



JEC Presentation BOCES in Wyoming

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September 6, 2022

Our Hope Today...


- Recognize that BOCES are an integral part of the comprehensive educational system in Wyoming.
- Understand programming costs and funding sources available to BOCES to provide services.
- Understand how other states fund their BOCES, also known as Educational Service Agencies.
- Consider a statutory change that would allow BOCES to be designated as a Local Educational Agency (LEA) for the purpose of applying for eligible state and federal grants.

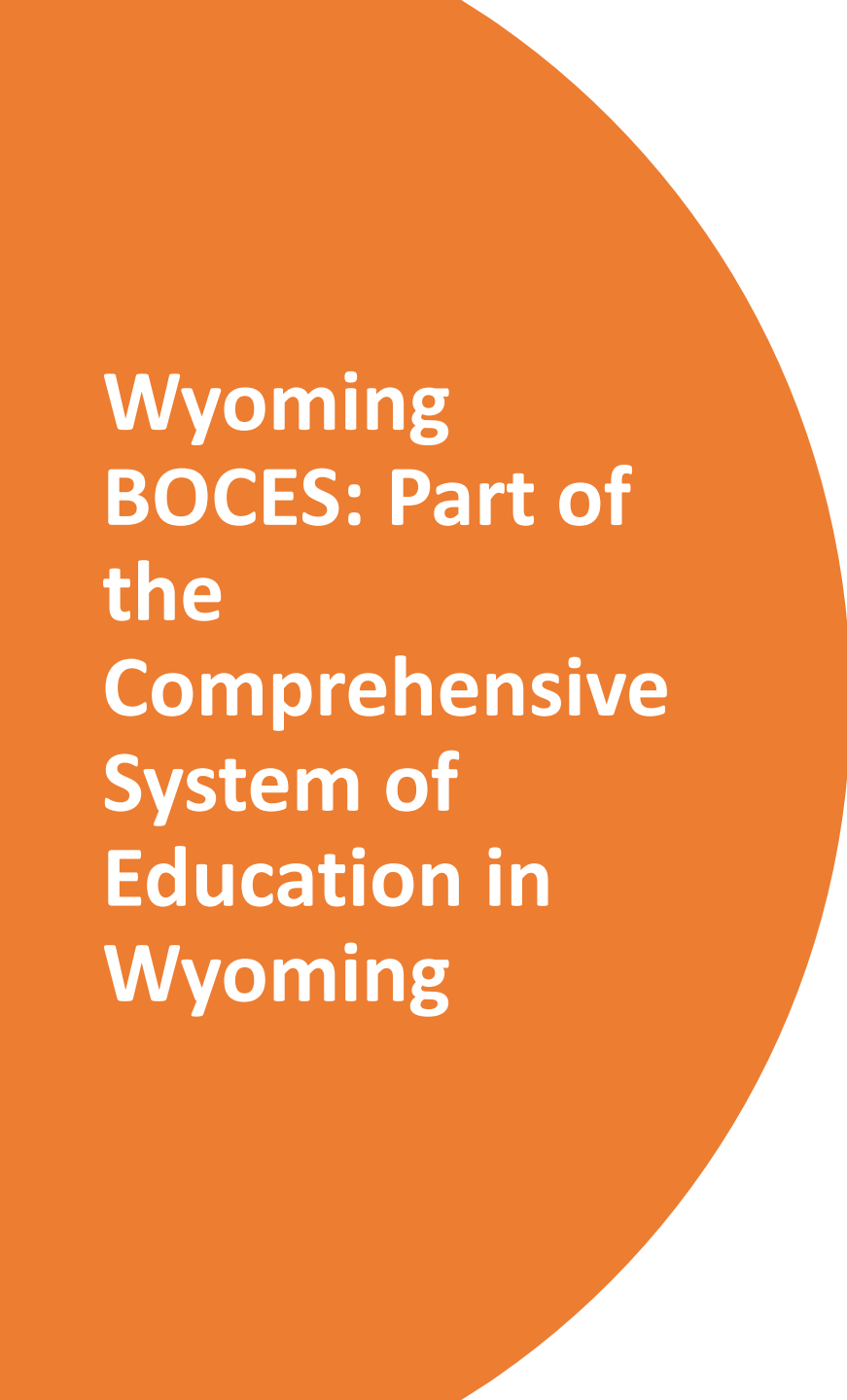
Our Students...

- Need public education
- Are considered severely emotionally dysregulated students
- Cope with the effects of abuse, neglect, sexual misconduct and childhood trauma.
- Are often aggressive and violent while facing significant behavioral challenges.
- Come from the entire state of Wyoming
- Receive educational services, specialized services, emotional support, and nurturing from the dedicated staff in the day schools and residential facilities of BOCES 5, Northwest Wyoming BOCES and Northeast Wyoming BOCES.




How do we help?

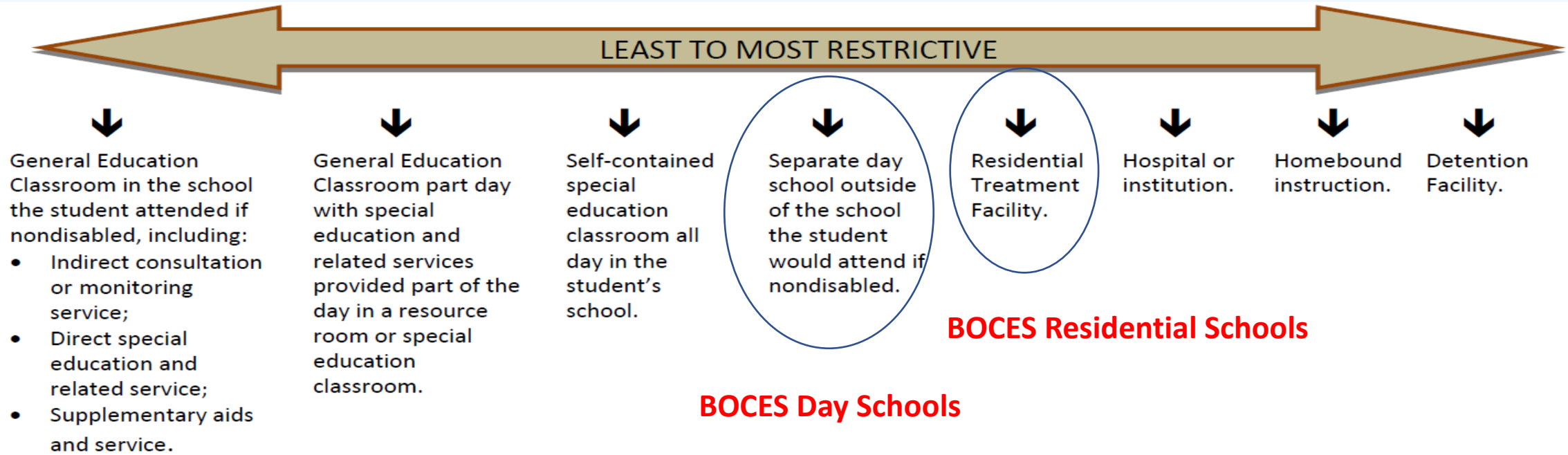
- Effective Programs
 - Provide appropriate Special Education Placements (LRE, FAPE)
 - Include community and regional options
 - Encourage efficient sharing of resources
 - Support special education services in rural communities
 - Benefits
 - Serve Wyoming youth with the most complex and intensive needs
 - Eliminate inappropriate placements
 - Allow students to stay in their communities
- 

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Wyoming BOCES: Part of the Comprehensive System of Education in Wyoming

- Wyoming Constitution: Article 7
 - State Statute: 1969 Creation of BOCES/BOCHES
 - Individuals with Disabilities Education Act (IDEA) Federal and Chapter 7 State Requirements
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LRE Continuum of Educational Placements to FAPE

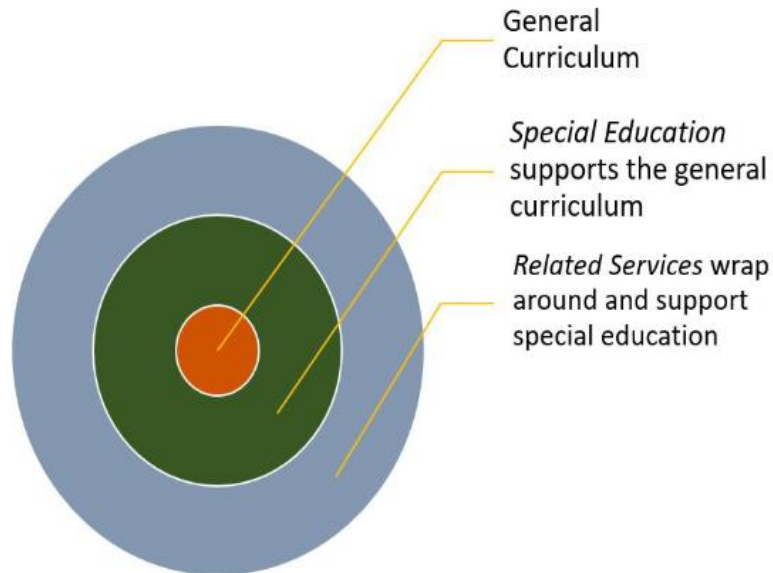


Placement decisions must be based on the student's needs, goals, and services as identified in the IEP. Because placement can only be determined after the identification of needs, goals, and services, placement considerations are discussed at the end of an IEP meeting. *See Letter to Richards, 211 IDELR 433 (OSEP 1987).* LRE placement determinations must be comprehensively examined at each annual IEP meeting, or more frequently as the student's needs change.

FAPE: Free and Appropriate Public Education

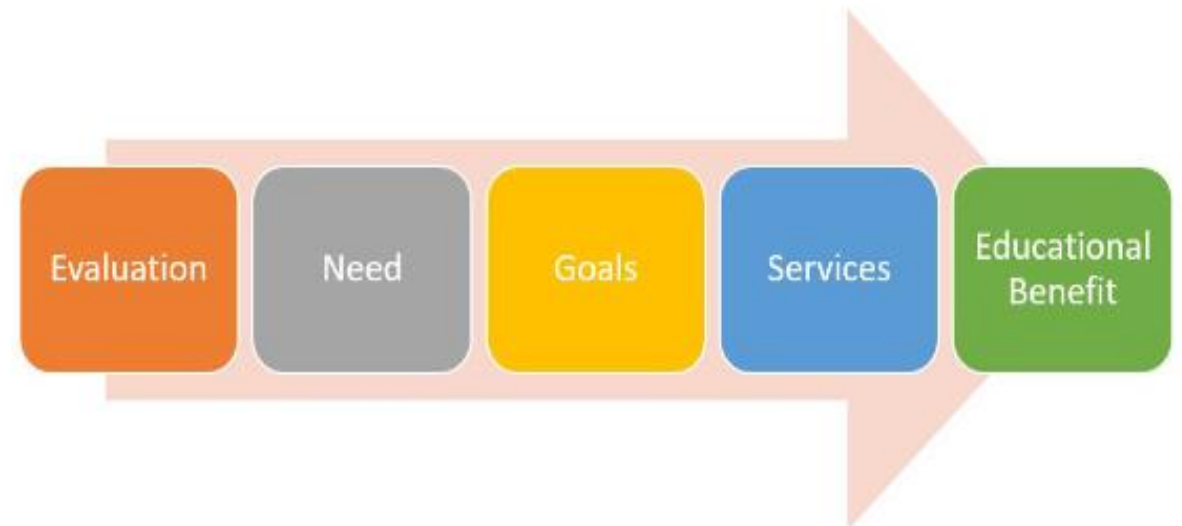
APPENDIX THREE Educational Services

Special Education & Related Services



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FAPE: Free Appropriate Public Education



Costs for serving students in residential facilities and day schools

Service Costs

- Educational Services – staff and materials
- Related Services – staff and therapy
- Residential Services – staff, housing, food, health
- Supplies – academic and personal
- Transportation – students and staff
- Technology – students and staff
- Activities - student

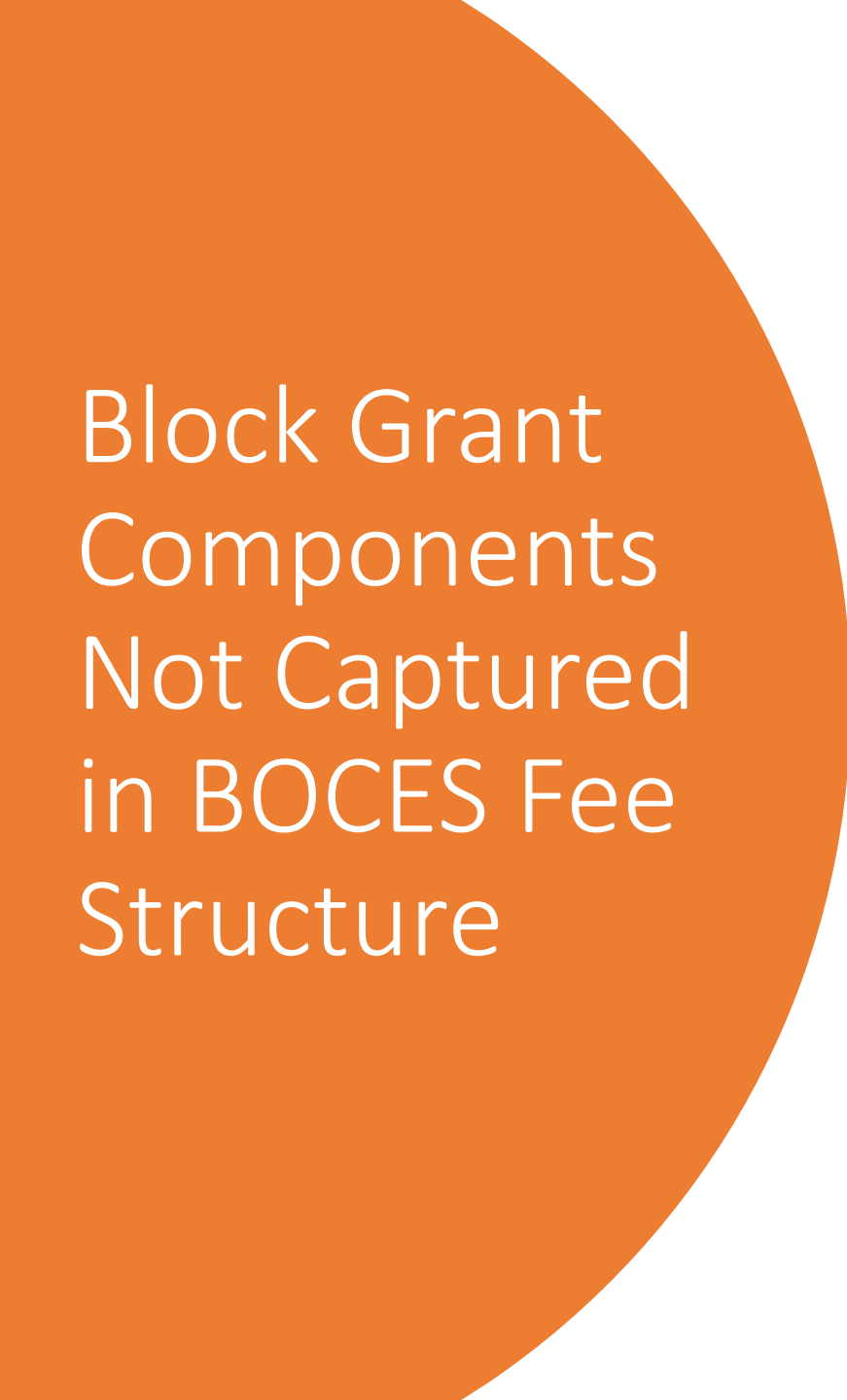
Operational Costs

- Capital Construction
- Maintenance
- Utilities
- Administration
- Human Resource
- Business Office

Additional Costs

- Workers' Compensation



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Block Grant Components Not Captured in BOCES Fee Structure

- Cost Of Living Adjustments
- Professional Development
- Enrollment Rolling Average
- Regional Cost Adjustments
- Small Schools Funding





Ask

Support House Bill 50 – identifying BOCES as LEA for the purpose of applying for eligible state and federal grants

- Other states
- 

Federal Funding Program	Eligible Entities	Eligibility Type
Individuals with Disabilities Education Act (“IDEA”) Part B	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title I	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title II – Except the School Leader Recruitment and Support Fund	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title II – School Leader Recruitment and Support Fund	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title III – Part A	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title III – Part B	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title IV – Parts A, B, C, D, E, and F subpart 2-4	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title IV – Part F subpart 1	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title V	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title VI	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title VII	Local Educational Agencies	Type 2 – LEAs only
ED Competitive Grants	Varies by Program	Type 1 or Type 2


Considerations for the Future

- Consider exploring options to ensure that the fees paid for students placed by court order or by state agencies match the actual cost of serving students.
- Consider the recommendations from recent reports to support the work of BOCES in ensuring that the full range of educational options are available for Wyoming students, in Wyoming communities.



Questions??

Wyoming BOCES are a crucial **part** of the educational system, **participants** in the challenging work of educating all students, and **partnering** with districts and state agencies to provide needed services.



State	Region	Is there a definition for LEA status in state statute?	Are BOCES (ESA's) included in the definition?	If they are included, what are BOCES (ESA's) eligible for?	Are there other state funding sources BOCES (ESA's) are they eligible?	If they are included, what are they eligible for?
Illinois	Central	Yes	Yes	Illinois law explicitly defines ROEs and ISCs as LEAs for purposes of eligibility for federal programs.	Yes	ROEs apply to the state annually for funding. Funding is determined by "a) the total appropriation of state funds identified with a particular program; b) the amount of federal grant funds applicable to particular programs to be provided through the Regional Office of Education or Chicago Intermediate Service Center for programs and services to be provided pursuant to Section 525.110 of this Part; c) the level of each Regional Office of Education's or Chicago Intermediate Service Center's need for support, including levels of expenditure and experience from prior years, as evidenced in its annual application to the State Board of Education; and d) the need to assure the delivery of services on a statewide basis" 23Ill. Admin. Code § 525.150. ROEs also receive fees for services provided to school districts.
Iowa	Central	No	No	NA	Yes	AEAs are funded by the school districts that they serve, including with flow through
Michigan	Central	Yes	Yes	ISDs are considered LEAs for Federal Funding.	Yes	ISDs have taxing authority and may issue bonds to generate funds. Additionally, ISDs may charge school districts for services provided. M.C.L.A. 380.625.
Minnesota	Central	Yes	No	Regional Service Cooperatives are not considered LEAs under state law.	Yes	Regional Service Cooperatives are funded by the member school districts they serve. Regional Service Cooperatives may supplement this funding with local, state, and federal grants. M.S.A. § 123A.21
Nebraska	Central	Yes	No	NA	Yes	Educational Service Units have the power to levy taxes to raise funds. Neb.Rev.St. § 79-1225. Educational Services Units otherwise receive funds from their member school districts and through fees charged for services provided.
North Dakota	Central	Yes	No	North Dakota has a separately established system of multidistrict special education districts which provide special education services to cooperatives of school districts.	Yes	Regional Education Associations are funded with an annual state appropriation based on member districts' average daily membership. NDCC, 15.1-27-03.1. Additionally, Regional Education Associations are funded through fees charged for services.
South Dakota	Central	Yes	No	NA	Yes	Cooperative Educational Service Units are funded according to their individual by- laws. Some Cooperative Educational Service Units require member districts to pay annual allocations, while others only charge fees for services provided. Cooperative Educational Service Units supplement these funds with state and federal grants.
Wisconsin	Central	Yes	No	NA	Yes	CESAs are funded through state and federal grants as well as fees paid for services provided to member school districts. W.S.A. 116.08.
Connecticut	Eastern	Yes	Yes	For purposes of state special education programs, Connecticut defines "providing school districts" broadly enough to possibly include RESCs. However, it is not clear that this definition would be imputed to a definition of "local educational agencies".	Yes	RESCs are fee-for-service, not-for-profit entities. RESCs are funded by their member school districts via pooled payments for overhead and administrative costs as well as fees for services provided. RESCs also have authority to issue bonds and enter into other contractual agreements.
Delaware	Eastern	No	No	NA	No	Delaware law does not establish any system of educational service agencies.
Indiana	Eastern	Yes	No	NA	Yes	ESCs are funded through donations, local funds, and federal funds. ESCs also receive fees for services provided to school districts.
Maine	Eastern	No	No	NA	No	Maine law was repealed in 2009 that established Regional Education Cooperatives. There is currently no system of educational service agencies.
Maryland	Eastern	No	No	NA	No	Maryland law does not establish any system of educational service agencies.
Massachusetts	Eastern	Yes	No	NA	Yes	The board of directors of the education collaborative shall establish and manage a fund, to be known as an education collaborative fund, and each such fund shall be designated by an appropriate name. All monies contributed by the member cities or towns and charter schools and all grants or gifts from the federal government, state government, charitable foundations, private corporations or any other source shall be paid to the board of directors of the education collaborative and deposited in the fund."
New Hampshire	Eastern		No		No	Educational Service Centers receive fees for services provided.
New Jersey	Eastern	Yes	Yes	Educational Services Commissions are considered LEAs	Yes	
New York	Eastern	Yes	No	NA	Yes	BOCES are funded through apportionment of costs from their member school districts via an annual budgeting process and direct allocations from state appropriations. NY EDUC § 1950. BOCES also receive fees charged for services provided to member school districts.
Ohio	Eastern	Yes	Yes	Ohio law includes a provision that states that "school district" should be construed to include ESCs unless otherwise noted. Likewise, Ohio law states, "An educational service center shall be considered a school district for the purposes of eligibility in applying for any state or federal grant." Ohio does not otherwise define "local education agency." OH ST § 3311.055, § 3312.01(D)	Yes	ESCs are funded through a state operating subsidy as well as a statutorily required, minimum local contribution paid by "client" school districts they serve. ESCs may also enter into contracts with school districts, community (charter) schools, STEM schools, chartered nonpublic schools, and other local political subdivisions.

State	Region	Is there a definition for LEA status in state statute?	Are BOCES (ESA's) included in the definition?	If they are included, what are BOCES (ESA's) eligible for?	Are there other state funding sources BOCES (ESA's) are they eligible?	If they are included, what are they eligible for?
Pennsylvania	Eastern	Yes	Yes	Pennsylvania law explicitly defines Intermediate Units as LEAs for purposes of eligibility for federal programs.	Yes	Intermediate units are funded through a combination of state and federal grants, fees
Rhode Island	Eastern	Yes	No	NA	Yes	Educational Collaboratives can be funded directly through state appropriations. Otherwise, Educational Collaboratives are funded through state and federal grants and through fees charged for services provided to member districts.
Vermont	Eastern	No	No	NA	No	Vermont law does not establish any system of educational service agencies.
Alaska	Western Region	No	No	N/A	No	N/A
Arizona	Western Region	Yes	No		No	
Colorado	Western Region	Yes	Yes	Colorado law designates BOCES as local education agencies for purposes of federal or state programs only if two or more of the BOCES member school districts have expressly agreed to participate in a grant application. C.R.S.A 22-5-114.5	Yes	Funding: BOCES receive a small amount of money directly from the state to support staff development. Outside of this amount, BOCES receive the rest of their funding via their member school districts, whether through membership fees, fees for services, or funds from state or federal grants.
Hawaii	Western Region	No	No	Hawaii law does not establish any system of educational service agencies.	No	
Idaho	Western Region	No	No	Idaho law does not establish any system of educational service agencies	No	
Kansas	Western Region	No	No	Local Education Agency (LEA) status: Kansas does not have a definition for "local education agency." Kansas state law separately defines "school district" and "interlocal cooperative agreements" as distinct concepts.	No	Funding: Funded through contributions from their member school districts and through fees charged for services provided. K.S.A. 72-13,100
Montana	Western Region	Yes	No		Yes	Funding: Educational Cooperatives are funded by their member districts and through fees charged for services provided. Educational Cooperatives may receive special education funds directly from the state.
Nevada	Western Region	No	No	Nevada law does not establish any system of educational service agencies	No	
New Mexico	Western Region	Yes	No		Yes	Funding: Regional education cooperatives are funded through contributions from their member districts and through fees charged for services through contributions from their member districts and through fees charged for services provided. Regional education cooperatives can supplement these funds with grants from state and federal sources.
Oregon	Western Region	Yes	Yes	ESDs are not considered LEAS under state law. However, ESDs may be eligible for federal funding for programs supporting migrant children as Oregon state law defines "school district" to include ESDs for purposes of the state's migrant children funding provisions.	Yes	Funding: ESDs are funded through annual appropriations from the state government and through fees charged for services provided to their member school districts. Additionally, ESDs have the authority to levy ad valorem property taxes.
Utah	Western Region	Yes	No	Local Education Agency (LEA) status: Regional Education Service Agencies are not considered LEAs under state law but do have authority as such as an education entity.	Yes	Funding: Regional Education Service Agencies receive direct appropriations from the state. Regional Education Service Agencies may also receive funds through federal and state grants as well as through fees charged for services provided by member school districts and charter schools.
Washington	Western Region	Yes	No	Local Education Agency (LEA) status: Overall, ESDs are not considered Local Education Agencies (LEAs) under state law. However, in some cases ESDs host school district cooperatives that may be considered LEAs by OSPI as they provide direct student services (i.e., special education).	Yes	Funding: ESDs are expected to provide foundational "core services" within each region and are allocated state funding through a formula established by OSPI to do so in order to accomplish allocated state funding through a formula established by OSPI to do so in order to accomplish allocated state funding through a formula established by OSPI to do so in order to accomplish core activities as outlined in RCW 28A.310.350. Less than 3% of funding for each ESD is provided by state appropriation for core services. The remaining revenue comes from grants, fees for service, cooperatives, and entrepreneurial activities for activities to support K12 education statewide.
Wyoming	Western Region	Yes	No	BOCES are not considered LEAs under state law.	No	Funding: BOCES member districts may levy a special school district taxes on their behalf generate funds. W.S.1977 § 21-20-109. BOCES are otherwise funded by their member districts on a basis agreed upon by the boards of trustees of the districts. W.S.1977 § 21-20-106.
Alabama	Southern	No	No	NA		AL law does not est. any system of ELA. Direct state budgetary allocations of core needs (Salary, travel, equipment, staff support,...)
Arkansas	Southern	Yes	Yes	State Law explicitly defines ESC as LEAs for purposes of eligibility for federal programs	No	Direct state funding for core needs (salary, travel, equipment, staff support, etc.), federal funds and fee for services offered to local school districts
Florida	Southern	No	No	NA	Yes	RCSO is not considered an LEA. State-wide needs program grant funding as well as fee for service.
Georgia	Southern	No	No	NA	No	RESA, state-wide needs program grants

State	Region	Is there a definition for LEA status in state statute?	Are BOCES (ESA's) included in the definition?	If they are included, what are BOCES (ESA's) eligible for?	Are there other state funding sources BOCES (ESA's) are they eligible?	If they are included, what are they eligible for?
Kentucky	Southern	Yes	No	Educational cooperatives considered LEAS under state law	Yes	Special School Districts as LEAs for purposes of eligibility for federal programs
Louisiana	Southern	Yes	No	Directly funded by the state	Yes	State law explicitly defines Special School Districts as LEAs for purpose of eligibility for federal programs
Mississippi	Southern	No	No	REASAs are not considered LEAs under state law	No	REASAs are funded by their member districts, REASAs can supplement these funds with state grants
Missouri	Southern	No	No	ESAs are funded by their member districts and through fees charged for services provided	No	ESAs are not considered LEAs
North Carolina	Southern	No	No	Local boards of education are permitted to form cooperative agreements. Fee for service.	No	ESAs are not formally established under state law, therefore ESAs are not considered LEAs
Oklahoma	Southern	No	No	Oklahoma does not est. any system of ESAs	No	NA
South Carolina	Southern	No	No	SC does not est. any system of ESAs, therefore they are not considered LEAs	Yes	Reginal consortias are established and funded by groups of school districts
Tennessee	Southern	No	No	ESAs are not considered LEAs under state law. Fees for services as well as state and federal grants.	Yes	Educational Cooperatives receive funds through fees charged for services provided as well as state and federal great grants
Texas	Southern	No	No	RESC are not considered LEAs under state law. RSC receive direct annual appropriations from the state for core services. May receive state and federal grants as well as fees for services	Yes	RESCs receive funding through additional state and federal grants as well as through fees charged for services provided to member school districts
Virginia	Southern	No	No	NA	No	Virginia does not establish any ESAs
West Virginia	Southern	No	No	Educational cooperatives are not considered LEAS under state law. In 2017, West Virginia changed from Educational Service Agencies to Educational Service Cooperatives. ESCs may generate funds from fees charged for services and from state and federal grants	No	One of more county boards to establish ESA which serve as regional unites to provide high quality, cost effective lifelong programs and services to students, school, school systems, and communities in accordance with this section. Each ESA may serve as a reginal multi-service agency to develop, manage, and provide such services or programs as determined by its governing council and as provided,



AESA

ASSOCIATION OF
EDUCATIONAL SERVICE AGENCIES

STATE BY STATE ESA REPORT

March 2021

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AESA
Association of Educational Service Agencies
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Table of Contents

INTRODUCTION

Page 1

WESTERN REGION

Pages 2 - 9

CENTRAL REGION

Pages 10 - 16

SOUTHERN REGION

Pages 17 - 24

EASTERN REGION

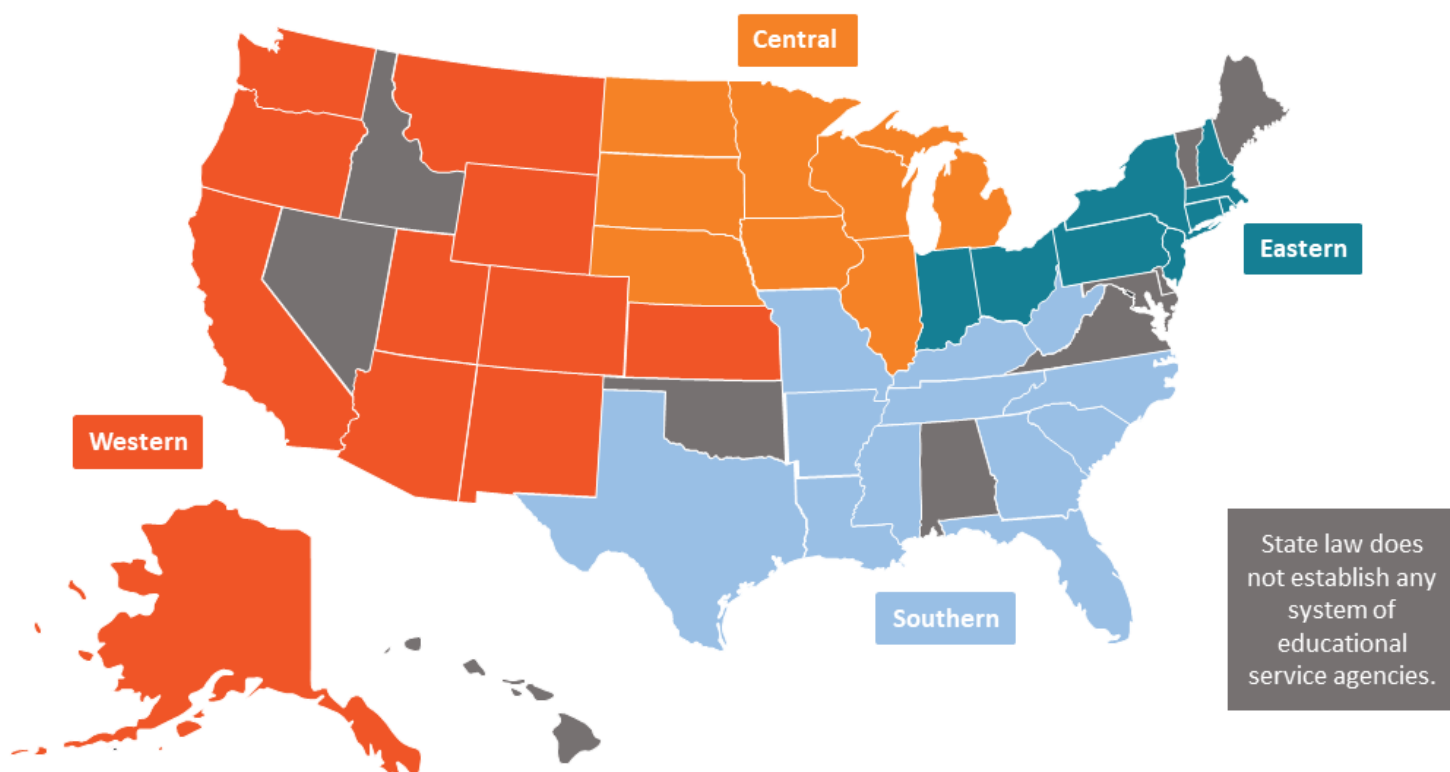
Pages 25 - 32



INTRODUCTION

By an accepted national definition, an educational service agency is “a regional public elementary-secondary education agency authorized by state statute or administrative code that exists primarily to provide instructional support and management and planning programs and services to local education agencies . . . An ESA may also provide services of a technical assistance, consultative, or statistical nature for the state... these services] do not carry with them the responsibility for the ESA to levy sanctions against a non-complying local education agency to a state or federal directive.” The primary role of the ESA is service to its constituent districts and schools, not their regulation.

AESA REGIONS

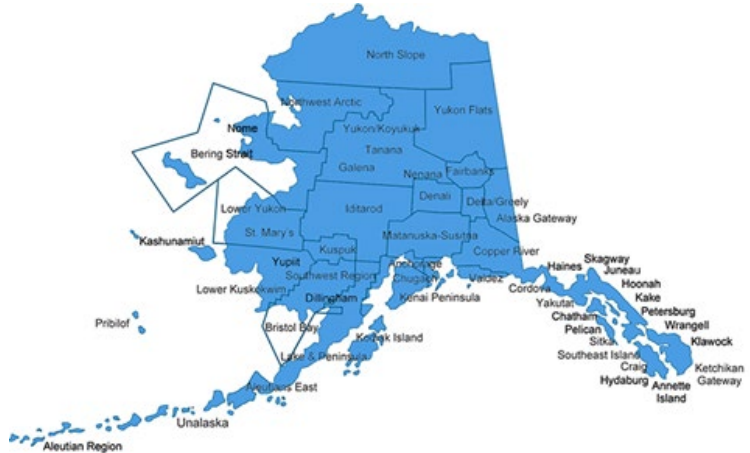


WESTERN REGION



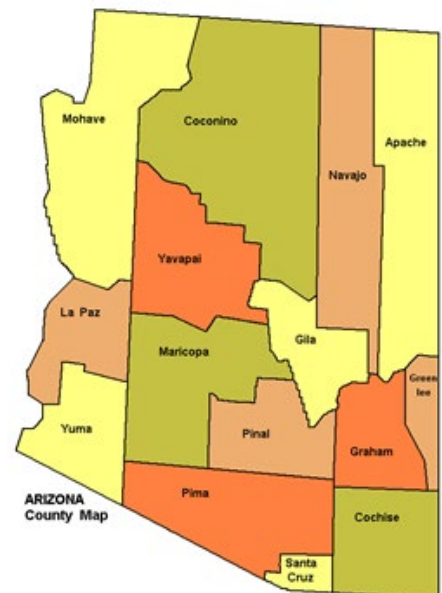
Alaska

- Name: Southeast Regional Resource Center (SERRC), Alaska's Educational Resource Center
- Number of Organizations: 1
- Definition: The districts of the state public school system may join together to establish regional resource centers to provide services, including the following: accounting, payroll, and other fiscal; media; instructional support; bilingual-bicultural educational; in-service and staff development; student; diagnostic; school management; and school board member training. AS § 14.12.150
- State Association: None
- Funding: SERRC is grant and contract funded and receives direct payments from school districts for services provided.
- Local Education Agency (LEA) status: Alaska does not have a definition of LEA. Alaska law defines "school districts" and "regional resource centers" as distinct entities.



Arizona

- Name: Office County of School Superintendent
- Number of Organizations: 15
- Definition: The county school superintendent shall: ... At the request of school districts and charter schools, the county school superintendent may provide discretionary programs.” A.R.S. § 15-302
- State Association: Arizona Association of County School Superintendents. Informal. Executive Directors meet on a regular basis with a rotating chair.
- Funding: The Offices of County School Superintendents maintain county school funds which consist of revenues accruing from:
 - The county school fund of each county shall consist of all revenues accruing to the credit of each county from:



1. That portion of the payments made under § 36-1419 which represents payment in lieu of the county levy for school purposes.
2. Taylor grazing act monies as provided in § 37-723.

3. All receipts from the lease of public lands as provided in § 37-724.
 4. All balances remaining in the county school fund and in the special county school reserve fund at the end of the fiscal year and all balances of lapsed school districts remaining after the payments authorized under § 15-469.
 5. All dividends, proceeds from sales, refunds, credits arising from cancelled warrants and any other sums or amounts that are attributable to the county school fund.
 6. All other federal lieu taxes which are not specifically allocated by law.
 7. Any gratuity or devise designated for specific school purposes.
- A.R.S. § 15-1000. In addition, the board of supervisors for each county also annually allocates a budget for a special county school reserve fund which can be used for specific purposes like transportation for rural students. A.R.S. § 15-100
 - Local Education Agency (LEA) status: Arizona law explicitly defines Offices of County School Superintendents as LEAs for purposes of eligibility for federal programs.

California

- Name: County Office of Education
- Number of Organizations: 58
- Definition: California County Superintendents of Schools have authority to act as educational service agencies for school districts. Specifically, “each county superintendent of schools is authorized upon request to provide consultative or coordinative services for school districts and community college districts in the territory under his or her jurisdiction which have established educational programs that are designed to meet the requirements of federal law for the receipt of federal funds for the support of the programs, and that are supported in whole or in part by federal funds. The services may be financed by the federal funds as may be provided.” Cal. Educ. Code § 1262

County Superintendents of Schools are also responsible for approving the LCAP-Local Control and Accountability Plans- of the school districts in their jurisdiction.

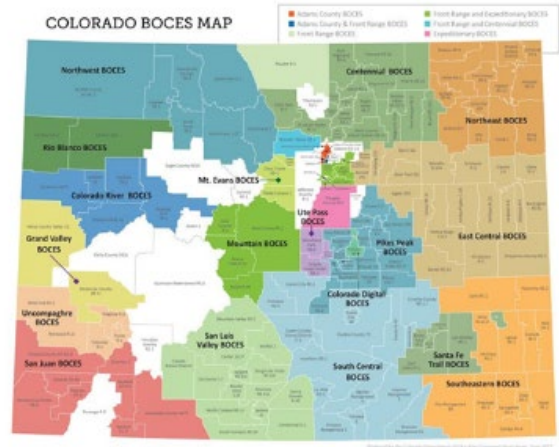
- State Association: CA County Superintendents Educational Services Association (CCSESA). Hired Executive Director.
- Funding: County Offices of Education are funded via state allocations from the local control funding formula, funds from taxes managed by counties, and federal funds.
- *Local Education Agency (LEA) status:* California law explicitly defines County Offices of



Education as LEAs for purposes of eligibility for federal programs. California defines “local educational agency” to include county offices of education. Specifically, “local educational agency means a school district, a county office of education, a non-profit charter school participating as a member of a special education local plan area, or a special education local plan area.” Cal.Educ.Code § 56026.3

Colorado

- Name: Boards of Cooperative Educational Services (BOCES)
- Number of Organizations: 21
- State Association: Colorado BOCES Association. Hired Executive Director.
- Definition: The general assembly declares that this article is enacted for the general improvement and expansion of educational services of the public schools in the state of Colorado; for the creation of boards of cooperative services where feasible for purposes of enabling two or more school districts to cooperate in furnishing services authorized by law if cooperation appears desirable; and for the setting forth of the powers and duties of said boards of cooperative services.” C.R.S.A. § 22-5-102.
- Funding: BOCES receive a small amount of money directly from the state to support staff development. Outside of this amount, BOCES receive the rest of their funding via their member school districts, whether through membership fees, fees for services, or funds from state or federal grants.
- Local Education Agency (LEA) status: Colorado law designates BOCES as local education agencies for purposes of federal or state programs only if two or more of the BOCES member school districts have expressly agreed to participate in a grant application. C.R.S.A. § 22-5-114.5



Hawaii

- Hawaii law does not establish any system of educational service agencies.

Idaho

- Idaho law does not establish any system of educational service agencies.

Kansas

- Name: Service Centers (Interlocal Cooperative)
- Number of Organizations: 7
- Definition: "In the event the boards of education of any two or more school districts enter into a school district interlocal cooperation agreement for the purpose of jointly and cooperatively performing any of the services, duties, functions, activities, obligations or responsibilities which are authorized or required by law to be performed by school districts of this state." K.S.A. 72-13,100
- State Association: Informal. Executive Directors meet on a regular basis with a rotating chair.
- Funding: Funded through contributions from their member school districts and through fees charged for services provided. K.S.A. 72-13,100
- Local Education Agency (LEA) status: Kansas does not have a definition for "local education agency." Kansas state law separately defines "school district" and "interlocal cooperative agreements" as distinct concepts.



Kansas Education Service Agencies 20-21

Montana

- Name: Educational Cooperatives (Created as voluntary cooperatives in 2012)
- Number of Organizations: 2
- Definition: A school district may contract with one or more other school districts to establish a cooperative to perform any or all education administrative services, activities, and undertakings that the school district entering into the contract is authorized by law to perform. The cooperative contract must be authorized by the boards of trustees of the districts entering into the contract. MCA 20-7-451.
- State Association: None
- Funding: Educational Cooperatives are funded by their member districts and through fees charged for services provided. Educational Cooperatives may receive special education funds directly from the state.
- Local Education Agency (LEA) status: Educational Cooperatives are not considered LEAs under state law.



Nevada

- Nevada law does not establish any system of educational service agencies.

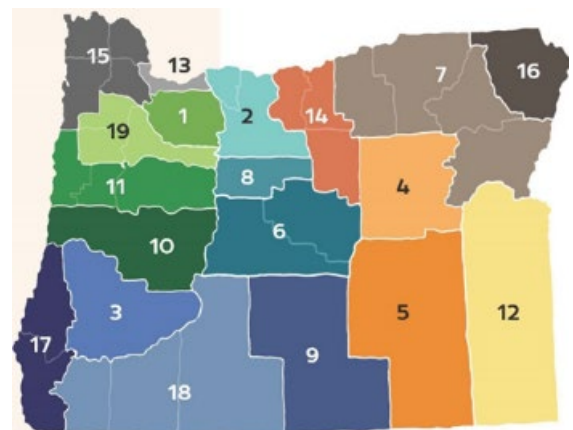
New Mexico

- Name: Regional Education Cooperatives
- Number of Organizations: 10
- Definition: The department may authorize the existence and operation of “regional education cooperatives”. Upon authorization by the department, local school boards may join with other local school boards or other state-supported educational institutions to form cooperatives to provide education-related services. N. M. S. A. 1978, § 22-2B-3
- State Association: Informal. Executive Directors meet on a regular basis with a rotating chair.
- Funding: Regional education cooperatives are funded through contributions from their member districts and through fees charged for services provided. Regional education cooperatives can supplement these funds with grants from state and federal sources.
- Local Education Agency (LEA) status: Regional Education Cooperatives are not considered LEAs under state law.



Oregon

- Name: Educational Service District (ESD)
- Number of Organizations: 19
- Definition: Education service district means a district created under ORS 334.010 that provides regional educational services to component school districts.” O.R.S. § 334.003
- State Association: Oregon Association of Education Service Districts (OAESD). Hired Executive Director.
- Funding: ESDs are funded through annual appropriations from the state government and through fees charged for services provided to their member school districts. Additionally, ESDs have the authority to levy ad valorem property taxes.
- Local Education Agency (LEA) status: ESDs are not considered LEAS under state law. However, ESDs may be eligible for federal funding for programs supporting migrant children as Oregon state law defines “school district” to include ESDs for purposes of the state’s migrant children funding provisions.



Utah

- Name: Regional Education Service Agencies
- Number of Organizations: 4
- Definition: Regional education service agency means an entity formed by two or more school districts as an interlocal entity, in accordance with Title 11, Chapter 13, Interlocal Cooperation Act, with the authority and duties described in this section.” U.C.A. 1953 § 53G-4-410.
- State Association: Informal. Executive Directors meet on a regular basis with a rotating chair.
- Funding: Regional Education Service Agencies receive direct appropriations from the state. Regional Education Service Agencies may also receive funds through federal and state grants as well as through fees charged for services provided by member school districts and charter schools.
- Local Education Agency (LEA) status: Regional Education Service Agencies are not considered LEAs under state law but do have authority as such as an education entity.



Washington

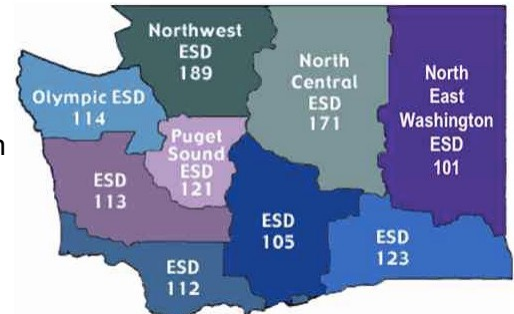
- Name: Educational Service District (ESD)
- Number of Organizations: 9
- Definition: Educational service districts were established in state law in 1969 as regional agencies which were intended to:

“(1) Provide cooperative and informational services to local school districts;

(2) Assist the superintendent of public instruction and the state board of education in the performance of their respective statutory or constitutional duties; and

(3) Provide services to school districts and to the Washington center for deaf and hard of hearing youth and the school for the blind to assure equal educational opportunities.” WA ST RCW 28A.310.010

- State Association: Washington Association of Educational Service Districts (WAESD). AESD Executive Board consists of one representative from each ESD with an elected president and vice-president. ESD superintendents meet on a regular basis with a chair who rotates every two years. There is a hired “AESD/OSPI Network Executive Director” who supports AESD statewide efforts and statewide initiatives with the state’s Office of Superintendent of Public Instruction (OSPI).
- Funding: ESDs are expected to provide foundational “core services” within each region and are allocated state funding through a formula established by OSPI to do so in order to accomplish core activities as outlined in RCW [28A.310.350](#). Less than 3% of funding for each ESD is

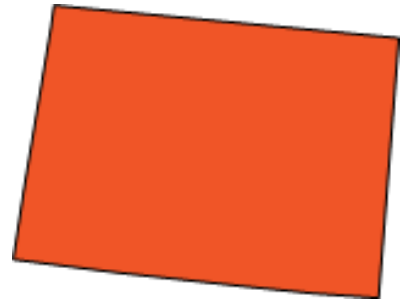


core activities as outlined in RCW [28A.310.350](#). Less than 3% of funding for each ESD is provided by state appropriation for core services. The remaining revenue comes from grants, fees for service, cooperatives, and entrepreneurial activities for activities to support K12 education statewide.

- Local Education Agency (LEA) status: Overall, ESDs are not considered Local Education Agencies (LEAs) under state law. However, in some cases ESDs host school district cooperatives that may be considered LEAs by OSPI as they provide direct student services (i.e., special education).

Wyoming

- Name: Boards of Cooperative Educational Services (BOCES)
- Number of Organizations: 3
- Definition: The purpose of this act is to provide a method whereby school districts and community college districts or any combination may work together and cooperate to provide educational services, including but not limited to postsecondary education, vocational-technical education, adult education, and services for children with disabilities, when the services can be more effectively provided through a cooperative effort. Educational services provided under this act by or in cooperation with public schools shall be subject to the standards for educational programs imposed under W.S. 21-9-101 and 21-9-102, and by rule and regulation of the state board.” W.S.1977 § 21-20-102
- State Association: Informal. Association of Cooperative Educational Services (ACES). Executive Directors meet on a regular basis with a rotating chair.
- Funding: BOCES member districts may levy a special school district taxes on their behalf generate funds. W.S.1977 § 21-20-109. BOCES are otherwise funded by their member districts on a basis agreed upon by the boards of trustees of the districts. W.S.1977 § 21-20-106.
- Local Education Agency (LEA) status: BOCES are not considered LEAs under state law.



A light orange map of the central United States, showing state boundaries. The map covers the area from the Canadian border in the north to the Gulf of Mexico in the south, and from the Rocky Mountains in the west to the Appalachian region in the east. The text "CENTRAL REGION" is overlaid in the center.

CENTRAL REGION

Illinois

- Name: Regional Offices of Education (ROEs) and Intermediate Service Centers (ISCs) (a subset of ROEs that serve Cook County).
- Number of Organizations: 35 ROEs, 3 ISCs
- Definition: The chief administrative officer of an educational service region shall be designated and referred to as the 'regional superintendent of schools' or the 'regional superintendent' and after the effective date of this amendatory Act of 1993 the office held by the chief administrative officer shall be designated and referred to as the 'regional office of education.'" 105 ILCS 5/3-0.01 "Any reference to 'county' or to 'educational service region' in this Article means a regional office of education." *Id.* "Each regional superintendent of schools is encouraged to offer school districts the opportunity to share in joint educational or operational programs and to urge school districts to participate in such programs when the school district determines that such participation is fiscally prudent. The regional superintendent of schools may provide and contract for the staff, space, necessary materials, supplies, books and apparatus for such agreements." 105 ILCS 5/3-15.14.



ISCs are a subset of ROEs that serve Cook County. 23 Ill. Adm. Code § 525.30.

- State Association: Informal, Illinois Association of Regional Superintendents of Schools. Executive Directors meet on a regular basis with a rotating chair.
- Funding: ROEs apply to the state annually for funding. Funding is determined by "a) the total appropriation of state funds identified with a particular program; b) the amount of federal grant funds applicable to particular programs to be provided through the Regional Office of Education or Chicago Intermediate Service Center for programs and services to be provided pursuant to Section 525.110 of this Part; c) the level of each Regional Office of Education's or Chicago Intermediate Service Center's need for support, including levels of expenditure and experience from prior years, as evidenced in its annual application to the State Board of Education; and d) the need to assure the delivery of services on a statewide basis" 23Ill. Admin. Code § 525.150. ROEs also receive fees for services provided to school districts.
- Local Education Agency (LEA) status: Illinois law explicitly defines ROEs and ISCs as LEAs for purposes of eligibility for federal programs.

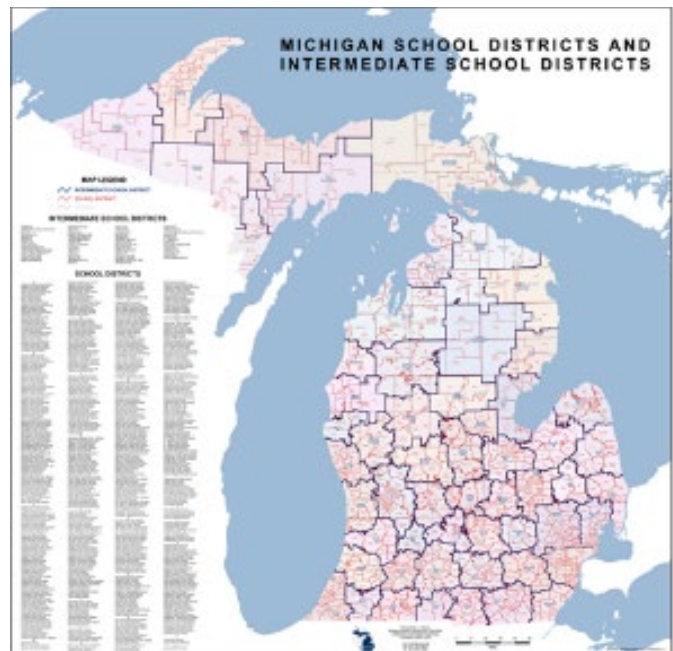
Iowa

- Name: Area Education Agencies (AEAs)
- Number of Organizations: 9
- Definition: It is the intent of the general assembly to provide an effective, efficient, and economical means of identifying and serving children from under five years of age through grade twelve who require special education and any other children requiring special education as defined in section 256B.2; to provide for media services and other programs and services for pupils in grades kindergarten through twelve and children requiring special education as defined in section 256B.2; to provide a method of financing the programs and services; and to avoid a duplication of programs and services provided by any other school corporation in the state; and to provide services to school districts under a contract with those school districts.” I.C.A. § 273.1
- State Association: Formal, Iowa Association of AEA’s (IAAEA). Hired Executive Director.
- Funding: AEAs are funded by the school districts that they serve, including with flow through funding from state aid designated for special education services. I.C.A. § 273.9.
- Local Education Agency (LEA) status: AEAs are not considered LEAs under state law.



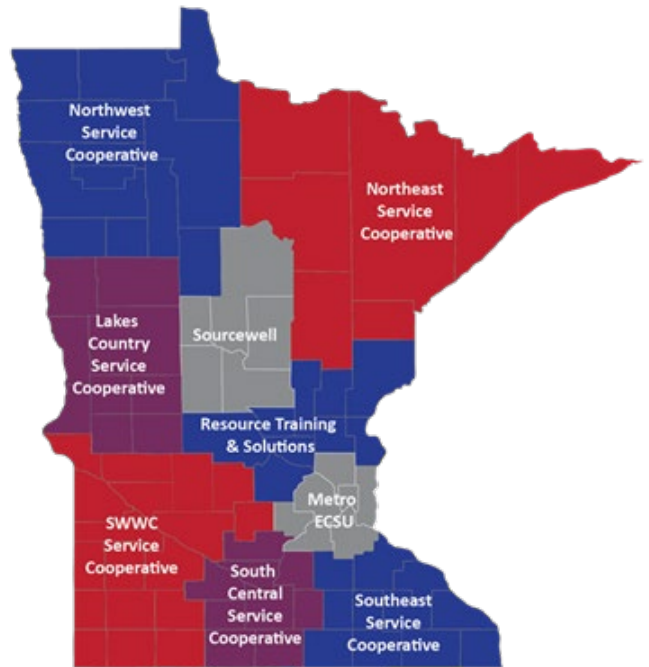
Michigan

- Name: Intermediate School Districts (ISDs)
- Number of Organizations: 56
- Definition: Intermediate school district means a corporate body established under part 7.” M.C.L.A. 380.4. Part 7 of Article I of the Revised School Code of 1976 then goes on to define the duties and powers of ISDs. M.C.L.A. 380.601a.
- State Association: MI Association of Intermediate School Administrators (MAISA). Hired Executive Director.
- Funding: ISDs have taxing authority and may issue bonds to generate funds. Additionally, ISDs may charge school districts for services provided. M.C.L.A. 380.625.
- Local Education Agency (LEA) status. ISDs are considered LEAs for Federal Funding.



Minnesota

- Name: Regional Service Cooperatives and Intermediate School Districts
- Number of Organizations: 9 Regional Service Cooperatives, 4 Intermediate School Districts
- Definition: "The primary purposes of designation as a SC shall be to perform planning on a regional basis and to assist in meeting specific needs of clients in participating governmental units which could be better provided by a SC than by the members themselves. The SC must provide those programs and services which are determined, pursuant to subdivision 7, to be priority needs of the particular region and must assist in meeting special needs which arise from fundamental constraints upon individual members." M.S.A. § 123A.21
- Intermediate district means a district with a cooperative program which has been established under Laws 1967, chapter 822, as amended; Laws 1969, chapter 775, as amended; and Laws 1969, chapter 1060, as amended, offering integrated services for secondary, postsecondary, and adult students in the areas of vocational education, special education, and other authorized services. M.S.A. 136D.01
- State Association: Informal, Service Cooperative Executive Directors meet on a regular basis with a rotating chair.
- Funding: Regional Service Cooperatives are funded by the member school districts they serve. Regional Service Cooperatives may supplement this funding with local, state, and federal grants. M.S.A. § 123A.21
- Local Education Agency (LEA) status: Regional Service Cooperatives are not considered LEAs under state law.



Nebraska

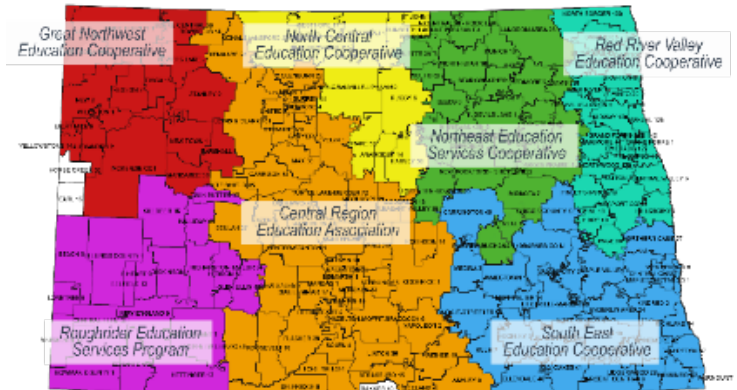
- Name: Educational Service Units (ESUs)
- Number of Organizations: 17
- Definition: The role and mission of the educational service units is to serve as educational service providers in the state's system of elementary and secondary education." Neb.Rev.St. § 79-1204
- State Association: NE ESU Coordinating Council. Hired Executive Director.



- Funding: Educational Service Units have the power to levy taxes to raise funds. Neb.Rev.St. § 79-1225. Educational Services Units otherwise receive funds from their member school districts and through fees charged for services provided.
- Local Education Agency (LEA) status: Educational Service Units are not considered LEAs under state law.

North Dakota

- Name: Regional Education Association (REAs)
- Number of Organizations: 7
- Definition: For purposes of this chapter, 'regional education association' means a group of school districts that have entered a joint powers agreement that has been reviewed by the superintendent of public instruction and verified as meeting the requirements of section 15.1-09.1-02." NDCC, 15.1-09.1-01.



North Dakota has a separately established system of multidistrict special education districts which provide special education services to cooperatives of school districts. NDCC, 15.1-33-01

- Services to be offered: In order to be eligible for state funding, a regional education association must offer the following services to its member districts:
 - Coordination and facilitation of professional development activities for teachers and administrators employed by its member districts.
 - Supplementation of technology support services.
 - Assistance with achieving school improvement goals identified by the superintendent of public instruction.
 - Assistance with the collection, analysis, and interpretation of student achievement data.
 - Assistance with the expansion and enrichment of curricular offerings.

Subsection 1 does not preclude a regional education association from offering additional services to its member districts. NDCC, 15.1-09.1-02.1

- State Association: Informal, ND Regional Education Association, meets regularly with a rotating chair.
- Funding: Regional Education Associations are funded with an annual state appropriation based on member districts' average daily membership. NDCC, 15.1-27-03.1. Additionally, Regional Education Associations are funded through fees charged for services.
- Local Education Agency (LEA) status: Regional Education Associations are not considered LEAs under state law.

South Dakota

- Name: Cooperative Educational Service Units
- Number of Organizations: 14
- Definition: A cooperative education service unit is a legal entity. It is the intent of the Legislature to encourage maximum utilization of cooperative efforts among school districts in an effort to maximize educational excellence in this state and to permit cooperative efforts between schools which are not adjacent to one another. A cooperative service unit may provide academic educational resources, human resources, special education services, payroll services, cooperative purchasing, workers' compensation, group health insurance, and other services deemed appropriate by a majority vote of the governing board and in keeping with the laws of the State of South Dakota." SDCL § 13-5-31.



South Dakota previously had entities called "education service agencies" that were disbanded in 2017 as they were seen as largely duplicative of cooperatives. SL 2017, ch 74, §§ 5 to 12.

- State Association: None
- Funding: Cooperative Educational Service Units are funded according to their individual by-laws. Some Cooperative Educational Service Units require member districts to pay annual allocations, while others only charge fees for services provided. Cooperative Educational Service Units supplement these funds with state and federal grants.
- Local Education Agencies (LEA) Cooperative Educational Service Units are not considered LEAs under state law

Wisconsin

- Name: Cooperative Educational Service Agencies (CESAs)
- Number of Organizations: 12
- Definition: The cooperative educational service agencies are designed to serve educational needs in all areas of Wisconsin by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership, coordination, and education services to school districts, University of Wisconsin System institutions, and technical colleges. Cooperative educational service agencies may facilitate communication and cooperation among all public, private, and tribal schools, and all public and private agencies and organizations, that provide services to pupils." W.S.A. 116.01



- State Association: CESA Statewide Network (CSN). Hired 40% CESA Statewide Network Liaison.
- Funding: CESAs are funded through state and federal grants as well as fees paid for services provided to member school districts. W.S.A. 116.08.
- Local Education Agency (LEA) status: CESAs are not considered LEAs under state law.

SOUTHERN REGION

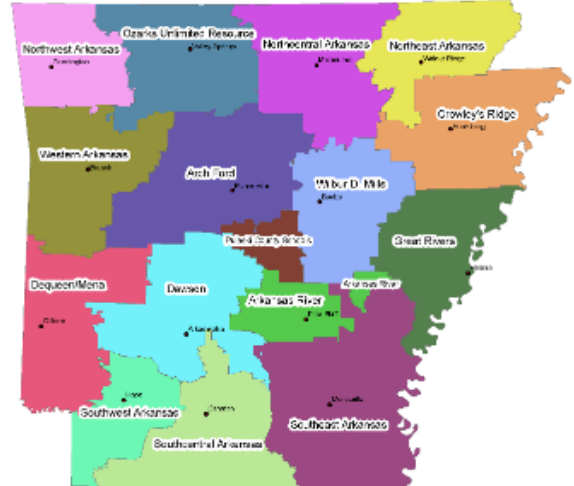


Alabama

- Alabama law does not establish any system of educational service agencies.

Arkansas

- Name: Education Service Cooperatives
- Number of Organizations: 15
- Definition: Education service cooperatives shall be intermediate service units in the state's elementary and secondary education system and as such shall be eligible to receive and expend funds from state and federal governments, school districts, and other public or private sources. A.C.A. § 6-13-1002
- State Association: Informal, Executive Directors meet regularly with a rotating chair.
- Funding: Education Service Cooperatives are funded with a combination of direct state budgetary allocations for core needs (e.g. salary, travel, equipment, staff support, etc.), federal funds, and fees for services offered to local school districts. School districts do not pay membership fees to the Education Service Cooperatives. A.C.A. § 6-13-1019
- Local Education Agency (LEA) status: Arkansas law explicitly defines Education Service Cooperatives as LEAs for purposes of eligibility for federal programs.



Florida

- Name: Regional Consortium Service Organization
- Number of Organizations: 3
- Definition: School districts with 20,000 or fewer unweighted full-time equivalent students, developmental research (laboratory) schools established pursuant to s. 1002.32, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall provide, at a minimum, three of the following services: exceptional student education; teacher education centers; environmental education; federal grant procurement and coordination; data processing; health insurance; risk management insurance; staff development; purchasing; or planning and accountability." F.S.A. § 1001.451



- State Association: None
- Funding: Regional Consortium Service Organizations receive direct funding through state incentive grants and allocations from member school districts. Additionally, Regional Consortium Service Organizations may charge fees for services provided.
- Local Education Agency (LEA) status: Regional Consortium Service Organization is not considered an LEA under state law.

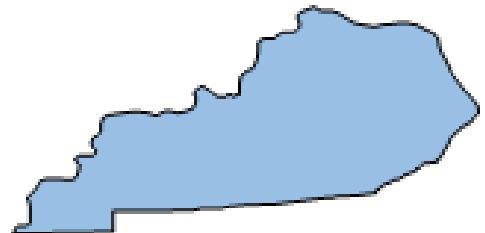
Georgia

- Name: Regional Educational Service Agency (RESA)
- Number of Organizations: 16
- Definition: The State Board of Education shall establish a state-wide network of regional educational service agencies for the purposes of: providing shared services designed to improve the effectiveness of educational programs and services to local school systems and state charter schools; providing instructional programs directly to selected public school students in the state; and providing Georgia Learning Resources System services. The regional educational service agencies established by the state board may legally be referred to as 'RESA' or 'RESA's.' Ga. Code Ann., § 20-2-270
- State Association: Informal. Executive Directors meet on a regular basis with a rotating chair.
- Funding: RESAs are funded through a combination of a uniform state-wide needs program grant, a documented local needs program grant, allocations from member local school systems, and fees for services provided. Ga. Code Ann., § 20-2-274.
- Local Education Agency (LEA) status: Georgia considers RESAs to be "local units of administration" that are established by state law. Georgia does not otherwise define the term "local education agency."



Kentucky

- Name: Education Cooperatives
- Number of Organizations: 8
- Definition: It is the purpose of [KRS 65.210](#) to [65.300](#) to permit public agencies to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities." KRS § 65.210. Education cooperatives are

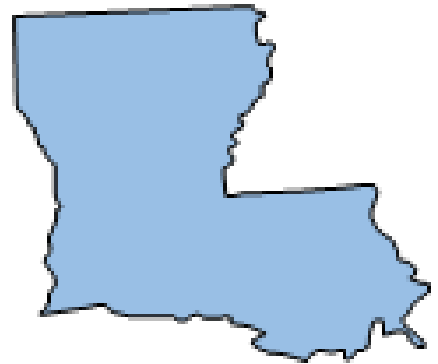


cooperatives formed by school boards under this general statute allowing for the formation of cooperatives between public agencies.

- State Association: Informal. Executive Directors meet on a regular basis with a rotating chair.
- Funding: Education cooperatives are funded by fees paid for services provided to member school districts. Education cooperatives also may apply for state and federal grants.
- Local Education Agency (LEA) status: Education Cooperatives considered LEAs under state law. (KRS 65.210 - 65.300)

Louisiana

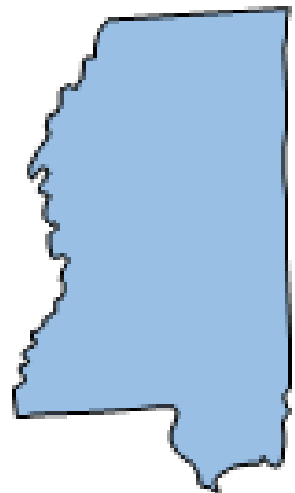
- Name: Special School District
- Number of Organizations: None
- Definition: "The Special School District shall be considered an educational service agency administered by the Department of Education, subject to the limitations of such units which shall include no authority to levy tax. The Special School District shall have the responsibility and authority to create and fill positions to serve the students in the district subject to the availability of funds." LSA-R.S. 17:1945
- State Association: None
- Funding: The Louisiana Special School District is directly funded by the state government.
- Local Education Agency (LEA) status: Louisiana law explicitly defines Special School Districts as LEAs for purposes of eligibility for federal programs.



by

Mississippi

- Name: Regional Educational Service Agencies (RESAs)
- Number of Organizations: 6
- Definition: A regional educational service agency (ESA) may be established in a region of the state when twelve (12) or more school districts determine there are benefits and services that can be derived from the collective and collaborative formation of an agency for the purpose of pooling and leveraging resources for the common benefit of students, teachers, administrators and taxpayers. An educational service agency shall be incorporated in the State of Mississippi and organized under the laws of the State of Mississippi as a non-profit corporation. The educational service agency shall obtain 501(c)(3) status with the Internal Revenue Service." Miss. Code Ann. § 37-7-345
- State Association: None



- Funding: RESAs are funded by their member districts. RESAs can supplement these funds with state grants.
- Local Education Agency (LEA) status: RESAs are not considered LEAs under state law.

Missouri

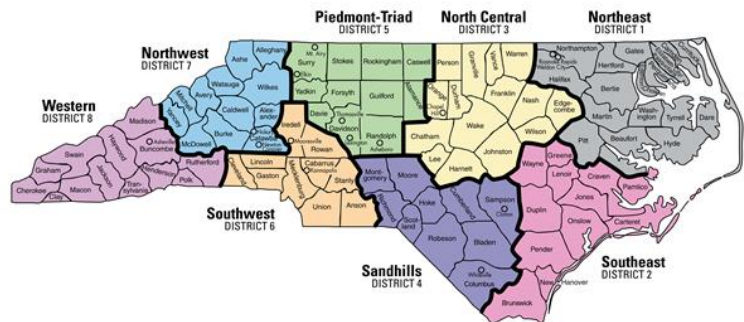
- Name: Educational Service Agency
- Number of Organizations: 4
- Definition: Any public school district or districts may designate an educational service agency, as defined in 20 U.S.C. Section 7801, for the purpose of developing, managing, and providing instructional services or programs to the participating school district or districts." V.A.M.S. 162.1180
- State Association: None
- Funding: Educational Service Agencies are funded by their member districts and through fees charged for services provided.
- Local Education Agency (LEA) status: Educational Service Agencies are not considered LEAs under state law.



North Carolina

- Name: Regional Educational Service Agencies
- Number of Organizations: 8
- Definition: North Carolina law does not establish any system of educational service agencies. However, local boards of education are permitted to form cooperative agreements with other local boards of education or with non-profit corporations. N.C.G.S.A. § 115C-47.
- State Association: Informal. Executive directors meet regularly.
- Funding: Fee for service.
- Local Education Agency (LEA) status: Educational service agencies in are not formally established under state law, therefore they are not considered LEAs.

North Carolina State Board of Education Districts



Oklahoma

- Oklahoma law does not establish any system of educational service agencies.

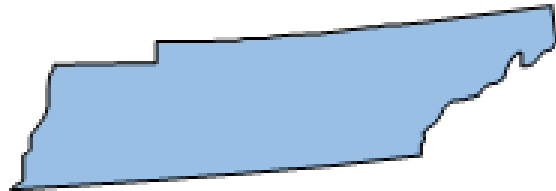
South Carolina

- Name: South Carolina law does not establish any system of educational service agencies. However, they do have regional consortia that provide shared services (Proviso 1.88)
- Number of Organizations: 6
- Definition: South Carolina law does not establish any system of educational service agencies.
- State Association: None
- Funding: Regional consortia are established and funded by groups of school districts.
- Local Education Agency (LEA) status: Educational service agencies in are not formally established under state law, therefore they are not considered LEAs.



Tennessee

- Name: Educational Cooperatives
- Number of Organizations:
- Definition: "It is the purpose of this part to permit local governmental units and boards of education the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and to thereby provide educational services and facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local educational facilities and services." T. C. A. § 49-2-1302
- Funding: Educational Cooperatives fund operations according to the bylaws of the cooperative agreement, which may include requiring contributions from member districts. Educational Cooperatives receive funds through fees charged for services provided as well as state and federal grants.
- Local Education Agency (LEA) status: Educational Cooperatives are not considered LEAs under state law.



Texas

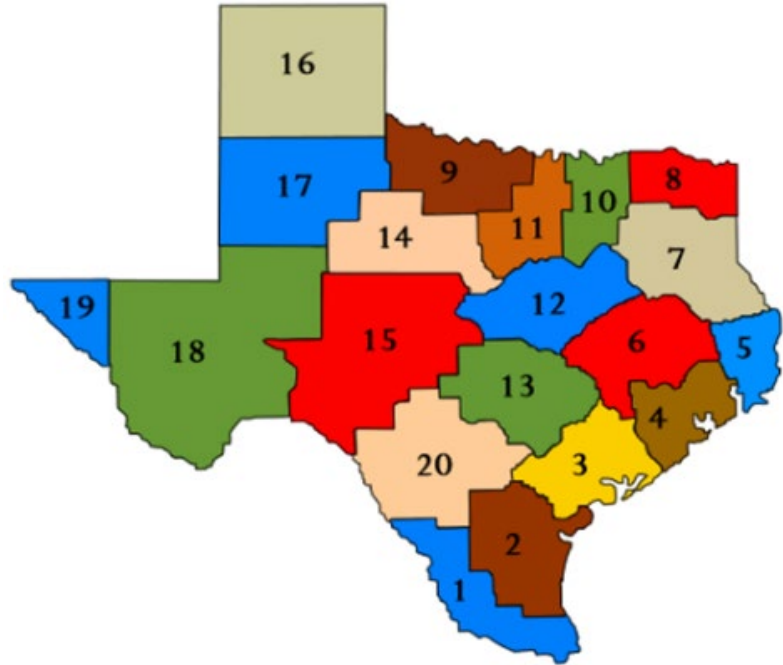
- Name: Regional Education Service Centers

- Number of Organizations: 20

- Definition: Regional education service centers means a system of regional and educational services established in Chapter 8." V.T.C.A., Education Code § 5.001.

- Regional education service centers shall:

- assist school districts in improving student performance in each region of the system;
- enable school districts to operate more efficiently and economically; and
- implement initiatives assigned by the legislature or the commissioner." V.T.C.A., Education Code § 8.002.



- State Association: Informal, Executive Directors meet regularly with a rotating chair.
- Funding: Regional Education Service Centers receive direct annual appropriations from the state for core services. V.T.C.A., Education Code § 8.121. Regional Education Services Centers also receive funding through additional state and federal grants as well as through fees charged for services provided to member school districts.
- Local Education Agency (LEA) status: Regional Education Service Centers are not considered LEAs under state law.

Virginia

- Virginia law does not establish any system of educational service agencies.

West Virginia

- Name: Educational Service Cooperatives (formerly known as Regional Education Service Agencies)
- Number of Organizations: 3
- Definition: A county board is authorized to enter into a cooperative agreement with one or more other county boards to establish educational services cooperatives which shall serve as regional units to provide for high quality, cost effective lifelong education programs and services to students, schools, school systems, and communities in accordance with this section. Each educational services cooperative may serve as a regional public multi-service agency to develop, manage, and provide such services or programs as determined by its governing council and as provided in this section or otherwise provided in this code. All references in this code to regional education service agencies or RESA's mean an educational services cooperative as authorized under this section." W. Va. Code, § 18-5-13c.



In 2017, West Virginia repealed the legislation that established Regional Education Service Agencies and replaced them with Educational Service Cooperatives.

- State Association: None
- Funding: Educational Services Cooperatives may generate funds from fees charged for services and from state and federal grants.
- Local Education Agency (LEA) status: Educational Service Cooperatives are not considered LEAs under state law. ESCs are considered LEAs for the purpose of receiving federal grants.

EASTERN REGION



Connecticut

- Name: Regional Education Service Center (RESC)
- Number of Organizations: 6
- Definition: A regional educational service center may be established in any regional state planning area designated in accordance with section 16a-4a upon approval by the State Board of Education of a plan of organization and operation submitted by four or more boards of education for the purpose of cooperative action to furnish programs and services.

Except where the pupil population is over fifty thousand in a given planning area, only one regional educational service center may be established in such area. In no case shall there be more than two educational service centers in any such area and in no case shall a board of education be a member of more than one regional educational service center. If, after the establishment of a regional educational service center, boards of education vote to withdraw so that fewer than four such boards are members or the State Board of Education denies continued approval pursuant to section 10-66h, the center shall cease to exist at the end of the subsequent fiscal year." C.G.S.A. § 10-66a.

- State Association: RESC Alliance that has a rotating Chair. The RESC Alliance employs a retired Superintendent part-time to support organizational subgroups including ones for special education, professional development, Human Resources, fiscal services, tech and marketing. Each RESC appoints an employee to serve in each of these subgroups. Executive Directors meet twice per month.
- Funding: RESCs are fee-for-service, not-for-profit entities. RESCs are funded by their member school districts via pooled payments for overhead and administrative costs as well as fees for services provided. RESCs also have authority to issue bonds and enter into other contractual agreements. C.G.S.A. § 10-66e
- Local Education Agency (LEA) status: For purposes of state special education programs, Connecticut defines "providing school districts" broadly enough to possibly include RESCs. However, it is not clear that this definition would be imputed to a definition of "local educational agencies".



Delaware

- Delaware law does not establish any system of educational service agencies.

Indiana

- Name: Educational Service Centers (ESCs)
- Number of Organizations: 9
- Definition: Educational service center means an extended agency of school corporations, charter schools, and applicable nonpublic schools that:
 - operates under rules established by the state board;
 - is the administrative and operational unit that serves a definitive geographical boundary, which, to the extent possible, must be aligned with the boundary of a regional works council's region established under IC 20-19-6 (before its expiration); and
 - allows school corporations, charter schools, and applicable nonpublic schools to voluntarily cooperate and share programs and services that the school corporations, charter schools, and applicable nonpublic schools cannot individually provide but collectively may implement.” IC 20-20-1-2
- State Association: Informal, Executive Directors meet regularly with a rotating chair.
- Funding: ESCs are funded through donations, local funds, and federal funds. ESCs also receive fees for services provided to school districts. IC 20-20-1-11
- Local Education Agency (LEA) status: ESCs are not considered LEAs under state law.



Maine

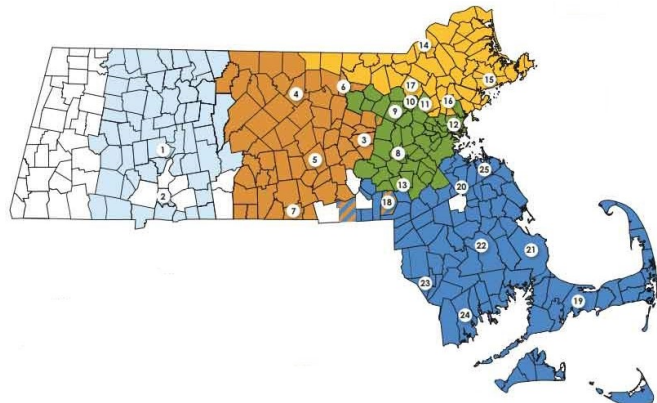
- Maine law was repealed in 2009 that established Regional Education Cooperatives. There is currently no system of educational service agencies.

Maryland

- Maryland law does not establish any system of educational service agencies.

Massachusetts

- Name: Educational Collaborative
- Number of Organizations: 25
- Definition: Two or more school committees of cities, towns and regional school districts and boards of trustees of charter schools may enter into a written agreement to provide shared programs



and services, including instructional, administrative, facility, community or any other services; provided that a primary purpose of such programs and services shall be to complement the educational programs of member school committees and charter schools in a cost-effective manner. The association of school committees and charter school boards which is formed to deliver the programs and services shall be known as an education collaborative.” M.G.L.A. 40 § 4E.

- State Association: Massachusetts Organization of Educational Collaboratives. Hired Executive Director.
- Funding: The board of directors of the education collaborative shall establish and manage a fund, to be known as an education collaborative fund, and each such fund shall be designated by an appropriate name. All monies contributed by the member cities or towns and charter schools and all grants or gifts from the federal government, state government, charitable foundations, private corporations or any other source shall be paid to the board of directors of the education collaborative and deposited in the fund.” M.G.L.A. 40 § 4E.

The collaborative board of directors shall follow the process outlined in the collaborative agreement for the development and approval of the collaborative budget, tuition rates, membership dues and fees-for-service. On an annual basis the collaborative board of directors shall propose a budget for the upcoming fiscal year. The proposed budget shall contain all planned financial activity. Expenditures from grant funds, trust funds and other funds not designated as general funds that by law may be expended by the collaborative board of directors without further appropriation shall be segregated in the budget. The general fund budget shall segregate all operating expenditures, capital expenditures, debt service payments and deposits to capital reserve. The proposed budget shall be classified into such line items as the collaborative board of directors shall determine.

All financial activity for the operation of the collaborative shall be considered general fund activity with the exception of activities relative to grants, gifts or contracts.

The budget shall delineate the tuition rates, membership dues and fees-for-service or surcharges, if applicable, to be paid by the member districts and non-member districts.

Tuition rates and fees-for-service shall be based on the combined cost of providing collaborative programs and services.

The proposed budget shall be discussed at a public meeting of the collaborative board of directors. Public notice shall be given to member districts.

Approving the Collaborative Budget:

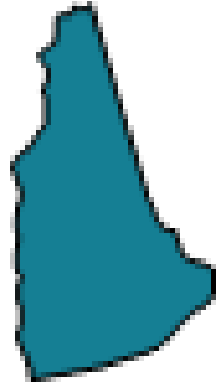
At a collaborative board meeting at least ten working days following the board meeting at which the collaborative budget was first proposed, the collaborative board of directors shall approve, by at least a majority vote, the collaborative budget for the upcoming fiscal year.

The treasurer of the educational collaborative shall certify and transmit the budget and the tuition rates, membership dues and fees-for-service for the upcoming fiscal year to each member district in a timeframe specified in the collaborative agreement.

- Local Education Agency (LEA) status: Educational Collaboratives are not considered LEAs under state law.

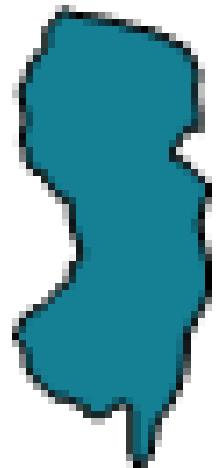
New Hampshire

- Name: Educational Service Centers
- Number of Organizations: 4
- Definition:
- State Association: No state association.
- Funding: Educational Service Centers receive fees for services provided.
- Local Education Agency (LEA) status:



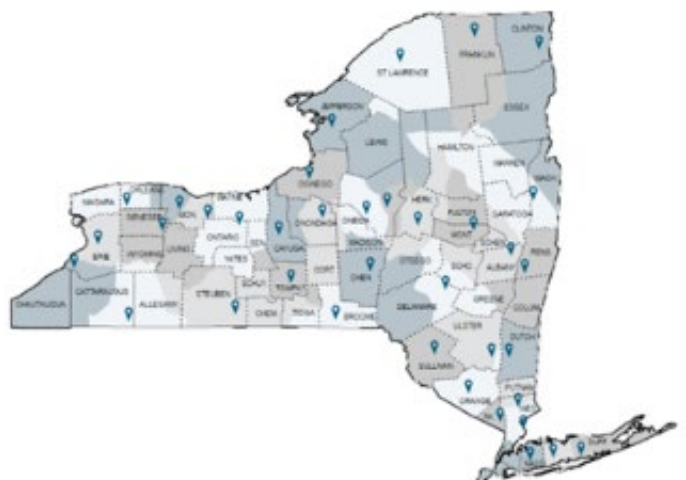
New Jersey

- Name: Educational Services Commission
- Number of Organizations: 11
- Definition: Educational Services Commission means an agency established or to be established in one or more counties for the purpose of carrying on programs of educational research and development and providing to public school districts such educational and administrative services as may be authorized pursuant to rules of the State Board of Education.” N.J.S.A. 18A:6-51
- State Association: Informal, Educational Services Council. Superintendents meet monthly with a rotating chair.
- Funding: Educational Service Commissions receive fees for services provided.
- Local Education Agency (LEA) status: Educational Services Commissions are considered LEAs under state law.



New York

- Name: Board of Cooperative Educational Services (BOCES)
- Number of Organizations: 37
- Definition: The boards of education and school trustees of a supervisory district which is not part of an intermediate district, meeting at a time and place to be designated by the district superintendent of schools, may, by a majority vote of their members present and voting, file with the commissioner of education a petition for the establishment of a board of cooperative educational services for the purpose of



carrying out a program of shared educational services in the schools of the supervisory district and for providing instruction in such special subjects as the commissioner may approve.” NY EDUC § 1950

Under Education Law section 1950, a BOCES may provide any educational service that is requested by two or more component districts and approved by the commissioner of education according to need and practicality in a regional context.

The BOCES then notifies component districts of the approved services, asking for a firm commitment to participate by May 1 of each year. The BOCES and the component districts then enter into formal contracts. Contracts between BOCES and component districts, when approved by the commissioner, are effective for one year. After which they may be renewed, changed, or cancelled. Districts may also authorize multi-year service requests from BOCES.

- State Association: BOCES of New York State. Hired Executive Director.
- Funding: BOCES are funded through apportionment of costs from their member school districts via an annual budgeting process and direct allocations from state appropriations. NY EDUC § 1950. BOCES also receive fees charged for services provided to member school districts.
- Local Education Agency (LEA) status: BOCES are not considered LEAs under state law.

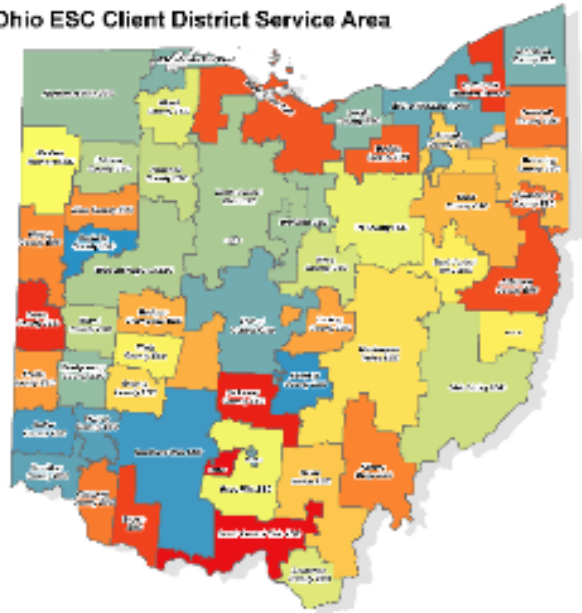
Ohio

- Name: Educational Service Centers (ESCs)
- Number of Organizations: 51
- Definition: The territory within the territorial limits of a county, or the territory included in a district formed under section 3311.053 of the Revised Code, exclusive of the territory embraced in any city school district or exempted village school district, and excluding the territory detached therefrom for school purposes and including the territory attached thereto for school purposes constitutes an educational service center.” OH ST § 3311.05

ESCs are the central component of the educational regional service system. “The system shall support state and regional education initiatives and efforts to improve school effectiveness and student achievement. Services, including special education and related services, shall be provided under the system to school districts, community schools established under Chapter 3314. of the Revised Code and chartered nonpublic schools. ... In addition to implementing state and regional education initiatives and school improvement efforts under the educational regional service system, educational service centers shall implement state or federally funded initiatives assigned to the service centers by the general assembly or the department of education.” OH ST § 3312.01

- State Association: Ohio ESC Association. Hired Executive Director.

Ohio ESC Client District Service Area



- Funding: ESCs are funded through a state operating subsidy as well as a statutorily required, minimum local contribution paid by “client” school districts they serve. ESCs may also enter into contracts with school districts, community (charter) schools, STEM schools, chartered nonpublic schools, and other local political subdivisions. OH ST § 3313.843, 3313.844, 3313.845, 3313.846

Ohio law includes a provision that, “An educational service center may apply to any state or federal agency for competitive grants. It may also apply to any private entity for additional funds.” OH ST §3313.843(E)

- Local Education Agency (LEA) status: Ohio law includes a provision that states that “school district” should be construed to include ESCs unless otherwise noted. Likewise, Ohio law states, “An educational service center shall be considered a school district for the purposes of eligibility in applying for any state or federal grant.” Ohio does not otherwise define “local education agency.” OH ST § 3311.055, § 3312.01(D)

Pennsylvania

- Name: Intermediate Units
- Number of Organizations: 29
- Definition: Local education agency: A school district, cyber charter school, charter school, area career and technical school or intermediate unit.” 24 P.S. § 2-220.

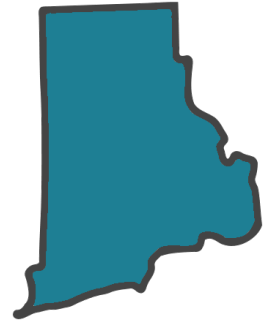
“Each school district of the Commonwealth shall be assigned to an intermediate unit and shall be entitled to the services of an intermediate unit in accordance with a program of services adopted by the intermediate unit board of directors. The arrangement of the school districts of the Commonwealth into intermediate units shall reflect consideration of (i) the number of public-school children enrolled in kindergarten through grade twelve, (ii) ease of travel within each intermediate unit, and (iii) the opportunity to provide adequate basic services. Intermediate units shall be part of the public school system of this Commonwealth and shall become operative on July 1, 1971.” 24 P.S. § 9-901-A



- State Association: Pennsylvania Association of Intermediate Units. Hired Executive Director.
- Funding: Intermediate units are funded through a combination of state and federal grants, fees charged for services, and contributions from LEAs.
- Local Education Agency (LEA) status: Pennsylvania law explicitly defines Intermediate Units as LEAs for purposes of eligibility for federal programs.

Rhode Island

- Name: Educational Collaboratives
- Number of Organizations: 3
- Definition: Any school committee, acting for or on behalf of its district, may enter into an agreement with one or more other school committees to conduct jointly instructional education programs and/or administrative functions, provided that the agreement has been reviewed and is recommended by the commissioner of elementary and secondary education and has the approval of each participating school committee.”
Gen.Laws 1956, § 16-3.1-2. “As used herein, the terms ‘collaborative,’ ‘educational collaborative,’ ‘regional collaborative,’ and combinations thereof, shall be deemed to refer to the collaboratives established pursuant to this chapter, and recognized as 501(c)3 nonprofit corporations incorporated pursuant to the Rhode Island Nonprofit Corporation Act, Rhode Island general laws § 7-6-1, et seq. Nothing in this legislation is intended to erode the legal status of the regional collaboratives as 501(c)3’s and their boards of directors must be cognizant to their legal and fiduciary responsibilities to these enterprises.” Gen.Laws 1956, § 16-3.1-15
- State Association: None
- Funding: Educational Collaboratives can be funded directly through state appropriations. Otherwise, Educational Collaboratives are funded through state and federal grants and through fees charged for services provided to member districts.
- Local Education Agency (LEA) status: Educational Collaboratives are not considered LEAs under state law.



Vermont

- Vermont law does not establish any system of educational service agencies.



Questions?
Contact AESA Executive Director
Joan Wade, Ed.D. at jwade@aesa.us
or at (920) 420-8822



Association of Educational Service Agencies – State Survey of ESA Definitions

Executive Summary

The Association of Educational Service Agencies (“AESAs”) serves over 500 educational service agencies (“ESAs”) in 45 states. These ESAs in turn serve over 80% of the public school districts in the United States, utilizing a combined annual budget of approximately \$15 billion. In general, ESAs is a governmental or non-profit agency that works with schools, school districts, and state education agencies (“SEAs”) to provide shared services that benefit teachers, students, and the community. While ESAs serve common goals, ESAs vary between each state in terms of their names, structures, governance types, and funding streams. Importantly, states also vary in whether they categorize ESAs as “local education agencies” (“LEAs”), which impacts eligibility for state and federal funding programs. Some states, like Pennsylvania, explicitly note in their education codes that their ESAs (i.e. Intermediate Units) are considered LEAs for purposes of state law. Other states, like Connecticut, define their terms broadly in a way that suggests that ESAs should be treated the same as a school districts, providing a colorable argument that ESAs should be considered local education agencies. Most states do not explicitly define LEA to include ESAs. This definitional gap thereby restricts the ability for ESAs in those states to apply for direct funding from certain federal grant programs. Some federal programs, like the Every Student Succeeds Act (“ESSA”) Title I, which provides aid for schools serving disadvantaged students, are limited to LEAs. Other programs like the Individuals with Disabilities Education Act (“IDEA”) Part B are available to LEAs and ESAs, regardless of whether the ESAs are defined as LEAs under state law. For purposes of our summary, we have sorted the main federal education funding programs into two categories based on whether they restrict funds to just LEAs or also allow ESAs to participate.

Federal Funding Program	Eligible Entities	Eligibility Type
Individuals with Disabilities Education Act (“IDEA”) Part B	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title I	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title II – Except the School Leader Recruitment and Support Fund	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title II – School Leader Recruitment and Support Fund	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title III – Part A	Local Educational Agencies	Type 2 – LEAs only

ESSA – Title III – Part B	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title IV – Parts A, B, C, D, E, and F subpart 2-4	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title IV – Part F subpart 1	Local Educational Agencies Educational Service Agencies	Type 1 – LEAs and ESAs
ESSA – Title V	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title VI	Local Educational Agencies	Type 2 – LEAs only
ESSA – Title VII	Local Educational Agencies	Type 2 – LEAs only
ED Competitive Grants	Varies by Program	Type 1 or Type 2

This document provides a high-level summary of each state’s laws related to ESAs and how those laws may impact the ability for ESAs in those states to access different types of state and federal funds. While some states have clearly defined entities that serve as ESAs, others do not. In some states, like Hawaii, the education code may not clearly establish ESAs as governmental entities, but non-governmental ESAs may still operate in those states as nonprofits that provide similar services to school districts. In other states, like Tennessee, the education code may provide a clear statutory formulation of an ESA, but no actual ESAs currently operate in those states. In our review of state statutes and regulations, we were able to identify 38 states that had statutorily established ESAs. These ESAs range in structure from cooperatives formed by school districts that are approved by the state to formal intermediate level governmental agencies that sit in between SEAs and LEAs. Each state analysis includes the following information:

1. **ESA Terminology** – The term that the state uses to define its ESAs.
2. **Citation** – The relevant statutory provision that establishes ESAs in the state.
3. **Definition** – The definition of the specific ESA type in the state.
4. **Are LEAs and ESAs distinct** – Whether or not the state defines “local education agency” in a way that excludes ESAs from that definition. A “Yes” means that the state’s definition of “local education agency” does not include ESAs or that a state does not define “local education agency” but makes it clear that ESAs and school districts are distinct entities. A “No” means that the state’s definition of “local education agency” arguably captures ESAs.
5. **Are ESAs eligible to receive funding directly from State Governments** – Whether ESAs are eligible at the state level for education funding programs.
6. **How are ESAs funded** – Information regarding how ESAs are funded in the state.
7. **Are ESAs eligible for federal funding directly** – Whether ESAs, as defined by state law, would be eligible for federal funding based on the legend outlined above. ESAs eligible for Type I programs are eligible if they are authorized by state law as either an LEA or an ESA. ESAs eligible for Type II programs are eligible if they are also considered to be LEAs under state law. ESAs that are not eligible for either Type I or Type II programs are ones in states that do not have laws that establish and authorize ESAs.



The below chart summarizes the preliminary assessment of each state's ESA eligibility for federal funding based on the typology described above:

Eligible for Type I	Eligible for Type I and Type II	Not Eligible for Either
Alaska	Arizona	Alabama
Connecticut	Arkansas	Delaware
Florida	California	Hawaii
Indiana	Colorado	Idaho
Iowa	Georgia (see discussion in full analysis)	Maryland
Kansas	Illinois	Nevada
Kentucky	Louisiana	New Hampshire
Maine	Ohio (see discussion in full analysis)	North Carolina
Massachusetts	Pennsylvania	Oklahoma
Michigan		South Carolina
Minnesota		Vermont
Mississippi		Virginia
Missouri		
Montana		
Nebraska		
New Jersey		
New Mexico		
New York		
North Dakota		
Oregon (see discussion in full analysis)		
Rhode Island		
South Dakota		
Tennessee		
Texas		
Utah		
Washington		
West Virginia		
Wisconsin		
Wyoming		



Information presented in this document is based on preliminary statutory and regulatory research. All analysis may need to be confirmed with relevant state agencies that oversee these state education laws. Determinations of eligibility for any specific program should be conducted on a case by case basis.



State by State Analysis

Alabama	
ESA Terminology	N/A
Citation	N/A
Definition	Alabama law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Alabama law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Alabama law does not establish any formal educational service agencies.
How are ESAs funded?	Alabama law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Alabama are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type 1 or Type 2 programs.



Alaska	
ESA Terminology	Special Educational Services Agency Regional Resource Center
Citation	AK ST § 14.30.600 et seq. AS § 14.12.150 et seq.
Definition	<p>Alaska has two different entities that could be considered ESAs.</p> <p>Special Educational Services Agency</p> <p>“There is established, as a public organization, the special education service agency.” AS § 14.30.600.</p> <p>Regional Resource Center</p> <p>“The districts of the state public school system may join together to establish regional resource centers to provide services, including the following: accounting, payroll, and other fiscal; media; instructional support; bilingual-bicultural educational; in-service and staff development; student; diagnostic; school management; and school board member training.” AS § 14.12.150</p>
Are LEAs and ESAs distinct?	Yes. Alaska does not have a definition of “local educational agency.” Alaska law defines “school districts” and “special educational services agencies”/“regional resource centers” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	<p>Yes.</p> <p>Special Educational Services Agency</p> <p>“The agency may receive and expend public and private funds to carry out the purposes of the agency.” AS § 14.30.630.</p> <p>Regional Resource Center</p> <p>“Regional resource center boards may receive and expend both public and private funds to operate a regional resource center.” AS § 14.12.150 “The department may make grants to regional resource center boards that qualify for the grants under the criteria set out in (b) of this section and regulations adopted by the department.” AS § 14.12.160.</p>



How are ESAs funded?	<p>Special Education Services Agency Funding</p> <p>“Each fiscal year, the department shall allocate to the agency not less than \$18.65 times the number of students in the state in average daily membership in the preceding fiscal year as determined under AS 14.17.600. Money to carry out the provisions of this section may be appropriated annually by the legislature. If amounts are insufficient to meet the allocation authorized under this section for a fiscal year, the allocation shall be reduced pro rata.” AS § 14.30.650</p> <p>The agency may also receive payments from school districts for services provided.</p> <p>Regional Resource Center</p> <p>These centers can receive grants directly from the state department of education and can receive payments from school districts for services provided.</p>
Are the ESAs eligible for federal funding directly?	<p>Eligible for Type 1 programs. Neither ESA type in Alaska is considered an LEA under state law.</p>



Arizona	
ESA Terminology	Office of County School Superintendent
Citation	A.R.S. § 15-301 et seq.
Definition	"The county school superintendent shall: ... At the request of school districts and charter schools, the county school superintendent may provide discretionary programs." A.R.S. § 15-302
Are LEAs and ESAs distinct?	No. "The office of county school superintendent is designated as a local education agency for the purpose of serving as an education service agency that is eligible to receive and spend local, state and federal monies to provide programs and services to school districts, charter schools, county free library districts, municipal libraries, non-profit and public libraries, tribal libraries, private schools and tribal schools within that county." A.R.S. § 15-301
Are ESAs eligible to receive funding directly from State Governments?	Yes. "The office of county school superintendent is designated as a local education agency for the purpose of serving as an education service agency that is eligible to receive and spend local, state and federal monies." A.R.S. § 15-301.
How are ESAs funded?	<p>The Offices of County School Superintendents maintain county school funds which consist of revenues accruing from:</p> <p>The county school fund of each county shall consist of all revenues accruing to the credit of each county from:</p> <ol style="list-style-type: none"> 1. That portion of the payments made under § 36-1419 which represents payment in lieu of the county levy for school purposes. 2. Taylor grazing act monies as provided in § 37-723. 3. All receipts from the lease of public lands as provided in § 37-724. 4. All balances remaining in the county school fund and in the special county school reserve fund at the end of the fiscal year and all balances of lapsed school districts remaining after the payments authorized under § 15-469.



	<p>5. All dividends, proceeds from sales, refunds, credits arising from cancelled warrants and any other sums or amounts that are attributable to the county school fund.</p> <p>6. All other federal lieu taxes which are not specifically allocated by law.</p> <p>7. Any gratuity or devise designated for specific school purposes.</p> <p>A.R.S. § 15-1000. In addition, the board of supervisors for each county also annually allocate a budget for a special county school reserve fund which can be used for specific purposes like transportation for rural students. A.R.S. § 15-1001.</p>
Are the ESAs eligible for federal funding directly?	<p>Eligible for Type 1 and Type 2 programs. Arizona law explicitly defines Offices of County School Superintendents as LEAs for purposes of eligibility for federal programs.</p>



Arkansas	
ESA Terminology	Education Service Cooperatives
Citation	A.C.A. § 6-13-1001 et seq.
Definition	“[E]ducation service cooperatives shall be intermediate service units in the state's elementary and secondary education system and as such shall be eligible to receive and expend funds from state and federal governments, school districts, and other public or private sources.” A.C.A. § 6-13-1002
Are LEAs and ESAs distinct?	No. “The General Assembly designates that the education service cooperatives created by this subchapter meet the definition of ‘local education agencies’ by virtue of the fact that each is a public authority, legally constituted within this state to perform a service function for a public elementary and secondary school in school districts and other political subdivisions of the state and to form a consortium of school districts which are recognized by the General Assembly as administrative agents for public elementary and secondary schools. ... This section intends to recognize the function of the cooperatives and to provide eligibility to cooperatives to receive state and federal funds upon written requests from the school districts.” A.C.A. § 6-13-1026
Are ESAs eligible to receive funding directly from State Governments?	Yes. “As a public agency, each education service cooperative shall be eligible to receive and expend public and private funds.” A.C.A. § 6-13-1019
How are ESAs funded?	Education Service Cooperatives are funded with a combination of direct state budgetary allocations for core needs (e.g. salary, travel, equipment, staff support, etc.), federal funds, and fees for services offered to local school districts. School districts do not pay membership fees to the Education Service Cooperatives. A.C.A. § 6-13-1019
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 and Type 2 programs. Arkansas law explicitly defines Education Service Cooperatives as LEAs for purposes of eligibility for federal programs.



California	
ESA Terminology	County Office of Education
Citation	Cal. Educ. Code Title 1 Division 1
Definition	California County Superintendents of Schools have authority to act as educational service agencies for school districts. Specifically, “each county superintendent of schools is authorized upon request to provide consultative or coordinative services for school districts and community college districts in the territory under his or her jurisdiction which have established educational programs that are designed to meet the requirements of federal law for the receipt of federal funds for the support of the programs, and that are supported in whole or in part by federal funds. The services may be financed by the federal funds as may be provided.” Cal. Educ. Code § 1262
Are LEAs and ESAs distinct?	No. California defines “local educational agency” to include county offices of education. Specifically, “local educational agency means a school district, a county office of education, a non-profit charter school participating as a member of a special education local plan area, or a special education local plan area.” Cal.Educ.Code § 56026.3
Are ESAs eligible to receive funding directly from State Governments?	Yes. County Offices of Education are included within the local control funding formula that allocates state funding for local educational agencies. Cal. Educ. Code § 2574
How are ESAs funded?	County Offices of Education are funded via state allocations from the local control funding formula, funds from taxes managed by counties, and federal funds.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 and Type 2 programs. California law explicitly defines County Offices of Education as LEAs for purposes of eligibility for federal programs.



Colorado	
ESA Terminology	Boards of Cooperative Educational Services ("BOCES")
Citation	C.R.S.A. § 22-5-102 et seq.
Definition	"The general assembly declares that this article is enacted for the general improvement and expansion of educational services of the public schools in the state of Colorado; for the creation of boards of cooperative services where feasible for purposes of enabling two or more school districts to cooperate in furnishing services authorized by law if cooperation appears desirable; and for the setting forth of the powers and duties of said boards of cooperative services." C.R.S.A. § 22-5-102.
Are LEAs and ESAs distinct?	No, subject to certain additional rules. Colorado law designates BOCES as local education agencies for purposes of federal or state programs only if two or more of the BOCES member school districts have expressly agreed to participate in a grant application. C.R.S.A. § 22-5-114.5
Are ESAs eligible to receive funding directly from State Governments?	Yes, as long as at least two member school districts expressly agree to participate in the grant application. C.R.S.A. § 22-5-114.5. If those conditions are met, then BOCES are eligible to receive state money. C.R.S.A. § 22-5-114.
How are ESAs funded?	BOCES receive a small amount of money directly from the state to support staff development. Outside of this amount, BOCES receive the rest of their funding via their member school districts, whether through membership fees, fees for services, or funds from state or federal grants.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 and Type 2 programs, subject to certain additional restrictions. Colorado law designates BOCES as local education agencies for purposes of federal or state programs only if two or more of the BOCES member school districts have expressly agreed to participate in a grant application. C.R.S.A. § 22-5-114.5



Connecticut	
ESA Terminology	Regional Education Service Center ("RESC")
Citation	C.G.S.A. § 10-66a et seq.
Definition	<p>"A regional educational service center may be established in any regional state planning area designated in accordance with section 16a-4a upon approval by the State Board of Education of a plan of organization and operation submitted by four or more boards of education for the purpose of cooperative action to furnish programs and services. Except where the pupil population is over fifty thousand in a given planning area, only one regional educational service center may be established in such area. In no case shall there be more than two educational service centers in any such area and in no case shall a board of education be a member of more than one regional educational service center. If, after the establishment of a regional educational service center, boards of education vote to withdraw so that fewer than four such boards are members or the State Board of Education denies continued approval pursuant to section 10-66h, the center shall cease to exist at the end of the subsequent fiscal year." C.G.S.A. § 10-66a.</p>
Are LEAs and ESAs distinct?	<p>Connecticut does not define the term "local education agency." Connecticut law differentiates school districts from RESCs. However, for purposes of special education funding, Connecticut defines "providing school district" to mean "the school district or regional educational service center in which classes or programs are established and maintained pursuant to subparagraph (A) of subsection (a) of section 10-69, provided the provisions of this section shall not be construed to limit the provisions of section 10-66e or 10-66f relating to payments to a regional educational service center." C.G.S.A. § 10-67</p>
Are ESAs eligible to receive funding directly from State Governments?	<p>Yes. RESCs are explicitly eligible for payments under state programs for school building financing, special education, and any other direct payments. C.G.S.A. § 10-66i</p>
How are ESAs funded?	<p>RESCs are funded through annual state grants. C.G.S.A. § 10-66j. RESCs are also funded by their member school districts via pooled payments for overhead and administrative costs as well as fees for services provided. RESCs also have authority to issue bonds and enter into other contractual agreements. C.G.S.A. § 10-66e</p>



Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. For purposes of state special education programs, Connecticut defines “providing school districts” broadly enough to possibly include RESCs. However, it is not clear that this definition would be imputed to a definition of “local educational agencies” for purposes of eligibility for Type 2 programs.
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Delaware	
ESA Terminology	N/A
Citation	N/A
Definition	Delaware law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Delaware law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments? Which state	No. Delaware law does not establish any formal educational service agencies.
How are ESAs funded?	Delaware law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Delaware are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Florida	
ESA Terminology	Regional Consortium Service Organization
Citation	F.S.A. § 1001.451
Definition	<p>“School districts with 20,000 or fewer unweighted full-time equivalent students, developmental research (laboratory) schools established pursuant to s. 1002.32, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall provide, at a minimum, three of the following services: exceptional student education; teacher education centers; environmental education; federal grant procurement and coordination; data processing; health insurance; risk management insurance; staff development; purchasing; or planning and accountability.” F.S.A. § 1001.451</p>
Are LEAs and ESAs distinct?	<p>For purposes of the special education portion of the Florida State Board of Education regulations, “local education agency” means a “a public board of education or other public authority legally constituted within the State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the State, or for a combination of school districts or counties as are recognized in the State as an administrative agency for its public elementary schools or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary school or secondary school.” Rule 6A-6.03411, F.A.C. Regional Consortium Service Organizations are such “public authorities” that “perform a service function for” a “combination of school districts.”</p> <p>Florida law does not otherwise define the term “local education agency.” Other sections of Florida law define “school district” and “regional consortium service organization” as distinct entities.</p>
Are ESAs eligible to receive funding directly from State Governments?	Yes. Regional Consortium Service Organizations are eligible for incentive grants of \$50,000 per member school district directly from the Florida Department of Education each year. FL ST § 1001.451.
How are ESAs funded?	Regional Consortium Service Organizations receive direct funding through state incentive grants and allocations from member school districts. Additionally, Regional Consortium Service Organizations may charge fees for services



	provided.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Consortium Service Organization is not considered an LEA under state law.



Georgia	
ESA Terminology	Regional Educational Service Agency ("RESA")
Citation	Ga. Code Ann., § 20-2-270 et seq.
Definition	"The State Board of Education shall establish a state-wide network of regional educational service agencies for the purposes of: providing shared services designed to improve the effectiveness of educational programs and services to local school systems and state charter schools; providing instructional programs directly to selected public school students in the state; and providing Georgia Learning Resources System services. The regional educational service agencies established by the state board may legally be referred to as 'RESA' or 'RESA's'." Ga. Code Ann., § 20-2-270
Are LEAs and ESAs distinct?	No. While Georgia does not define "local education agency," the statute establishing RESAs states "regional educational service agencies are not state agencies but shall be considered local units of administration for purposes of this chapter." Ga. Code Ann., § 20-2-270
Are ESAs eligible to receive funding directly from State Governments?	The Georgia State Board of Education provides annual funding to RESAs in the form of a uniform state-wide needs program grant and a documented local needs program grant. Ga. Code Ann., § 20-2-274(a). RESAs are not allowed to receive funds directly from the State Board of Education unless those funds are requested to be sent to an RESA by a local school system. Ga. Code Ann., § 20-2-274(b).
How are ESAs funded?	RESAs are funded through a combination of a uniform state-wide needs program grant, a documented local needs program grant, allocations from member local school systems, and fees for services provided. Ga. Code Ann., § 20-2-274.
Are the ESAs eligible for federal funding directly?	Eligible for Type I programs. Possibly eligible for Type II programs as well since Georgia considers RESAs to be "local units of administration" that are established by state law. Georgia does not otherwise define the term "local education agency."



Hawaii	
ESA Terminology	N/A
Citation	N/A
Definition	Hawaii law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Hawaii law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Hawaii law does not establish any formal educational service agencies.
How are ESAs funded?	No. Hawaii law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Hawaii are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Idaho	
ESA Terminology	N/A
Citation	N/A
Definition	Idaho law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Idaho law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Idaho law does not establish any formal educational service agencies.
How are ESAs funded?	Idaho law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Idaho are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Illinois	
ESA Terminology	Regional Offices of Education ("ROEs") and Intermediate Service Centers ("ISCs") (a subset of ROEs that serve Cook County)
Citation	105 ILCS 5/3-0.01 et seq. 105 ILCS 5/3A-1 et seq.
Definition	<p>"The chief administrative officer of an educational service region shall be designated and referred to as the 'regional superintendent of schools' or the 'regional superintendent' and after the effective date of this amendatory Act of 1993 the office held by the chief administrative officer shall be designated and referred to as the 'regional office of education.'" 105 ILCS 5/3-0.01 "Any reference to 'county' or to 'educational service region' in this Article means a regional office of education." <i>Id.</i> "Each regional superintendent of schools is encouraged to offer school districts the opportunity to share in joint educational or operational programs and to urge school districts to participate in such programs when the school district determines that such participation is fiscally prudent. The regional superintendent of schools may provide and contract for the staff, space, necessary materials, supplies, books and apparatus for such agreements." 105 ILCS 5/3-15.14.</p> <p>ISCs are a subset of ROEs that serve Cook County. 23 Ill. Adm. Code § 525.30.</p>
Are LEAs and ESAs distinct?	No. Illinois law defines the term "local education agency" to include educational service regions. 105 ILCS 5/2-3.109 Education service regions are another term for the ESAs known as ROEs. 105 ILCS 5/3-0.01
Are ESAs eligible to receive funding directly from State Governments?	Yes. Includes the following provision in the section defining the scope of powers of the Regional Superintendent of Schools that manages each ROE, "Local education agency. To apply as a local education agency for any grant, loan, program authorization or other assistance provided to local education agencies by the State Board of Education." 105 ILCS 5/3-15.15.
How are ESAs funded?	ROEs apply to the state annually for funding. Funding is determined by "a) the total appropriation of state funds identified with a particular program; b) the amount of federal grant funds applicable to particular programs to be provided through the Regional Office of Education or Chicago Intermediate Service Center for programs and services to be provided pursuant to Section 525.110 of this Part; c) the level of each Regional Office of Education's or Chicago Intermediate Service Center's need for support, including levels of expenditure and experience from prior years, as evidenced in its annual application to the State Board of Education; and d) the need to assure the delivery of services on a statewide basis" 23Ill. Admin. Code § 525.150. ROEs also receive fees for services provided to school districts.



Are the ESAs eligible for federal funding directly?	Eligible for Type 1 and Type 2 programs. Illinois law explicitly defines ROEs and ISCs as LEAs for purposes of eligibility for federal programs.
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Indiana	
ESA Terminology	Educational Service Centers (ESCs)
Citation	IC 20-20-1-1 et seq.
Definition	<p>“Educational service center means an extended agency of school corporations, charter schools, and applicable nonpublic schools that:</p> <p>(1) operates under rules established by the state board;</p> <p>(2) is the administrative and operational unit that serves a definitive geographical boundary, which, to the extent possible, must be aligned with the boundary of a regional works council's region established under IC 20-19-6 (before its expiration); and</p> <p>(3) allows school corporations, charter schools, and applicable nonpublic schools to voluntarily cooperate and share programs and services that the school corporations, charter schools, and applicable nonpublic schools cannot individually provide but collectively may implement.” IC 20-20-1-2</p>
Are LEAs and ESAs distinct?	Yes. Indiana does not have a definition for “local education agency.” Indiana state law separately defines “school corporation” and “educational services centers” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “An educational service center which has been approved by the state board of education is eligible to receive monies appropriated by the Indiana general assembly as well as any other funds, federal, donated, or from other local sources, as may be available.” 511 IAC 4-4-7.
How are ESAs funded?	ESCs are funded through donations, local funds, and federal funds. ESCs also receive fees for services provided to school districts. IC 20-20-1-11
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. ESCs are not considered LEAs under state law.



Iowa	
ESA Terminology	Area Education Agencies (“AEAs”)
Citation	I.C.A. § 273.1 et seq.
Definition	“It is the intent of the general assembly to provide an effective, efficient, and economical means of identifying and serving children from under five years of age through grade twelve who require special education and any other children requiring special education as defined in section 256B.2; to provide for media services and other programs and services for pupils in grades kindergarten through twelve and children requiring special education as defined in section 256B.2; to provide a method of financing the programs and services; and to avoid a duplication of programs and services provided by any other school corporation in the state; and to provide services to school districts under a contract with those school districts.” I.C.A. § 273.1
Are LEAs and ESAs distinct?	Yes. Iowa does not have a definition for “local education agency.” Iowa state law separately defines “school district” and “area education agencies” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	No. AEAs receive their funding directly from the school districts that they serve. I.C.A. § 273.9.
How are ESAs funded?	AEAs are funded by the school districts that they serve, including with flow through funding from state aid designated for special education services. I.C.A. § 273.9.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. AEAs are not considered LEAs under state law.



Kansas	
ESA Terminology	Interlocal Cooperative
Citation	K.S.A. 72-13,100
Definition	“In the event the boards of education of any two or more school districts enter into a school district interlocal cooperation agreement for the purpose of jointly and cooperatively performing any of the services, duties, functions, activities, obligations or responsibilities which are authorized or required by law to be performed by school districts of this state.” K.S.A. 72-13,100
Are LEAs and ESAs distinct?	Yes. Kansas does not have a definition for “local education agency.” Kansas state law separately defines “school district” and “interlocal cooperative agreements” as distinct concepts.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “Except as otherwise specifically provided in this subsection, any power or powers, privileges or authority exercised or capable of exercise by any school district of this state, or by any board of education thereof, may be jointly exercised pursuant to the provisions of a school district interlocal cooperation agreement.” K.S.A. 72-13,100
How are ESAs funded?	Interlocal Cooperatives are funded through contributions from their member school districts and through fees charged for services provided. K.S.A. 72-13,100
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Interlocal Cooperatives are not considered LEAs under state law.



Kentucky	
ESA Terminology	Education Cooperatives
Citation	KRS § 65.210 et seq.
Definition	“It is the purpose of <u>KRS 65.210</u> to <u>65.300</u> to permit public agencies to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.” KRS § 65.210. Education cooperatives are cooperatives formed by school boards under this general statute allowing for the formation of cooperatives between public agencies.
Are LEAs and ESAs distinct?	Yes. Kentucky does not have a definition for “local education agency.” Kentucky state law separately defines “school district” and “interlocal cooperatives” as distinct concepts.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “Any powers, privileges, or authorities exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency of this state, and jointly with any public agency of any other state or of the United States to the extent that the laws of the United States permit such joint exercise or enjoyment. Any agency of the state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges and authority conferred by KRS 65.210 to 65.300 upon a public agency.” KRS § 65.240.
How are ESAs funded?	Education cooperatives are funded by fees paid for services provided to member school districts. Education cooperatives also may apply for state and federal grants.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Education Cooperatives are not considered LEAs under state law.



Louisiana	
ESA Terminology	Special School District
Citation	LSA-R.S. 17:1945
Definition	“The Special School District shall be considered an educational service agency administered by the Department of Education, subject to the limitations of such units which shall include no authority to levy tax. The Special School District shall have the responsibility and authority to create and fill positions to serve the students in the district subject to the availability of funds.” LSA-R.S. 17:1945
Are LEAs and ESAs distinct?	No. Louisiana defines “local education agency” to include “an education service agency and special schools and school districts as that term is used in R.S. 17:1945 and any other public institution or agency having administrative control and direction of a public elementary or secondary school.” LSA-R.S. 17:1942
Are ESAs eligible to receive funding directly from State Governments?	Yes. The Louisiana Special School District is defined as a local education agency and is directly governed by the state superintendent of education. LSA-R.S. 17:1942
How are ESAs funded?	The Louisiana Special School District is directly funded by the state government.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 and Type 2 programs. Louisiana law explicitly defines Special School Districts as LEAs for purposes of eligibility for federal programs.



Maine	
ESA Terminology	Regional Education Cooperatives
Citation	20-A M.R.S.A. § 2511 et seq.
Definition	“An agreement between school administrative units that form a regional education cooperative to share the responsibility for and cost of the delivery of specified educational functions and support services in a region.” 20-A M.R.S.A. § 2511. “The school boards of 2 or more school administrative units in existence as of July 1, 2009 may file an application to the commissioner for the purpose of entering a cooperative agreement to form a regional education cooperative.” 20-A M.R.S.A. § 2512.
Are LEAs and ESAs distinct?	Yes. Maine does not have a definition for “local education agency.” Maine state law separately defines “school district” and “regional education cooperatives” as distinct concepts.
Are ESAs eligible to receive funding directly from State Governments?	No. There are no provisions in Maine law that address whether Regional Education Cooperatives are eligible for state funding.
How are ESAs funded?	Regional Education Cooperatives are funded by their member school districts through direct apportionments. 20-A M.R.S.A. § 2515.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Education Cooperatives are not considered LEAs under state law.



Maryland	
ESA Terminology	N/A
Citation	N/A
Definition	Maryland law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Maryland law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Maryland law does not establish any formal educational service agencies.
How are ESAs funded?	Maryland law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Maryland are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Massachusetts	
ESA Terminology	Educational Collaborative
Citation	M.G.L.A. 40 § 4E
Definition	“Two or more school committees of cities, towns and regional school districts and boards of trustees of charter schools may enter into a written agreement to provide shared programs and services, including instructional, administrative, facility, community or any other services; provided that a primary purpose of such programs and services shall be to complement the educational programs of member school committees and charter schools in a cost-effective manner. The association of school committees and charter school boards which is formed to deliver the programs and services shall be known as an education collaborative.” M.G.L.A. 40 § 4E.
Are LEAs and ESAs distinct?	Yes. Massachusetts law separately defines “education collaborative” and “school district.” However, Massachusetts does establish that the state department of education “may designate educational collaboratives as eligible recipients for any applicable federal or state grants to cities, towns, and regional school districts for educational programs.” M.G.L.A. 40 § 4E.
Are ESAs eligible to receive funding directly from State Governments?	Yes. Massachusetts allows the State Department of Education to designate education collaboratives as eligible recipients for state grants.
How are ESAs funded?	“The board of directors of the education collaborative shall establish and manage a fund, to be known as an education collaborative fund, and each such fund shall be designated by an appropriate name. All monies contributed by the member cities or towns and charter schools and all grants or gifts from the federal government, state government, charitable foundations, private corporations or any other source shall be paid to the board of directors of the education collaborative and deposited in the fund.” M.G.L.A. 40 § 4E.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Collaboratives are not considered LEAs under state law.



Michigan	
ESA Terminology	Intermediate School Districts (“ISDs”)
Citation	M.C.L.A. 380.601 et seq.
Definition	“Intermediate school district means a corporate body established under part 7.” M.C.L.A. 380.4. Part 7 of Article I of the Revised School Code of 1976 then goes on to define the duties and powers of ISDs. M.C.L.A. 380.601a.
Are LEAs and ESAs distinct?	Yes. Michigan does not have a definition for “local education agency.” Michigan state law separately defines “school district” and “intermediate school district” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. Michigan law grants ISDs the right of: “receiving, accounting for, investing, or expending intermediate school district money; borrowing money and pledging intermediate school district funds for repayment; and qualifying for state school aid and other public or private money from local, regional, state, or federal sources.” M.C.L.A. 380.601a.
How are ESAs funded?	ISDs have taxing authority and may issue bonds to generate funds. Additionally, ISDs may charge school districts for services provided. M.C.L.A. 380.625.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. ISDs are not considered LEAs under state law.



Minnesota	
ESA Terminology	Regional Service Cooperatives
Citation	M.S.A. § 123A.21
Definition	“The primary purposes of designation as a SC shall be to perform planning on a regional basis and to assist in meeting specific needs of clients in participating governmental units which could be better provided by a SC than by the members themselves. The SC must provide those programs and services which are determined, pursuant to subdivision 7, to be priority needs of the particular region and must assist in meeting special needs which arise from fundamental constraints upon individual members.” M.S.A. § 123A.21
Are LEAs and ESAs distinct?	Yes. Minnesota does not have a definition for “local education agency.” Minnesota state law separately defines “school district” and “Regional Service Cooperatives” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “The SC is a public corporation and agency and its board of directors may make application for, accept, and expend private, state, and federal funds that are available for programs of the members.” M.S.A. § 123A.21
How are ESAs funded?	Regional Service Cooperatives are funded by the member school districts they serve. Regional Service Cooperatives may supplement this funding with local, state, and federal grants. M.S.A. § 123A.21
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Service Cooperatives are not considered LEAs under state law.



Mississippi	
ESA Terminology	Regional Educational Service Agencies (“RESAs”)
Citation	Miss. Code Ann. § 37-7-345
Definition	“A regional educational service agency (ESA) may be established in a region of the state when twelve (12) or more school districts determine there are benefits and services that can be derived from the collective and collaborative formation of an agency for the purpose of pooling and leveraging resources for the common benefit of students, teachers, administrators and taxpayers. An educational service agency shall be incorporated in the State of Mississippi and organized under the laws of the State of Mississippi as a non-profit corporation. The educational service agency shall obtain 501(c)(3) status with the Internal Revenue Service.” Miss. Code Ann. § 37-7-345
Are LEAs and ESAs distinct?	Yes. Mississippi does not have a definition for “local education agency.” Mississippi state law separately defines “school district” and “regional educational services agency” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “The State Board of Education shall have the authority to contract with and provide funds to regional educational service agencies for any education-related service.” Miss. Code Ann. § 37-7-345.
How are ESAs funded?	RESAs are funded by their member districts. RESAs can supplement these funds with state grants.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. RESAs are not considered LEAs under state law.



Missouri	
ESA Terminology	Educational Service Agency
Citation	V.A.M.S. 162.1180
Definition	“Any public school district or districts may designate an educational service agency, as defined in 20 U.S.C. Section 7801, for the purpose of developing, managing, and providing instructional services or programs to the participating school district or districts.” V.A.M.S. 162.1180
Are LEAs and ESAs distinct?	Yes. Missouri does not have a definition for “local education agency.” Missouri state law separately defines “school district” and “educational service agency” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	No. There are no provisions in Missouri law that address whether Educational Service Agencies are eligible for state funding.
How are ESAs funded?	Educational Service Agencies are funded by their member districts and through fees charged for services provided.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Service Agencies are not considered LEAs under state law.



Montana	
ESA Terminology	Educational Cooperatives
Citation	MCA 20-7-451 et seq.
Definition	“A school district may contract with one or more other school districts to establish a cooperative to perform any or all education administrative services, activities, and undertakings that the school district entering into the contract is authorized by law to perform. The cooperative contract must be authorized by the boards of trustees of the districts entering into the contract.” MCA 20-7-451.
Are LEAs and ESAs distinct?	Yes. Montana does not have a definition for “local education agency.” Montana state law separately defines “school district” and “education cooperatives” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. Educational Cooperatives may receive special education funds directly from the state. “The superintendent of public instruction shall pay directly to a special education cooperative the special education allowable cost payments determined pursuant to 20-9-321.” MCA 20-7-457
How are ESAs funded?	Educational Cooperatives are funded by their member districts and through fees charged for services provided. Educational Cooperatives may receive special education funds directly from the state.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Cooperatives are not considered LEAs under state law.



Nebraska	
ESA Terminology	Educational Service Units
Citation	Neb.Rev.St. § 79-1201 et seq.
Definition	“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.” Neb.Rev.St. § 79-1204
Are LEAs and ESAs distinct?	Yes. Nebraska does not have a definition for “local education agency.” Nebraska state law separately defines “school district” and “educational service units” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “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.” Neb.Rev.St. § 79-1224
How are ESAs funded?	Educational Service Units have the power to levy taxes to raise funds. Neb.Rev.St. § 79-1225. Educational Services Units otherwise receive funds from their member school districts and through fees charged for services provided.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Service Units are not considered LEAs under state law.



Nevada	
ESA Terminology	N/A
Citation	N/A
Definition	Nevada law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Nevada law does not establish any formal educational service agencies
Are ESAs eligible to receive funding directly from State Governments?	No. Nevada law does not establish any formal educational service agencies.
How are ESAs funded?	Nevada law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Nevada are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



New Hampshire	
ESA Terminology	N/A
Citation	N/A
Definition	New Hampshire law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. New Hampshire law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. New Hampshire law does not establish any formal educational service agencies.
How are ESAs funded?	New Hampshire law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in New Hampshire are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



New Jersey	
ESA Terminology	Educational Services Commission
Citation	N.J.S.A. 18A:6-51 et seq.
Definition	“Educational Services Commission means an agency established or to be established in one or more counties for the purpose of carrying on programs of educational research and development and providing to public school districts such educational and administrative services as may be authorized pursuant to rules of the State Board of Education.” N.J.S.A. 18A:6-51
Are LEAs and ESAs distinct?	Yes. New Jersey does not have a definition for “local education agency.” New Jersey state law separately defines “school district” and “educational services commissions” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “The board of directors may enter into a contract with and receive and administer funds and grants from any individual or agency, including but not limited to, agencies of the federal government of the United States, provided that the funds or grants are for programs or services for which the commission has received approval from the State board” N.J.S.A. 18A:6-67.
How are ESAs funded?	Educational Service Commissions are funded through annual appropriations from each county as well as through membership fees from member school districts. Educational Service Commissions also receive fees for services provided.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Services Commissions are not considered LEAs under state law.



New Mexico	
ESA Terminology	Regional Education Cooperatives
Citation	N. M. S. A. 1978, § 22-2B-1 et seq. N.M. Admin. Code 6.23.3
Definition	“The department may authorize the existence and operation of “regional education cooperatives”. Upon authorization by the department, local school boards may join with other local school boards or other state-supported educational institutions to form cooperatives to provide education-related services.” N. M. S. A. 1978, § 22-2B-3
Are LEAs and ESAs distinct?	Yes. New Mexico does not have a definition for “local education agency.” New Mexico state law separately defines “school district” and “regional education cooperatives” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “With council approval, a cooperative may apply for and receive public and private grants as well as gifts, donations, bequests and devises and use them to further the purposes and goals of the cooperative.” N. M. S. A. 1978, § 22-2B-3.
How are ESAs funded?	Regional education cooperatives are funded through contributions from their member districts and through fees charged for services provided. Regional education cooperatives can supplement these funds with grants from state and federal sources.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Education Cooperatives are not considered LEAs under state law.



New York	
ESA Terminology	Board of Cooperative Educational Services (“BOCES”)
Citation	NY EDUC § 1950 et seq.
Definition	“The boards of education and school trustees of a supervisory district which is not part of an intermediate district, meeting at a time and place to be designated by the district superintendent of schools, may, by a majority vote of their members present and voting, file with the commissioner of education a petition for the establishment of a board of cooperative educational services for the purpose of carrying out a program of shared educational services in the schools of the supervisory district and for providing instruction in such special subjects as the commissioner may approve.” NY EDUC § 1950
Are LEAs and ESAs distinct?	Yes. New York does not have a definition for “local education agency.” New York state law separately defines “school district” and “boards of cooperative education services” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “To enter into contracts with the United States of America, the State of New York, any school district, community college, public institution of higher education, independent institution of higher education eligible for aid under section sixty-four hundred one of this chapter, public libraries, or public agency in relation to the program of the board of cooperative educational services, and any such school district, community college, institution of higher education, or public agency is hereby authorized and empowered to do and perform any and all acts necessary or convenient in relation to the performance of any such contracts.” NY EDUC § 1950. Sections 1950(h)(1)-(12) outline broad categories of programs that BOCES can participate in for state funding.
How are ESAs funded?	BOCES are funded through apportionment of costs from their member school districts via an annual budgeting process and direct allocations from state appropriations. NY EDUC § 1950. BOCES also receive fees charged for services provided to member school districts.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. BOCES are not considered LEAs under state law.



North Carolina	
ESA Terminology	N/A
Citation	N.C.G.S.A. § 115C-47
Definition	North Carolina law does not establish any system of educational service agencies. However, local boards of education are permitted to form cooperative agreements with other local boards of education or with non-profit corporations. N.C.G.S.A. § 115C-47.
Are LEAs and ESAs distinct?	Yes. North Carolina law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. North Carolina law does not establish any formal educational service agencies.
How are ESAs funded?	North Carolina law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in North Carolina are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



North Dakota	
ESA Terminology	Regional Education Association
Citation	NDCC, 15.1-09.1-01 et seq.
Definition	<p>“For purposes of this chapter, ‘regional education association’ means a group of school districts that have entered a joint powers agreement that has been reviewed by the superintendent of public instruction and verified as meeting the requirements of section 15.1-09.1-02.” NDCC, 15.1-09.1-01.</p> <p>North Dakota has a separately established system of multidistrict special education districts which provide special education services to cooperatives of school districts. NDCC, 15.1-33-01</p>
Are LEAs and ESAs distinct?	Yes. North Dakota defines “local education agency” to include only school districts and multidistrict special education units. NDCC, 15.1-32-21.
Are ESAs eligible to receive funding directly from State Governments?	Yes. Regional Education Associations are eligible for state funding if they provide certain services to member school districts. NDCC, 15.1-09.1-02.1
How are ESAs funded?	Regional Education Associations are funded with an annual state appropriation based on member districts’ average daily membership. NDCC, 15.1-27-03.1. Additionally, Regional Education Associations are funded through fees charged for services.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Education Associations are not considered LEAs under state law.



Ohio	
ESA Terminology	Educational Service Centers (“ESCs”)
Citation	OH ST § 3312.01 et seq.
Definition	<p>“The territory within the territorial limits of a county, or the territory included in a district formed under section 3311.053 of the Revised Code, exclusive of the territory embraced in any city school district or exempted village school district, and excluding the territory detached therefrom for school purposes and including the territory attached thereto for school purposes constitutes an educational service center.” OH ST § 3311.05</p> <p>“The educational regional service system is hereby established. The system shall support state and regional education initiatives and efforts to improve school effectiveness and student achievement. Services, including special education and related services, shall be provided under the system to school districts, community schools established under Chapter 3314. of the Revised Code, and chartered nonpublic schools.” OH ST § 3312.01</p>
Are LEAs and ESAs distinct?	No. Ohio does not have a definition for “local education agency.” However, Ohio law states that when “the term ‘school district’ is used without expressly referring to city, local, exempted village, or joint vocational school districts, or some specific combination thereof, the term shall be construed to include educational service centers.” OH ST § 3311.055
Are ESAs eligible to receive funding directly from State Governments?	Yes. “An educational service center shall be considered a school district for the purposes of eligibility in applying for any state or federal grant.” OH ST § 3312.01
How are ESAs funded?	ESCs are funded through annual appropriations from the state as well as fees paid by member school districts they serve. OH ST § 3313.843.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Possibly eligible for Type 2 programs as well since Ohio law includes a provision that states that “school district” should be construed to include ESCs unless otherwise noted. Ohio does not otherwise define “local education agency.”



Oklahoma	
ESA Terminology	N/A
Citation	N/A
Definition	Oklahoma law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Oklahoma law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Oklahoma law does not establish any formal educational service agencies.
How are ESAs funded?	Oklahoma law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Oklahoma are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Oregon	
ESA Terminology	Education Service Districts (“ESDs”)
Citation	O.R.S. § 334.003 et seq.
Definition	“Education service district means a district created under ORS 334.010 that provides regional educational services to component school districts.” O.R.S. § 334.003
Are LEAs and ESAs distinct?	Yes. Oregon does not have a definition for “local education agency.” Oregon state law separately defines “school district” and “education service districts” as distinct entities, except for purposes of programs related to migrant children. O.R.S. § 343.810
Are ESAs eligible to receive funding directly from State Governments?	Yes. ESDs may receive state funds directly from the State Board of Education. O.R.S. § 334.022.
How are ESAs funded?	ESDs are funded through annual appropriations from the state government and through fees charged for services provided to their member school districts. Additionally, ESDs have the authority to levy ad valorem property taxes. O.R.S. § 334.285
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. ESDs are not considered LEAs under state law. However, ESDs may be eligible for federal funding for programs supporting migrant children as Oregon state law defines “school district” to include ESDs for purposes of the state’s migrant children funding provisions.



Pennsylvania	
ESA Terminology	Intermediate Units
Citation	24 P.S. § 9-901-A et seq.
Definition	<p>“Local education agency: A school district, cyber charter school, charter school, area career and technical school or intermediate unit.” 24 P.S. § 2-220.</p> <p>“Each school district of the Commonwealth shall be assigned to an intermediate unit, and shall be entitled to the services of an intermediate unit in accordance with a program of services adopted by the intermediate unit board of directors. The arrangement of the school districts of the Commonwealth into intermediate units shall reflect consideration of (i) the number of public school children enrolled in kindergarten through grade twelve, (ii) ease of travel within each intermediate unit, and (iii) the opportunity to provide adequate basic services. Intermediate units shall be part of the public school system of this Commonwealth, and shall become operative on July 1, 1971.” 24 P.S. § 9-901-A</p>
Are LEAs and ESAs distinct?	No. Pennsylvania defines “local education agency” to include school districts, intermediate units, and charter schools. 24 P.S. § 2-220.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “Intermediate units shall receive subsidies from the Commonwealth as herein provided only for services performed pursuant to and authorized by law, as hereinafter provided. Nothing contained herein shall prohibit intermediate units from receiving funds from school districts and other sources including nonpublic nonprofit schools and expending such funds to provide additional services not included in the approved program of services.” 24 P.S. § 9-907-A
How are ESAs funded?	<p>Intermediate units are funded through a combination of state subsidies, fees charged for services, contributions from LEAs, and grants.</p> <p>“The Superintendent of Public Instruction shall estimate the amount to be paid by the Commonwealth to each intermediate unit based upon approved budgets.” 24 P.S. § 9-918-A.</p>
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 and Type 2 programs. Pennsylvania law explicitly defines Intermediate Units as LEAs for purposes of eligibility for federal programs.



Rhode Island	
ESA Terminology	Educational Collaboratives
Citation	Gen.Laws 1956, § 16-3.1-1 et seq.
Definition	<p>“Any school committee, acting for or on behalf of its district, may enter into an agreement with one or more other school committees to conduct jointly instructional education programs and/or administrative functions, provided that the agreement has been reviewed and is recommended by the commissioner of elementary and secondary education and has the approval of each participating school committee.” Gen.Laws 1956, § 16-3.1-2. “As used herein, the terms ‘collaborative,’ ‘educational collaborative,’ ‘regional collaborative,’ and combinations thereof, shall be deemed to refer to the collaboratives established pursuant to this chapter, and recognized as 501(c)3 nonprofit corporations incorporated pursuant to the Rhode Island Nonprofit Corporation Act, Rhode Island general laws § 7-6-1, et seq. Nothing in this legislation is intended to erode the legal status of the regional collaboratives as 501(c)3’s and their boards of directors must be cognizant to their legal and fiduciary responsibilities to these enterprises.” Gen.Laws 1956, § 16-3.1-15</p>
Are LEAs and ESAs distinct?	Yes. Rhode Island law defines “local education agency” as “a public board of education, school committee or other public authority legally constituted within the State for either administrative control or direction of one or more Rhode Island public elementary schools or secondary schools.” 200-RICR- 20-05-1.3. Rhode Island defines “educational collaboratives” as non-profit corporations and not as public authorities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “The board of regents for elementary and secondary education may provide for special grants which it may deem necessary to stimulate the formation of cooperative service arrangements, and it may establish the level of subsidy that it deems appropriate to continue the operation of any cooperative service area.” Gen.Laws 1956, § 16-3.1-4.
How are ESAs funded?	Educational Collaboratives can be funded directly through state appropriations. Otherwise, Educational Collaboratives are funded through state and federal grants and through fees charged for services provided to member districts.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Collaboratives are not considered LEAs under state law.



South Carolina	
ESA Terminology	N/A
Citation	N/A
Definition	South Carolina law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. South Carolina law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. South Carolina law does not establish any formal educational service agencies.
How are ESAs funded?	South Carolina law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in South Carolina are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



South Dakota	
ESA Terminology	Cooperative Educational Service Units
Citation	SDCL § 13-5-31 et seq.
Definition	<p>“A cooperative education service unit is a legal entity. It is the intent of the Legislature to encourage maximum utilization of cooperative efforts among school districts in an effort to maximize educational excellence in this state and to permit cooperative efforts between schools which are not adjacent to one another. A cooperative service unit may provide academic educational resources, human resources, special education services, payroll services, cooperative purchasing, workers' compensation, group health insurance, and other services deemed appropriate by a majority vote of the governing board and in keeping with the laws of the State of South Dakota.” SDCL § 13-5-31.</p> <p>South Dakota previously had entities called “education service agencies” that were disbanded in 2017 as they were seen as largely duplicative of cooperatives. SL 2017, ch 74, §§ 5 to 12.</p>
Are LEAs and ESAs distinct?	Yes. South Dakota does not have a definition for “local education agency.” South Dakota state law separately defines “school district” and “Cooperative Educational Service Units” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. While South Dakota law does not explicitly indicate that Cooperative Educational Service Units are eligible for state funds, the South Dakota Department of Education directly awards grants to these entities. See South Dakota, 2020-2021 IDEA Part B Allocations, <i>available at</i> https://doe.sd.gov/ofm/documents/FY21-611B-coop.pdf .
How are ESAs funded?	Cooperative Educational Service Units are funded according to their individual by-laws. Some Cooperative Educational Service Units require member districts to pay annual allocations, while others only charge fees for services provided. Cooperative Educational Service Units supplement these funds with state and federal grants.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Cooperative Educational Service Units are not considered LEAs under state law.



Tennessee	
ESA Terminology	Educational Cooperatives
Citation	T. C. A. § 49-2-1302 et seq.
Definition	“It is the purpose of this part to permit local governmental units and boards of education the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and to thereby provide educational services and facilities in a manner that will accord best with geographic, economic, population and other factors influencing the needs and development of local educational facilities and services.” T. C. A. § 49-2-1302
Are LEAs and ESAs distinct?	Yes. Tennessee defines “local education agency” as “any county, city, or special school district, unified school district, school district of any metropolitan form of government or any other school system established by law.” T. C. A. § 49-3-302. Educational cooperatives are not school systems under Tennessee law, they are only agreements between school districts.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “If agreements made pursuant to this part establish legal entities to conduct joint or cooperative undertakings, the commissioner of education may consider applications from and allocate funds to such legal entities, at the commissioner’s discretion, pursuant to special grant programs administered by the department.” T. C. A. § 49-2-1305.
How are ESAs funded?	Educational Cooperatives fund operations according to the bylaws of the cooperative agreement, which may include requiring contributions from member districts. Educational Cooperatives receive funds through fees charged for services provided as well as state and federal grants.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Cooperatives are not considered LEAs under state law.



Texas	
ESA Terminology	Regional Education Service Centers
Citation	V.T.C.A., Education Code § 8.001 et seq.
Definition	<p>“Regional education service centers means a system of regional and educational services established in Chapter 8.” V.T.C.A., Education Code § 5.001.</p> <p>“Regional education service centers shall:</p> <ul style="list-style-type: none"> (1) assist school districts in improving student performance in each region of the system; (2) enable school districts to operate more efficiently and economically; and (3) implement initiatives assigned by the legislature or the commissioner.” V.T.C.A., Education Code § 8.002.
Are LEAs and ESAs distinct?	Yes. Texas law does not define “local education agency.” Texas state law separately defines “school district” and “regional education service centers” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “As directed by the commissioner, each regional education service center shall, as necessary, use funds distributed under Section 8.123 to implement initiatives identified by the legislature.” V.T.C.A., Education Code § 8.052.
How are ESAs funded?	Regional Education Service Centers receive direct annual appropriations from the state for core services. V.T.C.A., Education Code § 8.121. Regional Education Services Centers also receive funding through additional state and federal grants as well as through fees charged for services provided to member school districts.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Education Service Centers are not considered LEAs under state law.



Utah	
ESA Terminology	Regional Education Service Agencies
Citation	U.C.A. 1953 § 53G-4-410
Definition	“Regional education service agency means an entity formed by two or more school districts as an interlocal entity, in accordance with Title 11, Chapter 13, Interlocal Cooperation Act, with the authority and duties described in this section.” U.C.A. 1953 § 53G-4-410.
Are LEAs and ESAs distinct?	Yes. Utah law defines “local education agency” as a “school district or charter school.” For the purposes of certain rules, “local education agency may include the Utah Schools for the Deaf and the Blind (USDB) if indicated in the specific rule.” U.A.C. R277-100-2. Utah law defines “school district” and “regional education service agencies” distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “For an eligible regional education service agency, may receive a distribution described in Subsection (6) if the Legislature appropriates money for eligible regional education service agencies.” U.C.A. 1953 § 53G-4-410. Regional Education Service Agencies may apply to any grant or program an LEA may apply to if the agency has the written consent of the LEAs that it serves.
How are ESAs funded?	Regional Education Service Agencies receive direct appropriations from the state. Regional Education Service Agencies may also receive funds through federal and state grants as well as through fees charged for services provided by member school districts.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Regional Education Service Agencies are not considered LEAs under state law.



Vermont	
ESA Terminology	N/A
Citation	N/A
Definition	Vermont law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Vermont law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Vermont law does not establish any formal educational service agencies.
How are ESAs funded?	Vermont law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Vermont are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Virginia	
ESA Terminology	N/A
Citation	N/A
Definition	Virginia law does not establish any system of educational service agencies.
Are LEAs and ESAs distinct?	Yes. Virginia law does not establish any formal educational service agencies.
Are ESAs eligible to receive funding directly from State Governments?	No. Virginia law does not establish any formal educational service agencies.
How are ESAs funded?	Virginia law does not establish any formal educational service agencies.
Are the ESAs eligible for federal funding directly?	No. Any educational service agencies in Virginia are not formally established under state law. They are therefore not considered eligible educational service agencies or local education agencies for purposes of direct funding under either Type I or Type 2 programs.



Washington	
ESA Terminology	Educational Service District
Citation	WA ST 28A.310.010
Definition	<p>“It shall be the intent and purpose of this chapter to establish educational service districts as regional agencies which are intended to:</p> <p>(1) Provide cooperative and informational services to local school districts;</p> <p>(2) Assist the superintendent of public instruction and the state board of education in the performance of their respective statutory or constitutional duties; and</p> <p>(3) Provide services to school districts and to the Washington center for deaf and hard of hearing youth and the school for the blind to assure equal educational opportunities.” WA ST 28A.310.010</p>
Are LEAs and ESAs distinct?	Yes. Washington does not have a definition for local educational agencies. However, the state does consider Educational Service Districts and Local School Districts to be two different categories of entities. WA ST 28A.315.005
Are ESAs eligible to receive funding directly from State Governments?	Yes. Educational Service Districts are required to create budgets under the same procedures that govern Local School Districts. The Educational Service Districts then submit budgets directly to the Superintendent of Public Instruction for state allocations as described below.
How are ESAs funded?	<p>“The superintendent of public instruction shall examine and revise the biennial budget request of each educational service district and shall fix the amount to be requested in state funds for the educational service district system from the legislature. Once funds have been appropriated by the legislature, the superintendent of public instruction shall fix the annual budget of each educational service district and shall allocate quarterly the state's portion from funds appropriated for that purpose to the county treasurer of the headquarters county of the educational service district for deposit to the credit of the educational service district general expense fund.</p> <p>In each educational service district, there shall be an educational service district general expense fund into which</p>



	<p>there shall be deposited such moneys as are allocated by the superintendent of public instruction under provisions of this chapter and other funds of the educational service district, and such moneys shall be expended according to the method used by first or second-class school districts, whichever is deemed most feasible by the educational service district board. No vouchers for warrants other than moneys being distributed to the school districts shall be approved for expenditures not budgeted by the educational service district board.” WA ST 28A.310.370</p> <p>In addition to this core funding that comes directly from the state, Educational Service Districts receive special education funds from member districts and receive fees for programs or services provided.</p>
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. ESDs are not considered LEAs under state law.



West Virginia	
ESA Terminology	Educational Service Cooperatives (formerly known as Regional Education Service Agencies)
Citation	W. Va. Code, § 18-5-13c
Definition	<p>“A county board is authorized to enter into a cooperative agreement with one or more other county boards to establish educational services cooperatives which shall serve as regional units to provide for high quality, cost effective lifelong education programs and services to students, schools, school systems, and communities in accordance with this section. Each educational services cooperative may serve as a regional public multi-service agency to develop, manage, and provide such services or programs as determined by its governing council and as provided in this section or otherwise provided in this code. All references in this code to regional education service agencies or RESA's mean an educational services cooperative as authorized under this section.” W. Va. Code, § 18-5-13c.</p> <p>In 2017, West Virginia repealed the legislation that established Regional Education Service Agencies and replaced them with Educational Service Cooperatives.</p>
Are LEAs and ESAs distinct?	No. West Virginia states that Educational Service Cooperatives “shall operate as Local Educational Agencies (LEA's) for financial purposes, including grants and cooperative purchasing, and collectively as essential agencies responsible for performing service functions to the total community. An educational services cooperative is eligible as an LEA to participate in partnership with or on behalf of any county school system or school in those programs that will accomplish implementation of the strategic plan and/or state education initiative of the system or school, or to further statutory priorities consistent with educational services cooperative operations.” W. Va. Code, § 18-5-13c.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “Educational services cooperatives are recognized as eligible LEA's for the purposes of applying, on behalf of school systems, for grant funds consistent with performing regional services and functions and/or supportive of education initiatives of the educational services cooperative.” W. Va. Code, § 18-5-13c.
How are ESAs funded?	Educational Services Cooperatives may generate funds from fees charged for services and from state and federal grants.



Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. Educational Service Cooperatives are not considered LEAs under state law.
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Wisconsin	
ESA Terminology	Cooperative Education Service Agencies (“CESAs”)
Citation	W.S.A. 116.01 et seq.
Definition	“The cooperative educational service agencies are designed to serve educational needs in all areas of Wisconsin by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership, coordination, and education services to school districts, University of Wisconsin System institutions, and technical colleges. Cooperative educational service agencies may facilitate communication and cooperation among all public, private, and tribal schools, and all public and private agencies and organizations, that provide services to pupils.” W.S.A. 116.01
Are LEAs and ESAs distinct?	Yes. Wisconsin defines “local educational agency” to mean “the school district in which the child with a disability resides, the department of health services if the child with a disability resides in an institution or facility operated by the department of health services, or the department of corrections if the child with a disability resides in a Type 1 juvenile correctional facility, as defined in s. 938.02(19), or a Type 1 prison, as defined in s. 301.01(5).” W.S.A. 115.76. Wisconsin state law separately defines “school district” and “Cooperative Educational Service Agencies” as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. “The board of control is eligible for and may apply for any state or federal grant for which a school district is eligible.” W.S.A. 116.09.
How are ESAs funded?	CESAs are funded through state and federal grants as well as fees paid for services provided to member school districts. W.S.A. 116.08.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. CESAs are not considered LEAs under state law.



Wyoming	
ESA Terminology	Boards of Cooperative Educational Services ("BOCES")
Citation	W.S.1977 § 21-20-101 et seq.
Definition	"The purpose of this act is to provide a method whereby school districts and community college districts or any combination may work together and cooperate to provide educational services, including but not limited to postsecondary education, vocational-technical education, adult education and services for children with disabilities, when the services can be more effectively provided through a cooperative effort. Educational services provided under this act by or in cooperation with public schools shall be subject to the standards for educational programs imposed under W.S. 21-9-101 and 21-9-102, and by rule and regulation of the state board." W.S.1977 § 21-20-102
Are LEAs and ESAs distinct?	Yes. Wyoming law does not define "local education agency." Wyoming state law separately defines "school district" and "boards of cooperative educational services" as distinct entities.
Are ESAs eligible to receive funding directly from State Governments?	Yes. BOCES may "accept or reject any federal or other gift, grant, bequest, or devise." W.S.1977 § 21-20-108.
How are ESAs funded?	BOCES may levy special school district taxes to generate funds. W.S.1977 § 21-20-109. BOCES are otherwise funded by their member districts on a basis agreed upon by the boards of trustees of the districts. W.S.1977 § 21-20-106.
Are the ESAs eligible for federal funding directly?	Eligible for Type 1 programs. BOCES are not considered LEAs under state law.

