEDIA SERVICES	DISTANCE LEARNING
SPED School Age - Psychological	ADMINISTRATIVE/OFFICE SRVS.	PRODUCTION SERVICES
Perkins	NURSING SERVICES	ADMINISTRATIVE/OFFICE SRVS.
Educators Resource Center	LOANED MATERIALS/EQUIPMENT	DATA PROCESSING
SPED School Age - Financial	DATA PROCESSING	LOANED MATERIALS/EQUIPMENT
STAR Grants	PRODUCTION SERVICES	NURSING SERVICES
Materials Distribution		
Staff Development - Technology Sharing		
Staff Development - Teacher Consultant Services		
Title II - Technology		
Telecomputing Services		
Staff Development - Gifted and Talented Consulti		
Title I - NCLB		
Safe & Drug Free Schools		
SPED School Age - Speech-Language Evaluator		
SPED Below 5 - PT/OT Evaluation		
SPED School Age - In-service		
SPED School Age - Occupational Therapy		
Migrant Education		
		18 Responses/36 Members = 50% Response Rate

ESU #11

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	TELECOMPUTING	STAFF DEVELOPMENT
Staff Development - Technology Training	STAFF DEVELOPMENT	TELECOMPUTING
Distance Learning	SPED SCHOOL AGE	SPED SCHOOL AGE
STAR Grants	SPED BELOW AGE FIVE	COOP PURCHASING
Telecomputing Services	DISTANCE LEARNING	COOP PURCHASING
Staff Development - Gifted and Talented Consulti	STAFF & CURRIC. DEVEL. CENTERS	STAFF & CURRIC. DEVEL. CENTERS
Staff Development - Summer Honors Program	STAFF & CURRIC. DEVEL. CENTERS	STAFF & CURRIC. DEVEL. CENTERS
Videotape/disc Library	COOP PURCHASING	SPED BELOW AGE FIVE
Staff Development - Computer Training	ADMIN.OF FEDERAL PROGRAMS	ADMIN.OF FEDERAL PROGRAMS
SPED School Age - Program Consultation	ADMIN.OF FEDERAL PROGRAMS	ADMIN.OF FEDERAL PROGRAMS
SPED School Age - PT/OT Evaluation	NURSING SERVICES	DISTANCE LEARNING
SPED School Age - Psychological	NURSING SERVICES	NURSING SERVICES
SPED School Age - Financial	PRODUCTION SERVICES	MEDIA SERVICES
SPED School Age - Speech-Language Evaluation	MEDIA SERVICES	PRODUCTION SERVICES
SPED School Age - In-service	LOANED MATERIALS/EQUIPMENT	MATERIALS/EQUIPMENT/REPAIR SF
SPED School Age - Behavioral Evaluation	ADMINISTRATIVE/OFFICE SRVS.	ADMINISTRATIVE/OFFICE SRVS.
SPED School Age - Program Supervision	ADMINISTRATIVE/OFFICE SRVS.	ADMINISTRATIVE/OFFICE SRVS.
SPED School Age - Speech-Language Therapy	MATERIALS/EQUIPMENT/REPAIR SF	LOANED MATERIALS/EQUIPMENT
Staff Development - Entry Year Assistance	MATERIALS/EQUIPMENT/REPAIR SF	LOANED MATERIALS/EQUIPMENT
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ESU #13

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	DISTANCE LEARNING	DISTANCE LEARNING
Videotape/disc Library	STAFF DEVELOPMENT	COOP PURCHASING
Materials Distribution	COOP PURCHASING	SPED BELOW AGE FIVE
STAR Grants	SPED SCHOOL AGE	STAFF DEVELOPMENT
Distance Learning	SPED BELOW AGE FIVE	SPED SCHOOL AGE
SPED School Age - Psychological	ADMIN.OF FEDERAL PROGRAMS	MEDIA SERVICES
Staff Development - Bus Driver Training	STAFF & CURRIC. DEVEL. CENTERS	ADMIN.OF FEDERAL PROGRAMS
Staff Development - Technology Training	MEDIA SERVICES	STAFF & CURRIC. DEVEL. CENTERS
SPED School Age - Program Consultation	DATA PROCESSING	STAFF & CURRIC. DEVEL. CENTERS
SPED School Age - Speech-Language Therapy	ADMINISTRATIVE/OFFICE SRVS.	PRODUCTION SERVICES
SPED School Age - Occupational Therapy	TELECOMPUTING	DATA PROCESSING
SPED School Age - In-service	PRODUCTION SERVICES	TELECOMPUTING
SPED School Age - Behavioral Evaluation	MATERIALS/EQUIPMENT/REPAIR SF	MATERIALS/EQUIPMENT/REPAIR SF
Educators Resource Center	NURSING SERVICES	ADMINISTRATIVE/OFFICE SRVS.
SPED School Age - Physical Therapy	LOANED MATERIALS/EQUIPMENT	LOANED MATERIALS/EQUIPMENT
Title III - Language Acquisition	LOANED MATERIALS/EQUIPMENT	NURSING SERVICES
Staff Development - Computer Training	67%	2.00
SPED School Age - PT/OT Evaluation	60%	1.86
SPED School Age - Speech-Language Evaluator	60%	2.86
Staff Development - Technology Sharing	60%	2.70
SPED Below 5 - Physical Therapy	60%	2.00
SPED Below 5 - Speech-Language Evaluation	60%	2.00
SPED Below 5 - Speech-Language Therapy	60%	1.86
SPED Below 5 - Program Consultation	60%	2.00
Staff Development - Instructional Research and I	60%	2.00
SPED School Age - Behavioral Counseling	60%	2.00

15 Responses/22 Members =  
68% Response Rate

ESU #15

Most Received Services	Highest Priority Services	Most Effective Services
SPED School Age - Psychological	DISTANCE LEARNING	DISTANCE LEARNING 4.50
Perkins	COOP PURCHASING	COOP PURCHASING 4.50
Staff Development - Workshops	STAFF DEVELOPMENT	STAFF DEVELOPMENT 4.20
STAR Grants	SPED SCHOOL AGE	SPED SCHOOL AGE 4.20
Staff Development - Technology Training	SPED BELOW AGE FIVE	STAFF DEVELOPMENT 3.80
SPED School Age - Speech-Language Therapy	ADMIN.OF FEDERAL PROGRAMS	MEDIA SERVICES 3.80
SPED School Age - In-service	ADMINISTRATIVE/OFFICE SRVS.	ADMINISTRATIVE/OFFICE SRVS. 3.80
SPED Below 5 - Program Consultation	MEDIA SERVICES	DATA PROCESSING 3.67
Staff Development - Technology Sharing	STAFF & CURRIC. DEVEL. CENTERS	NURSING SERVICES 3.50
SPED Below 5 - Speech-Language Evaluation	TELECOMPUTING	SPED BELOW AGE FIVE 3.40
SPED Below 5 - Developmental Assessment	DATA PROCESSING	PRODUCTION SERVICES 3.33
Staff Development - Teacher Consultant Services	NURSING SERVICES	STAFF & CURRIC. DEVEL. CENTERS 3.00
SPED School Age - Program Supervision	PRODUCTION SERVICES	TELECOMPUTING 3.00
Staff Development - Teacher Pre-service	MATERIALS/EQUIPMENT/REPAIR SF	LOANED MATERIALS/EQUIPMENT 3.00
SPED School Age - Financial	LOANED MATERIALS/EQUIPMENT	MATERIALS/EQUIPMENT/REPAIR SF 2.75
SPED Below 5 - Program Supervision		
Staff Development - Vocational Rehabilitation		
SPED Below 5 - Home Based		
		6 Responses/9 Members = 67% Response Rate

ESU #16

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	DISTANCE LEARNING	DISTANCE LEARNING
STAR Grants	ADMIN.OF FEDERAL PROGRAMS	ADMIN.OF FEDERAL PROGRAMS
Staff Development - Technology Training	SPED SCHOOL AGE	SPED SCHOOL AGE
Staff Development - Teacher Consultant Services	TELECOMPUTING	TELECOMPUTING
Staff Development - Teacher Pre-service	STAFF DEVELOPMENT	STAFF DEVELOPMENT
Staff Development - Computer Training	COOP PURCHASING	COOP PURCHASING
IDEA	SPED BELOW AGE FIVE	LOANED MATERIALS/EQUIPMENT
Staff Development - Gifted and Talented Consulti	NURSING SERVICES	SPED BELOW AGE FIVE
Title II - Technology	STAFF & CURRIC. DEVEL. CENTERS	NURSING SERVICES
Title II - NCLB Teacher/Principal Train. & Recruit.	ADMINISTRATIVE/OFFICE SRVS.	DATA PROCESSING
SPED School Age - Psychological	DATA PROCESSING	MEDIA SERVICES
Perkins	MEDIA SERVICES	STAFF & CURRIC. DEVEL. CENTERS
SPED School Age - Speech-Language Therapy	LOANED MATERIALS/EQUIPMENT	ADMINISTRATIVE/OFFICE SRVS.
SPED School Age - In-service	MATERIALS/EQUIPMENT/REPAIR SF	PRODUCTION SERVICES
SPED Below 5 - Program Consultation	PRODUCTION SERVICES	MATERIALS/EQUIPMENT/REPAIR SF
SPED Below 5 - Speech-Language Evaluation		
SPED School Age - Program Supervision		
SPED School Age - Financial		
SPED Below 5 - Program Supervision		
SPED Below 5 - Home Based		
SPED School Age - Behavioral Evaluation		
SPED School Age - Speech-Language Evaluation		
SPED Below 5 - PT/OT Evaluation		
Staff Development - Instructional Research and I		
SPED Below 5 - Audiological		
Safe & Drug Free Schools		
SPED School Age - Resource Programs		
Staff Development - Artist in Residence		
SPED School Age - Physical Therapy		
Title II - Math & Science Partnerships		
Title I - NCLB		
		11 Responses/16 Members = 69% Response Rate



ESU #17

Most Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	DISTANCE LEARNING	DISTANCE LEARNING
STAR Grants	SPED SCHOOL AGE	SPED SCHOOL AGE
Staff Development - Computer Training	TELECOMPUTING	TELECOMPUTING
SPED School Age - Psychological	STAFF DEVELOPMENT	STAFF DEVELOPMENT
Perkins	COOP PURCHASING	COOP PURCHASING
SPED School Age - Speech-Language Therapy	SPED BELOW AGE FIVE	SPED BELOW AGE FIVE
SPED School Age - Financial	NURSING SERVICES	NURSING SERVICES
SPED School Age - Behavioral Evaluation	ADMIN.OF FEDERAL PROGRAMS	MEDIA SERVICES
SPED School Age - Speech-Language Evaluation	ADMINISTRATIVE/OFFICE SRVS.	ADMIN.OF FEDERAL PROGRAMS
Distance Learning	MATERIALS/EQUIPMENT/REPAIR SF	ADMINISTRATIVE/OFFICE SRVS.
Videotape/disc Library	STAFF & CURRIC. DEVEL. CENTERS	MATERIALS/EQUIPMENT/REPAIR SF
Computer Repair	MEDIA SERVICES	LOANED MATERIALS/EQUIPMENT
AV Equipment Repair	LOANED MATERIALS/EQUIPMENT	STAFF & CURRIC. DEVEL. CENTERS
Telecomputing Services	DATA PROCESSING	DATA PROCESSING
Film (16mm) Library	PRODUCTION SERVICES	PRODUCTION SERVICES
		2 Responses/5 Members = 40% Response Rate

ESU #18

Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	DATA PROCESSING	5 DATA PROCESSING
STAR Grants	TELECOMPUTING	5 DISTANCE LEARNING
Staff Development - Computer Training	STAFF DEVELOPMENT	5 SPED SCHOOL AGE
Distance Learning	ADMIN.OF FEDERAL PROGRAMS	5 TELECOMPUTING
Videotape/disc Library	MEDIA SERVICES	5 STAFF DEVELOPMENT
Computer Repair	SPED SCHOOL AGE	5 MEDIA SERVICES
Film (16mm) Library	MATERIALS/EQUIPMENT/REPAIR SF	5 ADMIN.OF FEDERAL PROGRAMS
Staff Development - Technology Training	LOANED MATERIALS/EQUIPMENT	5 LOANED MATERIALS/EQUIPMENT
Staff Development - Teacher Consultant Services	DISTANCE LEARNING	5 MATERIALS/EQUIPMENT/REPAIR SF
Staff Development - Technology Sharing	PRODUCTION SERVICES	4 N.R.: PRODUCTION SERVICES
SPED School Age - Program Consultation	COOP PURCHASING	4 N.R.: COOP PURCHASING
Materials Distribution	SPED BELOW AGE FIVE	4 N.R.: SPED BELOW AGE FIVE
AV Equipment	NURSING SERVICES	4 N.R.: NURSING SERVICES
Title II - NCLB Teacher/Principal Train. & Recruit.	ADMINISTRATIVE/OFFICE SRVS.	4 N.R.: ADMINISTRATIVE/OFFICE SRVS.
Staff Development - Instructional Research and Design	STAFF & CURRIC. DEVEL. CENTERS	4 N.R.: STAFF & CURRIC. DEVEL. CENTERS
Title I - NCLB		4 N.R.
Staff Development - Student Testing		
Test Scoring		
Loaned Materials - Computers		
Migrant Education		
		1 Responses/1 Member = 100% Response Rate

ESU #19

Received Services	Highest Priority Services	Most Effective Services
Staff Development - Workshops	PRODUCTION SERVICES	5 PRODUCTION SERVICES
Staff Development - Computer Training	SPED BELOW AGE FIVE	5 COOP PURCHASING
Distance Learning	STAFF & CURRIC. DEVEL. CENTERS	5 SPED BELOW AGE FIVE
Videotape/disc Library	DATA PROCESSING	5 STAFF & CURRIC. DEVEL. CENTERS
Computer Repair	TELECOMPUTING	5 DATA PROCESSING
Film (16mm) Library	STAFF DEVELOPMENT	5 DISTANCE LEARNING
Staff Development - Technology Training	MEDIA SERVICES	5 SPED SCHOOL AGE
Staff Development - Teacher Consultant Services	SPED SCHOOL AGE	5 TELECOMPUTING
Staff Development - Technology Sharing	MATERIALS/EQUIPMENT/REPAIR SF	5 STAFF DEVELOPMENT
SPED School Age - Program Consultation	LOANED MATERIALS/EQUIPMENT	5 MEDIA SERVICES
Materials Distribution	COOP PURCHASING	4 LOANED MATERIALS/EQUIPMENT
AV Equipment	DISTANCE LEARNING	3 MATERIALS/EQUIPMENT/REPAIR SF
Staff Development - Instructional Research and Design	NURSING SERVICES	N.R. NURSING SERVICES
Staff Development - Student Testing	ADMINISTRATIVE/OFFICE SRVS.	N.R. ADMINISTRATIVE/OFFICE SRVS.
Test Scoring	ADMIN.OF FEDERAL PROGRAMS	N.R. ADMIN.OF FEDERAL PROGRAMS
Loaned Materials - Computers		
AV Equipment Repair		
Telecomputing Services		
Staff Development - Teacher Pre-service		
SPED Below 5 - Program Consultation		
Staff Development - Teacher Project Development		
Other Data Processing Services		
Staff Development - Student Career Exploration		
Student Scheduling		
Other Loaned Equipment/Materials		
Laminating		
Other Production Services		
Student Census		
Staff Development - Job Placement		
Art Services		
Grade Reporting		
Budgetary Accounting		
Payroll Accounting		
		1 Responses/1 Member = 100% Response Rate

## Most Received Services

Rank Order by Year

1986	1995	2006
1 Film (16 mm) Library	1 Videotape/Disc Library	1 Staff Development - Workshops
2 Workshops	2 Co-op Purchasing	2 Media Services - Videotape/disc library
3 AV Equipment Repair	3 Workshops	3 Staff Development - Computer Training
4 Co-op Purchasing	4 Admin. Support; development	4 Staff Development - Technology Training
5 Speech/Language Evaluations - SPED	5 AV Equipment Repair	5 Distance Learning
6 Speech Therapy - SPED	6 Computer Training	6 STAR Grants
7 Program Supervision - SPED	7 Speech Language; SPED-School Age	7 SPED School Age - Program Consultation
Lamination	8 Drug Free Schools	8 SPED School Age - Psychological
Videotape/Disc Library	9 Program Consultation - SPED	9 SPED Below 5 - Program Consultation
Psychological Evaluations - SPED	10 Psychological Evaluations - SPED	10 AV Equipment Repair
Nursing Services - School Nurse	11 Materials Distribution	11 Computer Repair
Audiological - SPED	12 Microcomputer Repair	12 SPED School Age - Inservice
Visually Impaired Programs - SPED	13 Laminating	13 Staff Development - Technology Sharing
Program Compliance - SPED	14 Inservice - SPED	14 Perkins
Inservice - SPED	15 Program Supervision - SPED <5	15 SPED Below 5 - Speech/Language Evaluation
Health Screening	16 Speech Language; SPED <5	16 Media Services - Materials Distribution
Minnesota Educ. Computer Consortium	17 Financial; SPED	17 SPED School Age - Speech/Language Evaluation
		18 SPED School Age - Speech-Language Therapy
	18 Film (16mm) Library	19 SPED Below 5 - Psychological
	19 Bus Driver Training	20 SPED Below 5 - Speech-Language Therapy
	20 Audiological SPED	21 Staff Development - Teacher Consultant Services
	21 Program Consultation - SPED <5	22 Educators Resource Center
	22 Technology Training	23 SPED School Age - PT/OT Evaluation
	23 Math/Science Initiatives	24 SPED School Age - Audiological
	24 PT/OT; SPED	25 SPED School Age - Behavioral Evaluation
	25 Educators Resource Center	26 SPED Below 5 - Developmental Assessment
	26 Behavioral; SPED	27 SPED School Age - Financial
	27 Perkins	28 SPED Below 5 - PT/OT Evaluation

Note: As indicated in 1986, 1995, and 2006 versions of the school district survey.

### Highest Priority Services

		1986		1995		2006	
Media Services							
SPED - School Age	4.4	SPED - School Age	4.4	SPED - School Age	4.62	SPED SCHOOL AGE	4.61
SPED - Preschool	4.4	Co-op Purchasing	4.4	Co-op Purchasing	4.47	STAFF DEVELOPMENT	4.59
Co-op Purchasing	4.2	SPED Below Age Five	4.2	SPED Below Age Five	4.43	COOP PURCHASING	4.57
Health & Nursing	4.0	Staff Development	4.0	Staff Development	4.37	SPED BELOW AGE FIVE	4.52
Materials/Equip. Repair	3.9	Media Services	3.9	Media Services	4.19	DISTANCE LEARNING	4.35
Inservice	3.9	Telecomputing	3.9	Telecomputing	4.15	ADMIN.OF FEDERAL PROGRAMS	4.24
Staff & Curriculum Development Centers	3.8	Materials/Equipment Repair Services	3.8	Materials/Equipment Repair Services	4.08	TELECOMPUTING	4.16
Curriculum Services	3.6	Administrative/ Supervisions of Federal Programs	3.6	Administrative/ Supervisions of Federal Programs	4.07	STAFF & CURRIC. DEVEL. CENTERS	3.85
Admin./Office Systems	3.6	Nursing Services	3.6	Nursing Services	4.03	MEDIA SERVICES	3.73
Production Services	3.5	Staff & Curriculum Development Centers	3.5	Staff & Curriculum Development Centers	3.9	ADMINISTRATIVE/OFFICE SRVS.	3.60
Adm. Of Chapter 1 & 2 Programs	3.5	Administrative Services	3.5	Administrative Services	3.9	MATERIALS/EQUIPMENT/REPAIR SRVS.	3.49
Loaned Material/Equipment	3.1	Production Services	3.1	Production Services	3.54	NURSING SERVICES	3.41
Data Processing	2.9	Loaned Materials/Equipment	2.9	Loaned Materials/Equipment	3.37	DATA PROCESSING	3.11
Leased Equipment/Materials	2.8	Data Processing	2.8	Data Processing	2.72	PRODUCTION SERVICES	2.97
	2.3					LOANED MATERIALS/EQUIPMENT	2.57

Note: \* As indicated in 1986, 1995, and 2006 versions of the school district survey.

\*\* Quartiles (indicated by shading) are intended to help with comparability over the three sets of data.

**Most Effective Services**

	1986	1995	2006
Media Services	1.6	Co-op Purchasing	1.5
SPED - School Age	1.9	Media Services	1.52
SPED - Preschool	2.0	SPED - School Age	1.58
Co-op Purchasing	2.0	Staff Development	1.63
Health and Nursing	2.0	SPED Below Age Five	1.71
Materials/Equip. Repair	2.0	Materials/Equipment Repair Services	1.75
Inservice	2.1	Administrative/ Supervisions of Federal Programs	1.78
Production Services	2.1	Administrative Services	1.81
Admin./Office Systems	2.2	Production Services	1.87
Curriculum Services	2.3	Nursing Services	1.88
Staff & Curriculum Development Centers	2.6	Staff & Curriculum Development Centers	1.97
Loaned Material/Equipment	2.6	Telecomputing	2.23
Data Processing	2.9	Loaned Materials/Equipment	2.26
Adm. of Chapter 1 & 2 Programs	3.0	Data Processing	3.48
Leased Equipment/Materials	3.4		
		COOP PURCHASING	4.66
		SPED SCHOOL AGE	4.59
		STAFF DEVELOPMENT	4.56
		SPED BELOW AGE FIVE	4.45
		ADMIN.OF FEDERAL PROGRAMS	4.44
		DISTANCE LEARNING	4.40
		MEDIA SERVICES	4.31
		TELECOMPUTING	4.17
		MATERIALS/EQUIPMENT/REPAIR SRVS.	4.11
		STAFF & CURRIC. DEVEL. CENTERS	4.08
		PRODUCTION SERVICES	4.00
		ADMINISTRATIVE/OFFICE SRVS.	3.97
		NURSING SERVICES	3.60
		DATA PROCESSING	3.41
		LOANED MATERIALS/EQUIPMENT	3.23

Notes: \*As indicated in 1986, 1995, and 2006 versions of the school district survey.

\*\* 2006 rating scale was reversed from previous scales.

\*\*\* Quartiles (indicated by shading) are intended to help with comparability over the three sets of data.



Appendix K: Summary of E.S.U. Survey Results





### Summary of E.S.U. Questionnaire Responses by Topic

The following is a summary of the responses offered by the Educational Service Unit administrators. The survey asked twenty-four open-ended questions on a variety of topics. The survey questions are listed at the end of this summary. Sixteen of the seventeen E.S.U.'s submitted the completed questionnaire.

**Boundaries:** The questionnaire results were relatively uniform on the issue of boundaries. A question was asked about the factors that should be considered in determining boundaries in an effective and efficient E.S.U. Most included distance, geography and sparsity, number of students, and proximity to students and schools. Many indicated that "trust and communication" should be considered in the development of boundaries. A couple surveys indicated that the notion of "market areas" should be given consideration.

Another boundary issue addressed in the survey was that of former Class I districts that were not part of an E.S.U. One survey suggested that boundary changes be made to address that issue. It was also noted by some that boundary changes are possible on a school district by district basis via Nebraska Department of Education Rule 85.

On the question of whether school districts should be able to opt out of participating in an E.S.U., the uniform answer was not to allow schools to opt out. Instead, there was consensus that all school districts participate. The sentiment in one survey was, "Every piece of land in Nebraska needs to be in a school district and E.S.U. for the betterment of public education in the state."

**Governance:** Although few questions addressed the governance issue directly, the following were themes expressed in the E.S.U. Surveys.

*Role of E.S.U. and N.D.E.:* There is a clear indication that most E.S.U.'s believe that their relationship with the Nebraska Department of Education is a partnership. Many E.S.U.'s suggested that the relationship was a good one. Generally, the formal and informal directives from N.D.E. to the E.S.U.'s are clear. E.S.U.'s tend describe their role as one of a cooperative nature where they assist schools in meeting requirements of the state and federal government. One respondent referred to E.S.U.'s as a "conduit", while another referred to their role as a "buffer". Another response indicated that N.D.E. providing services directly to schools is a disturbing trend as it indicates that some E.S.U.'s cannot or do not respond to districts' need for those services. In most cases, those concerns are raised with regard to the adequacy of resources to carry out services. However in some cases, there was an indication of "strain" and frustration. Even in the cases where some level of frustration was indicated, E.S.U.'s indicated that there was a partnership role where the E.S.U. is the local service provider with expertise and direction provided by the N.D.E.

*Who should determine services?:* E.S.U. respondents generally expressed support for the current core services approach in which the general service areas are defined but specific services are determined locally. A combination of both state direction and response to

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local demands was the consensus. One survey response concurred with this combined approach but offered the following:

*In recent years those services have been more and more structured by state and federal action. This has caused a two-edged sword for E.S.U.'s. We are more focused as a statewide group due to state and federal direction which makes training more uniform and efficient but this has also caused E.S.U.'s to become more reactive than proactive to provide futuristic leadership to school districts. Nebraska used to be ahead of the curve in most pedagogical areas and now we have been forced to a level of unacceptable mediocrity. (2006 E.S.U. Questionnaire response)*

Another survey carried the same tone and suggested that the “true benefit” of E.S.U.’s was in the responsiveness to local needs and that the state may not recognize that benefit. The notion of “give and take” seems an obvious point of view expressed in the determination of services.

*Advisory Council vs. E.S.U. Board:* None of the surveys indicated there were conflicts between advisory councils and E.S.U. Boards.

*Finance:* There were several questions asked in the E.S.U. Questionnaire about finance. These questions are categorized as “Equity,” “Funding Formula,” and “Levy” in the following paragraphs.

*Equity:* Responses to the questions about equity tend to fall into two categories. Some feel that equity exists among E.S.U.’s when it comes to the provision of core services and is further enhanced through statewide collaboration. However, most of the respondents indicated that there are equity concerns among E.S.U.’s due to disparities in the types of services requested, geography, and student population. The following responses are typical of the sentiment on equity beyond core services.

- “Equity among E.S.U.’s will always have issues, just like equities among school districts with the many factors, such as tax base, sparsity, and demographics in general.”
- “Equity is strained by local factors such as sparsity, minority and poverty populations, property valuations, etc.”
- “The core service funding formula does not consider distance or sparsity. The 1.5 cent levy certainly generates more revenue in Omaha than it does in Scottsbluff. We are asked to travel to the eastern end of the state for every meeting – costs are a huge factor”

On the question of how equity could be improved among E.S.U.’s, respondents suggested that funding was a primary issue. Most responses mentioned that core services were under funded and that an increase to the previous amount would help improve equity. There was an indication by some survey respondents that the funding of core services needs to more closely resemble the cost of providing those services rather than being based on students. There was also a funding theme in answers about core services

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funding in light of demands placed on E.S.U.'s to help schools address state and federal accountability.

The respondents also recognized that statewide and regional efforts improved equity among the E.S.U.'s. For example, one respondent answered:

*E.S.U.'s are constantly working to provide more efficient and effective programs through collaborative statewide efforts. This gives each E.S.U. the opportunity to acquire the same skill set to service school districts.*

Another response indicated a concern with consolidation as an approach to equity and instead suggested statewide coordination.

*This problem should not be addressed through further consolidation which would reduce the high performing service units' ability to maintain high quality standards (by spreading highly qualified/high performing staff too thin). It should, instead, be addressed by instituting a statewide structure of performance goals, and measurable accountability standards.*

There is a general sentiment expressed among the E.S.U.'s that core services is a proper approach to addressing equity, although the funding may be insufficient. There is also a general sentiment that E.S.U.'s can improve equity through collaboration. In some cases, there is a concern expressed that some E.S.U.'s do not have sufficient resources to meet both the locally determined services in addition to core services and other service required of them to address assessment and accountability for the state.

*Finance Formula:* The finance formula is widely considered under funded and imprecise with regard to providing E.S.U.'s with sufficient resources. There is some frustration expressed by respondents on the issue of the finance formula. For instance, one respondent answered:

*Rural E.S.U.'s generate fewer dollars and the allocation has to be spread over larger geographic areas. Is this the best way to fund E.S.U.'s? Urban E.S.U.'s, with rapid growth in valuation and student population would probably say "yes".*

However, this concern of a rural-urban dichotomy does not ring true in the responses on the survey as there is a uniform answer about the appropriateness of the funding. Most of the respondents indicated that the funding formula does not address funding for E.S.U.'s serving rural school districts. There is an awareness that growth in funding in enrollment growth areas is working for some while it is causing fiscal problems for others. A respondent commented:

*It is not working as well for Units in sparsely populated areas. What needs to happen is the full funding of the formula returns to what it was*

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*six years ago. The current formula does not work for the statewide system and has caused inadequate and inequitable situations.*

A concern with funding formula and overall funding of E.S.U.'s is expressed in a couple of responses as forcing E.S.U.'s to rely more on grant funding even in areas that might be considered core services.

*Levy:* An issue closely related to the funding formula is the sufficiency of the levy rate. Most respondents suggest that the levy rate is too low. The following are a few comments made on the issue of whether the levy is too low. These bullets seem to represent the range of comments made.

- *Too Low – When E.S.U.'s lose funding it directly impacts school districts*
- *To determine, we need to have clearly defined statewide strategic plan and a mixture of state and local resources to meet the needs*
- *Need levy exclusion when the full core service funding is not met*
- *Many concerns could be addressed with an additional 1 to 1.5 cents*
- *It depends on other funding sources*

It is also worth noting that many respondents suggested that the levy rate may be sufficient with increased funding from the state. Some point to a levy exclusion as a possible means to address the shortfall in core services funding. Also interesting is the notion that statewide collaboration is viewed as a better way to address total funding.

On the issue of how E.S.U.'s would deal with levy rate reduction, full state funding, or other shortfalls, most indicate that it is difficult to address but they would generally rely on advisory councils to shift services from levy funding to contract funding. However, there is a general opinion that the priorities are based on core services funding and much of the equity and access is enhanced by statewide coordination.

*Budgeted Reserves:* There is a wide range in the budget reserve percentage maintained by individual E.S.U.'s. Responses range from about 14% to 30% with an average around 20%. Respondents with the lowest percentages indicated that the amount was the most they could afford. The preferred reserve amount was probably between 20 to 25%. There is a theme among the responses that reserves are important due to reliance on grant funding and other funding that comes in arrears.

Services:

*Expansion of services over the past three years:* Several service areas expanded over the past three years as indicated by the E.S.U. questionnaire responses. The following bullets highlight the most frequently mentioned areas of expansion.

- *Special Education:* E.S.U.'s generally indicate that they are expanding services to school districts in the area of special education, including services for the hearing and visually impaired. Services for autism and behavioral intervention, as well as response to intervention, were also mentioned as expanding special education

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services. In several cases, E.S.U.'s are operating alternative education programs for their region.

- *Technology*: Several services in the area of technology and distance education were listed as new. Among these are video streaming, virus and SPAM filtering, content filtering, network and technology assistance, and a variety of distance learning offerings via synchronous and asynchronous environments.
- *Standards, Assessment, & Accountability*: Most E.S.U.'s indicated that they were involved in assessment reporting, staff training and development, and school improvement in some fashion. This includes roles in the collection and reporting of data related to N.C.L.B. and S.T.A.R.S..
- *Staff Development and Training*: Although a major component of staff development and training relates to S.T.A.R.S., a few E.S.U.'s also indicate other activities related to staff. Professional learning communities, mentoring, and administrator training are cited by E.S.U.'s as new services.
- *Other*: Some E.S.U.'s indicated service expansion in early childhood education and in health services. One E.S.U. indicated that it has recently been working on a substitute teacher program.

*Discontinuation of services in the last three years*: The service role for E.S.U.'s has generally been expanding. In a few cases, E.S.U.'s are moving away from equipment repairs and older technologies (i.e. mainframe data hosting). Most E.S.U.'s indicated that they have to do more with less, as they have reduced staff but not services.

*Need for future services*: Most E.S.U.'s indicated that services will need to expand to address state and federal accountability and reporting requirements. Other trends include increased services for special education, staff development, and curriculum coordination. Technology and distance education also seem to be major trends according to the respondents.

*Service Coordination*: All of the E.S.U.'s indicated that they participate in some form of service coordination. This coordination may exist on either a statewide or a regional level depending on the service and the partnerships developed. Some of these partnerships are formalized in interlocal agreements, others seem to be by contract, and some are listed as "partnerships". Among the services shared are special education, distance learning, internet, training for E.S.U. staff, media distribution, and cooperative purchasing. In one case, a regional group of E.S.U.'s works jointly on providing core services, while individual E.S.U.'s also partner for other services.



Appendix L: E.S.U. Survey Instrument





### Questions for ESU's

1. What new services have been provided in the last three years?
2. What services have been discontinued in the last three years? Why?
3. What future trends in services do you foresee?
4. Does your ESU cooperate with any other ESU's in providing services? If so, how?
5. Does your ESU have satellite offices or locations? Why or why not?
6. How will the assimilation of Class I school districts affect your ESU?
7. What factors should be considered in determining the boundaries of an effective and efficient ESU?
8. Are there services that could be more efficiently delivered with statewide coordination, like purchasing?
9. Are there any efficiencies that could be gained by further regionalization of some or all services?
10. Describe the current relationship of the State Department of Education and your ESU.
11. In your opinion, what should be the relationship between NDE and ESU's?
12. Should ESU's be directed by the state to provide specific services or should all services be locally determined?
13. What services should be "core services" provided by every ESU?
14. Is there equity between ESU's?
15. How could equity between ESU's be improved?
16. How well do you feel the current finance formula works in providing funding for your ESU?
17. How well does the current formula work in funding ESU's as a whole?
18. Is the current statutory levy maximum too high, too low or about right?
19. How do you determine if a service is provided by contract or with levy funds?
20. How would the service delivery system in your ESU area change if the ESU levy was reduced and local school districts were charged for services?
21. What percentage of your budget is typically set aside as a reserve? Why?
22. What legislation, if any, would you like to see enacted to enable ESU's to better serve schools and perform as an intermediate agency?
23. Should schools be permitted to opt out of ESU's?
24. Do you ever have disagreements between the advisory council and the board?





