

TO: Roger Breed, Ed.D.
Commissioner of Education

FROM: Brian L. Halstead, Assistant Commissioner

SUBJECT: Adjustment of boundaries for ESU #6 and ESU #18

PROPOSED BOARD ACTION

That the State Board of Education adopt the prepared order to adjust the boundaries of Educational Service Unit No. 6 and Educational Service Unit No. 18 so that the boundaries of each educational service unit align with the boundaries of their member school districts.

BACKGROUND INFORMATION

Section 79-1205 requires that the State Board of Education adjust the boundaries of Educational Service Units which do not align with the boundaries of member school districts. On May 8, 2012, the administrator of ESU 18 requested that the boundaries of ESU 18 be adjusted to reflect the boundaries of Lancaster County School District No. 1 (Lincoln Public Schools) due to the annexation of territory by the City of Lincoln that previously was in Lancaster County School District No. 145 (Waverly School District 145) and Lancaster County School District No. 148 (Malcolm Public Schools).

Estimated Cost

De minimis costs to county officials for adjustment of records.

Supporting Documentation Included: Draft Order for ESU #6 and ESU #18, letter from Administrator of ESU #18, maps of territory annexed by the City of Lincoln, and a copy of Section 79-1205.

For additional information on this item: Call Brian L. Halstead (402) 471-0732 or e-mail: brian.halstead@nebraska.gov

DRAFT

BEFORE THE STATE BOARD OF EDUCATION STATE OF NEBRASKA

IN THE MATTER OF:)
) Case No. 12-08
Adjustment of the Boundaries of Educational)
Service Unit Numbers 6 and 18)

On July 11, 2012, the State Board of Education (Board) met in the State Board Room of the Nebraska Department of Education on the 6th Floor of the State Office Building, 301 Centennial Mall South, 14th and M Streets, Lincoln, Nebraska. Pursuant to Neb. Rev. Stat. Section 79-1205, the Board is required to adjust the boundaries of educational service units which do not align with the boundaries of member school districts as such school district boundaries existed on July 1, 2012.

The Board finds that the boundaries for Educational Service Unit Number 6 and 18 currently do not align with the boundaries of their member school districts of said educational service units in Lancaster County for the reason that the City of Lincoln annexed territory that was within the boundaries of Lancaster County School District No. 145 (Waverly School District 145) and Lancaster County School District No. 148 (Malcolm Public Schools) and pursuant to Neb. Rev. Stat. Sections 79-408 and 79-475 said territories became part of Lancaster County School District No. 1 (Lincoln Public Schools).

Therefore, the Board adjusts the boundaries of Educational Service Unit Number 18 to align with the school district boundaries of Lancaster County School District No. 1 (Lincoln Public Schools), and adjusts the boundaries of Educational Service Unit Number 6 to align with the school district boundaries of Lancaster County School District No. 145 (Waverly School District 145), Lancaster County School District 148 (Malcolm Public Schools) and Lancaster

County School District No. 160 (Norris School District 160) as such school district boundaries exist on July 1, 2012.

The County Clerk, Treasurer, and Assessor of Lancaster County are directed to implement the necessary changes in the educational service unit maps and tax records as required pursuant to this order and applicable law, with an effective date of July 1, 2012. A copy of this order shall also be provided to the appropriate educational service unit officials.

Dated this 11th day of July 2012.

Jim Scheer, President
State Board of Education

DRAFT



Lincoln Educational Service Unit No. 18

P.O. Box 82889 • Lincoln, NE 68501 • (402) 436-1636 • Fax (402) 458-3285

May 8, 2012

State Board of Education
Lincoln, NE

State Board:

Pursuant to Section 79-1205, Educational Service Unit 18 is requesting that its boundaries be adjusted so that the boundaries match those of Lancaster County School District 001.

Please contact me at 402-436-1635 if you need any additional information.

Sincerely,

A handwritten signature in cursive script that reads 'Mark W. Shepard'.

Mark W. Shepard
ESU 18 Administrator

Halstead, Brian

From: Jill Pauley [jpauley@lps.org]
Sent: Thursday, May 24, 2012 11:54 AM
To: Halstead, Brian
Cc: Mark Shepard; James B. Gessford
Subject: Re: Adjustment of ESU Boundaries Pursuant to Section 79-1205

Brian,

You are correct. It was Waverly.

Jill

----- Original Message -----

From: "Brian Halstead" <Brian.Halstead@nebraska.gov>
To: "Jill Pauley" <jpauley@lps.org>
Cc: "Mark Shepard" <mshepar@lps.org>, "James B. Gessford" <jgessford@perrylawfirm.com>
Sent: Tuesday, May 22, 2012 5:08:39 PM
Subject: RE: Adjustment of ESU Boundaries Pursuant to Section 79-1205

Are you sure Raymond Central was the school district for 48th and Superior, and not Waverly?

Brian L. Halstead
Assistant Commissioner and General Counsel Nebraska Department of Education
(402) 471-0732
brian.halstead@nebraska.gov

-----Original Message-----

From: Jill Pauley [<mailto:jpauley@lps.org>]
Sent: Tuesday, May 22, 2012 5:05 PM
To: Halstead, Brian
Cc: Mark Shepard; James B. Gessford
Subject: Re: Adjustment of ESU Boundaries Pursuant to Section 79-1205

Brian,

To my knowledge we had two annexations this year--Fallbrook and 48th & Superior. I have attached maps for both. The Fallbrook annexation was with Malcolm and the 48th & Superior annexation was with Raymond Central. Please let me know if you need any additional information.

Jill

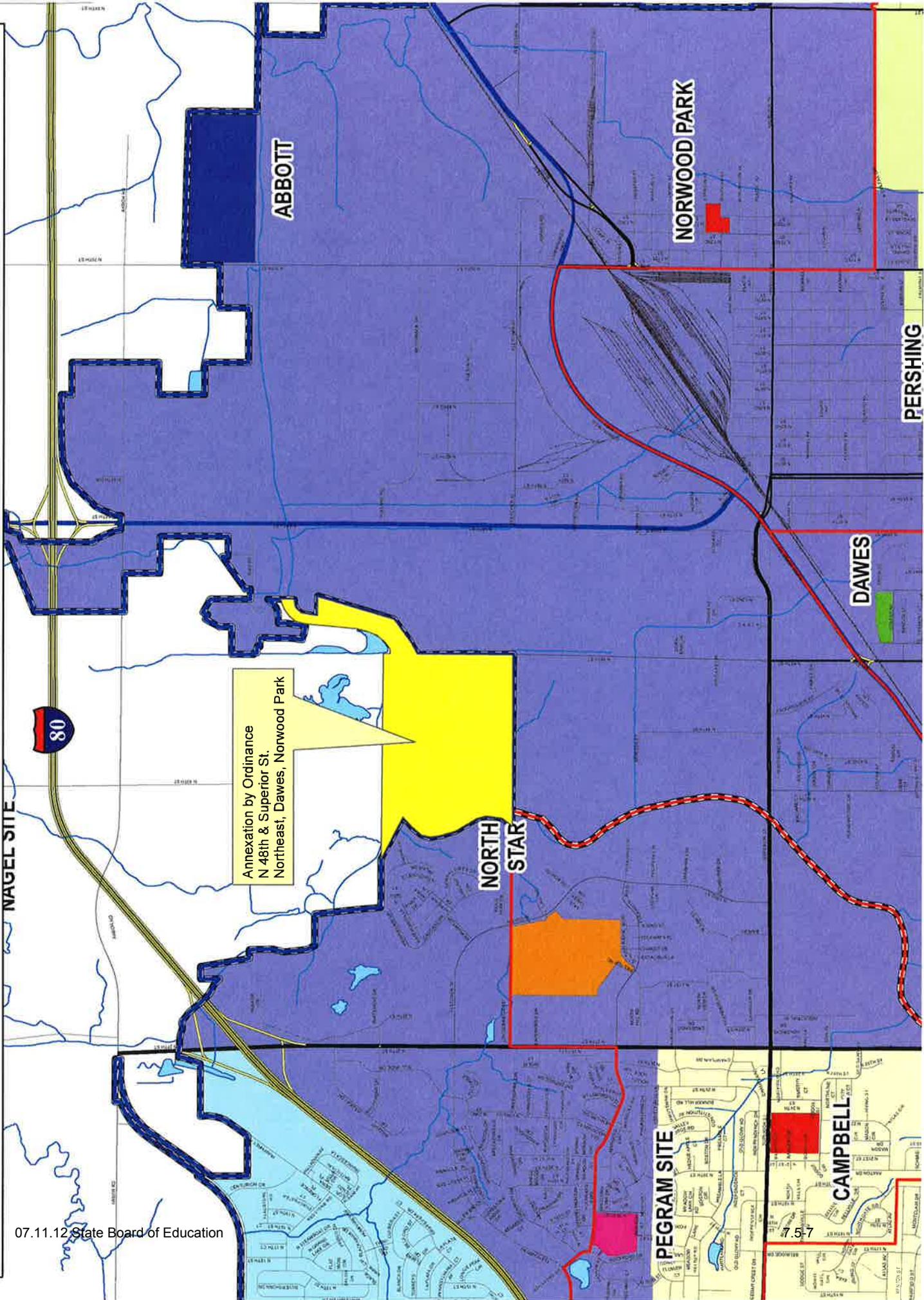
----- Original Message -----

From: "Brian Halstead" <Brian.Halstead@nebraska.gov>
To: "Jill Pauley" <jpauley@lps.org>
Cc: "Mark Shepard" <mshepar@lps.org>, "James B. Gessford" <jgessford@perrylawfirm.com>
Sent: Wednesday, May 9, 2012 8:30:37 AM
Subject: RE: Adjustment of ESU Boundaries Pursuant to Section 79-1205

Jill:

Supporting documentation for the boundary changes is due June 20, 2012. There is no need for anyone from ESU 18 or Lancaster County School District No. 1 to be at the July 11, 2012, State Board meeting.

Lincoln City Limits Annexation & Affected LPS Boundaries



79-1205. Annual adjustment to boundaries; State Board of Education; duties.

On or before July 31, 2007, and on or before July 31 of each year thereafter, the State Board of Education shall adjust the boundaries of any educational service unit the boundaries of which do not align with the boundaries of the member school districts on July 1 of such year. Such boundary adjustments shall align the boundaries of the educational service unit with the boundaries of the member school districts as the boundaries of the member school districts existed on July 1 of such year. Such boundary adjustments shall be referred to the appropriate county and educational service unit officials, and such officials shall implement the adjustments and make the necessary changes in the educational service unit maps and tax records.

Source: Laws 2007, LB603, § 10.