



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 601**

Hearing Date: January 29, 2007
Committee On: Education

Introducer(s): (Raikes, 25)
Title: Create the Educational Service Unit Coordinating Council

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - Advanced to General File with Amendments
 - X Indefinitely Postponed
-

Vote Results:

7	Yes	Senators Adams, Avery, Burling, Howard, Johnson, Kopplin, and Raikes
	No	
	Present, not voting	
1	Absent	Senator Ashford

Proponents:
Senator Ron Raikes
Wayne Bell
Mike Dulaney

Representing:
Introducer
Educational Service Unit #10
Nebraska Council of School Administrators

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 601 would create the Educational Service Unit Coordinating Council and would transfer the responsibilities, assets, and liabilities of the Distance Education Council to the new Council.

The Educational Service Unit Coordinating Council would be created as of July 1, 2008 and the assets and liabilities of the Distance Education Council would be transferred. The Council would be composed of one administrator from each E.S.U. and would be funded by 1% of the core services appropriation, appropriations for distance education, and fees established for services provided to educational entities.

The Council would be required to coordinate distance education and to work toward statewide coordination to provide cost-effective services for students, teachers, and school districts in each E.S.U. The Council's duties would include, but not be limited to:

1. Preparation of system strategic plans to assure the cost-efficient and equitable delivery of services across the state;
2. Administration of statewide initiatives and provision of statewide services; and
3. Coordination of distance education.

All activities of the Council would be conducted in accordance with the Open Meetings Act. The provisions of the Act could not be construed to require or provide for state control of the operations of any E.S.U. or to abridge the governance ability, rights, or responsibilities of any E.S.U. board.

The Council would be required to appoint a council director and a distance education director, that would serve at the pleasure of the Council. The initial distance education director would be the administrator of the Distance Education Council. The directors would receive salaries as determined by the Council. The directors would be reimbursed for their actual expenses incurred in the performance of their duties as provided in §§ 81-1174 to 81-1177.

The directors would perform duties as the Council directs and would not be members of the Council. The Council would also be authorized to appoint or retain other people as deemed necessary.

Section 79-1018.01 would be amended by replacing a reference to the Distance Education Council with a reference to the Educational Service Unit Coordinating Council as of July 1, 2008 for receipts from distance education excluded from school district formula resources. Changes to the section would also clarify that fines, penalties, and license money is distributed in accordance with Article VII, section 5, of the Constitution of Nebraska.

Section 79-1028 would be amended by replacing a reference to the Distance Education Council with a reference to the Educational Service Unit Coordinating Council as of July 1, 2008 for the budget exception for receipts from distance education.

Section 79-1201.01 would be amended by transferring the distance education definitions from § 79-1332 to the Educational Service Units Act.

Section 79-1223 would be amended by deleting a reference to § 79-1332, which would be outright repealed as of July 1, 2008.

Section 79-1233 would be amended deleting a reference to § 79-1332, which would be outright repealed as of July 1, 2008.

Section 79-1241 would be amended by requiring 1% of the funds appropriated for core services to be set aside for the Council beginning with fiscal year 2008-09.

Section 79-1334 would be amended by striking the section number, which would allow the section to be moved. The section would also be amended by replacing the Distance Education

Council with the Educational Service Unit Coordinating Council for distance education responsibilities. The operative date for the changes would be July 1, 2008.

Section 79-1335 would be amended by striking the section number, which would allow the section to be moved. The section would also be amended by replacing the Distance Education Council with the Educational Service Unit Coordinating Council for the distance education brokering and scheduling requirements. The operative date for the changes would be July 1, 2008.

Section 79-1336 would be amended by replacing the Distance Education Council with the Educational Service Unit Coordinating Council as of July 1, 2008, for the entity through which distance education courses would be provided to meet the requirements for equipment reimbursements.

Section 79-1337 would be amended by replacing the Distance Education Council with the Educational Service Unit Coordinating Council as of July 1, 2008 for the coordination of distance education courses eligible for incentives.

Section 86-515 would be amended by replacing the Distance Education Council with the Educational Service Unit Coordinating Council for the Nebraska Information Technology Commission membership requirement. The operative date for the changes would be July 1, 2008.

Section 86-5,100 would be amended by replacing a reference to § 79-1332 with a reference to § 79-1201.01. The definitions in § 79-1332 would be transferred to § 79-1201.01 on the operative date for the section of July 1, 2008.

Sections 79-1332 and 79-1333 would be outright repealed as of July 1, 2008. Section 79-1332 provides distance education definitions. Section 79-1333 provides for the Distance Education Council.

Several sections of the measure have an operative date of July 1, 2008.

Explanation of amendments, if any:

Senator Ron Raikes, Chairperson