

SERVICES and OPERATIONS

Section 1 Services

A. ESU #13 Services

ESU #13 shall provide educational services as identified and requested by member school districts through the Advisory Committee and approved by the ESU #13 Board.

Legal Reference:	NDE Rule 84, section 1.05D
Date of Adoption:	December 17, 2019
Updated:	February 16, 2021

B. Advisory Committee

The ESU #13 Board has established an Advisory Committee, which may sometimes be referred to as an Advisory Council.

1. Membership. The Advisory Committee shall be composed of representatives of each class of member districts in the ESU. The selection of the Advisory Committee members shall be determined by a process mutually acceptable to the ESU and member school districts.
2. Meetings. The Advisory Committee shall meet at least four times each school year.
3. Service Recommendations. The Advisory Committee shall provide recommendations for education services to the ESU Board through the administrator.
4. Review Program of Services. The Advisory Committee shall meet to review the program of services being offered by the ESU Board and to discuss and plan changes and further refinement of that program of services.

The administrator is responsible for and is delegated the authority to establish rules and procedures for the selection and replacement of members of the Advisory Committee and the effective operations of the Advisory Committee.

Legal Reference:	
Date of Adoption:	February 16, 2021
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C. Core Services to Member School Districts

Core services shall be provided to all member school districts. Core services shall be defined by ESU #13 as follows:

Core services shall be within the following service areas in order of priority: (i) Staff development which shall include access to staff development related to improving the achievement of students in poverty and students with diverse backgrounds; (ii) technology, including distance education services; and (iii) instructional materials services.

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. Core services shall provide schools with access to services that: ESU #13 and its member school districts have identified as necessary services; are difficult, if not impossible, for most individual school districts to effectively and efficiently provide with their own personnel and financial resources; can be efficiently provided by ESU #13 to its member school districts; and can be adequately funded to ensure that the service is provided equitably to the public school districts.

Core services shall be designed so that the effectiveness and efficiency of the service can be evaluated on a statewide basis. Core services shall be provided by ESU #13 in a manner that minimizes the costs of administration or service delivery to member school districts.

Legal Reference:	Nebraska Statute: 79-1204 NDE Rule 84, section 3.02 and section 8
Date of Adoption: Updated:	December 17, 2019

D. Use of Core Service Funds and Property Tax Funds

Funds generated by the ESU property tax shall only be used for purposes approved by representatives of two-thirds of the member school districts, representing a majority of the students in the member school districts.

The administrator is responsible for and is delegated the authority to develop the process and procedures to obtain the required approvals, to include the following:

1. The administrator or designees shall prepare and transmit a written proposal of core services offerings and use of the property tax levy to all member school districts each fiscal year.
2. 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. Failure to so indicate within such time period shall be deemed approval of the proposal.
3. In the event a proposal fails to receive approval, the administrator will consult with the designated representatives and/or the Boards of the

member school districts. After such consultation, written proposals may be amended and resubmitted.

Legal Reference:	Nebraska Statute: 79-1242 NDE Rule 84, section 1.05D
Date of Adoption: Updated:	December 17, 2019

E. Services: Requests, Cost, and Payment

1. Services to Member School Districts. Services to be provided member school districts are determined by the ESU #13 Board, as requested by member school districts through the Advisory Council, and where the service involves use of core service funds or funds generated by the ESU property tax, obtaining the requisite approval for services from member school districts.

Services will be annually reviewed by the administrator and the Advisory Committee. Requests for new services are to be made to the administrator and, if interest is sufficient, brought before the ESU #13 Board.

The administrator will communicate to member schools the process by which member school districts may request and pay for services.

2. Services to Non-Member School Districts. ESU #13 establishes the following process by which services are provided to and paid for by nonmember school districts:

For any service requested which is not offered at the time of such request, the process for providing such services should occur as follows:

- a. A request for services by a non-member school district should be set forth in writing with such requested services to be identified and accompanied with a probable fiscal impact statement.
- b. Such request shall be reviewed by the ESU #13 administrator who shall confer with the requesting non-member school district and who shall seek to clarify, if necessary, and supply additional specific information concerning the request so that the nature of the services might be reasonably specifically identified and the fiscal impact might be reasonably projected.
- c. Thereafter the administrator shall submit the request to the Advisory Council as identified in ESU #13 policy, and the Advisory Council shall either accept or reject the request by a vote of a majority of those present and voting at any duly constituted meeting of the Advisory Council.

- d. If such request for services is approved by the Advisory Council, it shall be forwarded to the administrator who will submit the request to the ESU #13 Board for approval/disapproval.
- e. If the request for services is approved by the ESU #13 Board, a cost for said services will be determined by the administrator or designee and charged to the member or non-member school district as defined in the Member or Non-member School District Service Contract.

Legal Reference:	Nebraska Statute: 79-1222, 79-1224, 79-1225 and 79-1242 NDE Rule 84.003.05
Cross Reference:	ESU #13 Article 7, I
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F. Use of Funds from Other Sources

The Board 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. The Board may use tax revenue from the levy of the ESU 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 may utilize such personnel or services that may lawfully be offered by any state or federal agency or governmental unit.

It is the policy of ESU #13 to comply with the conditions of state and federal grant programs in which ESU #13 participates, including the conditions of the Every Student Succeeds Act (“ESSA”) as applicable.

1. Authority to Sign Applications. The administrator is authorized to sign applications for grant funds, including ESSA formula grants, on behalf of ESU #13 and may delegate such authority to other administrators at the discretion of the administrator. The administrator shall submit such applications as determined appropriate so long as acceptance of the funds does not include conditions contrary to the policies of the Board.
2. Supplement not Supplant. Federal funds shall be used to supplement, not supplant, the amount of funds or services available from non-federal sources, in compliance with the requirements of federal law. ESSA funds shall not be used to provide services otherwise required by law to be made available.
3. Equitable Allocation. Federal funds shall be used in a manner to ensure equitable allocation of resources. Staff are to be assigned and curriculum materials and instructional supplies are to be distributed to the schools in such a way that equivalence of personnel and materials is ensured among the schools in compliance with the requirements of federal law.

4. Maintenance of Effort. ESU #13 shall maintain fiscal effort related to ESSA programs in compliance with the requirements of federal law.
5. Resources. The procurement of resources related to ESSA programs, including contracts and purchase or service agreements for such program, shall be in accordance with ESU #13's written procedures for purchasing and contracting. Purchase orders and invoices shall indicate an appropriate record of expenditures. All equipment purchased with federal funds, including those used in nonpublic and other facilities, shall be appropriately identified, inventoried, and when no longer useful to the program, properly disposed. Resources such as staff, materials and equipment funded by Title I shall be used only for children participating in the program.
6. Maintenance of Records. Records of all federal financial and program information shall be kept for a minimum of 5 years after the start date of the project.
7. Identification of Eligible Children. The administrator and the designees shall implement an appropriate process to identify children eligible for services provided under federal programs.
8. Coordination of Services. Title I services shall be coordinated and integrated with the regular classroom, with other agencies providing services, and with other federal, state and local programs.
9. Other Requirements. The administrator shall take or cause other staff to take such action as required by law for ESU #13 to maintain compliance with ESSA and specific ESSA grant programs in which ESU #13 participates.

Legal Reference:	Nebraska Statute: 79-1224; ESSA
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