



AESA State Examiner

The State Examiner: June 2025

A monthly, national look at State-by-State legislative issues, trends, and tips, empowering AESA members as education advocates

The State Examiner is a monthly report curated by the Association of Educational Service Agencies (AESA). It provides legislative monitoring, news articles, and related content gathered from the fifty states. The purpose of the monthly report is to ensure AESA members are aware of the latest state-level education policy, funding issues and trends, and state-level news that are impacting educational service agencies (ESAs), their client schools and districts. Each report also includes advocacy tips to activate and empower our members to be informed, effective education advocates.

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- State Legislative & Policy Issues Monitoring
- State Budget & Finance Monitoring
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- National Education Policy Reports
- Advocacy Tips

STATE LEGISLATIVE ISSUE MONITORING

In each edition of the *State Examiner*, AESA monitors state-level legislation and legislative trends impacting educational service agencies and their client schools and districts. This month's report for June 2025 will examine how state definitions qualify ESAs as LEAs under federal law.

Clearing Up Confusion: Are You an ESA or LEA Under Federal Law?

A Practical Guide for Statewide Networks and Educational Service Agencies

Overview

State Examiner articles typically serve to monitor and analyze how emerging state legislation shapes the operations and responsibilities of Education Service Agencies (ESAs) across the country. Unlike previous articles that focus on pending or recently enacted laws, this piece explores how ESAs themselves define their role as Local Education Agencies (LEAs) within the evolving legislative landscape in their respective states. This approach provides insight into the self-conceptualization of ESAs beyond statutory changes and can offer ESAs and networks of ESAs, particularly those where the policy picture in their states may be less clear, with a roadmap for carving out an enhanced role in statewide initiatives.

Introduction

Across the United States, **Educational Service Agencies (ESAs)**—known variously as BOCES, RESCs/RESAs, ESCs/ESDs, AEAs, Collaboratives, IUs, ISDs, Education Cooperatives and more—play a crucial but sometimes misunderstood role in the public education ecosystem. Their legal standing as ESAs and, by extension, as **Local Education Agencies (LEAs)** under federal law, directly impacts their eligibility for federal grants, their ability to serve as fiscal agents, and their authority to deliver services to school districts. Too often state education agencies (SEAs) fail to recognize ESA standing in federal law as they look to implement programs at the state level.

This June 2025 *State Examiner* article helps to connect the dots and provides a clear, actionable framework to help any ESA or statewide ESA network determine whether their state’s legal definition qualifies them as an ESA under federal law—and, by extension, as an LEA. It also explores the policy implications for sub-granting and fiscal agency, drawing on federal statutes and guidance. As always, ESAs should consult state policy and regulations, and legal counsel as appropriate.

What Is an ESA?

Federal Definition and State Variations

Federal law (20 USC § 1401(5); 34 CFR § 300.12) defines an ESA as a **regional public multiservice agency** authorized by state statute to develop, manage, and provide services or programs to local educational agencies (LEAs), and recognized as an administrative agency for special education and related services.

“The primary role of the ESA is service to its constituent districts and schools, not their regulation.”
— Association of Educational Service Agencies (AESA)

Are ESAs Considered LEAs Under Federal Law?

Yes. Federal law (34 CFR § 303.23) explicitly includes ESAs in the definition of an LEA. If your agency meets the federal ESA definition, it is also considered an LEA for most federal program purposes.

Why Does This Matter?

- **Federal Funding:** Only ESAs recognized as LEAs are eligible for many federal grants.
- **Fiscal Agency:** ESAs/LEAs can serve as fiscal agents for consortia, streamlining administration and compliance.
- **Policy Influence:** ESA/LEA status can affect your agency’s seat at the table in state and federal education policy.

Decision Tree: Does Your Agency Qualify as an ESA and LEA?

To know if your ESAs qualifies, look at your state definition in statute or administrative rule and follow this logic map to determine your ESA standing:

```
START
|
|-- Is your agency a regional public multiservice agency?
|   |-- NO --> Not ESA/LEA under federal law
|   |-- YES
|       |
|       |-- Is it authorized by state law to provide services to LEAs?
|           |-- NO --> Not ESA/LEA under federal law
|           |-- YES
|               |
```

|-- Is it recognized as an administrative agency for special education/related services?

|-- NO --> Not ESA/LEA under federal law

|-- YES --> Qualifies as ESA under federal law

|

|-- Does it have administrative control over a public elementary/secondary school?

|-- YES --> Also qualifies as LEA under federal law

|-- NO --> Still qualifies as LEA (as ESA is included in LEA definition)

Summary Table:

Step	Question	If YES	If NO
1	Regional public multiservice agency?	Go to Step 2	Not ESA/LEA
2	Authorized by state law to serve LEAs?	Go to Step 3	Not ESA/LEA
3	Recognized for special education/related services?	Qualifies as ESA; Go to Step 4	Not ESA/LEA
4	Administrative control over a public school?	Qualifies as LEA (and ESA)	Still qualifies as LEA

Examples from the Field

An initial review of state statute and related rules reveals a few examples that other states can look to if looking for models to learn from and potentially replicate (*note this is not an exhaustive list*):

State	ESA Type	ESA = LEA Under State Law?	Federal ESA/LEA Status	Key Statutory References	Notes
Ohio	Educational Service Centers	Yes	Yes	ORC §§ 3311.055, 3312.01, 3312.05, 3311.05	Explicitly defined as school districts/LEAs
California	County Offices of Education	Yes	Yes	Cal. Educ. Code § 56026.3	Defined as LEAs for federal purposes
Colorado	BOCES	Conditional	Conditional	C.R.S.A. §§ 22-5-102, 22-5-114.5	Must have district agreement for LEA status
Pennsylvania	Intermediate Units	Yes	Yes	24 P.S. § 9-910-A; Act 102 of 1970	Defined as LEAs for federal programs
Iowa	Area Education Agencies	Varies	Yes (ESA); LEA varies	Iowa Code Ch. 273; Iowa Admin. Code r. 281-41.12	Confirm for each funding stream
Connecticut	RESCs	Varies	Yes (ESA); LEA varies	Conn. Gen. Stat. §§ 10-66a, 10-66b, 10-66c	State statute dependent

Policy and Grantmaking Implications

Subgrants and Fiscal Agency:

Federal law and the Uniform Grant Guidance (2 CFR Part 200) generally allow LEAs—including ESAs that qualify as LEAs—to provide subgrants to other ESAs or serve as fiscal agents for consortia, unless a specific program statute prohibits it. As outlined below, there are benefits to state education agencies (SEAs) and client schools and districts with this consortia-based approach.

Benefits:

- **Administrative Efficiency:** Streamlined reporting and oversight.
- **Resource Sharing:** Economies of scale and shared expertise.
- **Grant Access:** Small LEAs can participate in funding opportunities.

Aspect	Benefit
Legal Compliance	Permitted under federal law and UGG
Administrative Efficiency	Streamlines reporting and oversight
Resource Sharing	Pooled services and expertise
Grant Access	Helps small LEAs qualify for funds

Key Takeaways for ESA Leaders and State Networks

- **Check your state's statutes:** Does your agency's authorizing law match the federal ESA definition?
- **If you qualify as an ESA, you are also an LEA under federal law.**
- **This status enables eligibility for federal grants and consortia arrangements.**
- **Clear state definitions and documentation are critical for compliance and maximizing opportunities.**

Understanding whether your agency qualifies as an ESA—and, by extension, as an LEA—under federal law is essential for unlocking access to federal funding, serving as a fiscal agent, and participating fully in statewide educational initiatives. By carefully examining state statutes and aligning them with federal definitions, ESAs can ensure compliance, maximize grant opportunities, and strengthen their role in supporting local districts. Clear documentation and ongoing consultation with legal counsel remain critical for navigating this complex landscape and leveraging the full benefits of ESA and LEA status for your agency and the communities you serve.

This article is intended for informational purposes and does not constitute legal advice. Always consult your state's statutes and legal counsel for specific guidance.

STATE BUDGET & FINANCE MONITORING

AESA monitors state level budget and finance news impacting preschool and primary and secondary education. These curated articles (with links) can provide insights into what is happening in your state and collectively across the U.S. The latest state budget and finance-related news for June 2025 follows below.

[Two-year, \\$60B Ohio budget with flat income tax, Browns stadium money off to Gov. DeWine](#)
Ohio Statehouse News Bureau

[PA Near Budget Deadline: Battle Likely to Stretch into Summer](#)

York Dispatch

[A 'Tsunami' of Uncertainty Is Crashing into Federal Funding for Schools](#)
EducationWeek

[Legal Weed Is Working, Data Suggests: \\$24.7 Billion In Taxes, Teen Use Down in Most States](#)
Forbes

[Colorado Schools to Receive \\$256 Million Funding Boost](#)

Channel 7 Denver (ABC)

[Amid bleak state revenue forecast, Alaska Gov. Dunleavy vetoes millions in education funding](#)
Alaska Beacon

[Vermont Legislature passes landmark education reform bill after a messy final day](#)
VT Digger

[Lawmakers approve \\$90 million request from reserve fund for Education Freedom Account program](#)
Arkansas Democrat Gazette

[Minnesota Legislature passes next state budget in special session, averting government shutdown](#)
CBS News

[Chunk of Arizona school funding delayed for June due to \\$200M state budget shortfall](#)
KTAR News

[Gov. Greg Abbott signs \\$8.5 billion public education funding plan into law. Here's how it works](#)
The Texas Tribune

STATEHOUSE NEWS: EDUCATION POLICY

Each month AESA finds representative examples (with links) of news items coming out of the states or impacting the states that may be of interest to ESAs and their client schools and districts:

[All states can now access ESSER late liquidation funds](#)

K-12 Dive

[Public school advocates claim victory as Ohio judge calls private voucher program unconstitutional](#)

Ohio Capital Journal

[Lawmakers question lack of information on Tennessee private-school voucher students](#)

Tennessee Lookout

[NAEP Data Is Critical for Students with Disabilities. It Must Not Disappear](#)

The 74

[Michigan Lawmakers to Expand Classes Homeschoolers Can Take at Public Schools](#)

Michigan Advance

[Out of School Programs Role in Reversing Chronic Absenteeism](#)

FutureEd

[How States Can Improve Math Preparation for Teachers](#)

K-12 Dive

[Indiana unveils first draft of overhauled school accountability system to replace A-F grades](#)

Indiana Capital Chronicle

[Michigan education officials on the hot seat over the state's poor academic performance](#)

Chalkbeat Detroit

[From vouchers to a cellphone ban, this year's lawmaking session brought transformative changes to Texas schools](#)

The Texas Tribune

STATE & NATIONAL REPORTS IMPACTING EDUCATION

AESA monitors state and national reports highlighting state-level information of interest to ESAs. As always, it is important to view these reports through a critical lens with attention to research design, methodology, data sources and citations, peer review, and publication venue. This month AESA spotlights three reports from Gallup, the National Association of State Budget Officials (NASBO), and the Annie E. Casey Foundation:

- [Learning in Focus: Examining Iowa Students' Engagement in Grades Five Through 12](#) - The first report from Opportunity Education and Gallup reveals a significant imbalance in how students engage with learning, both in and outside of the classroom. This report explores the experiences of Iowa students in grades five through 12 and offers insights into classroom practices, student agency and life readiness. The findings highlight the need to reimagine how schools support meaningful, student-driven learning. Download the full report [here](#).
- [2025 Fiscal Survey of the States](#) - This edition of the report contains data for states, territories, and the District of Columbia on general fund spending, revenue, ending balances, and rainy-day funds for fiscal 2024 (actual), fiscal 2025 (estimated), and fiscal 2026 (recommended). Information on recommended changes to taxes and fees and employee compensation for fiscal 2026 is also included. With data gathered from all 50 state budget offices, this semi-annual report provides a narrative analysis of the fiscal condition of the states and data summaries of state general fund revenues, expenditures, and balances. The spring 2025 edition details governors' proposed budgets; the fall 2025 edition will detail enacted budgets.
- [Kids Count](#) – The Annie E. Casey Foundation's Kids Count annual report explores state trends in child well-being through comprehensive data analysis. This year's *Data Book* tells a mixed story — steady progress in some areas, setbacks in others and opportunities to do better for kids and families. Since 2019, seven of the 16 key indicators have improved, six have worsened and three have stayed the same. For the full report click [here](#).

JUNE 2025 MONTHLY ADVOCACY TIP

AESA Helps Members Maximize State-Level Impact: *Integrating the AESA Advocacy Toolkit into your ESA Campaigns*

The Association of Educational Service Agencies (AESA) has been a consistent, stalwart voice for educational service agencies (ESAs) at the federal level since its inception. In recent years, the association has expanded its longstanding federal advocacy by significantly enhancing its focus on state-level advocacy, recognizing the critical role state legislatures play in education funding, governance, and standards. Through publications, toolkits, and customized training and presentations tailored to individual states, AESA equips education leaders and ESAs with the tools and knowledge needed to effectively influence state policy and advance their priorities. This dual emphasis strengthens AESA's comprehensive advocacy approach, ensuring impact at both federal and state levels.

As state policy decisions increasingly influence the future of public education, ESAs must be equipped with effective strategies to advocate for their communities. The AESA Advocacy Toolkit, developed specifically for ESAs, was designed with this need in mind. The toolkit provides a comprehensive, actionable framework to help service agency advocates cut through the noise, manage misinformation, and build lasting support—all while amplifying their voice at the state level.

Below are specific steps ESAs can take to integrate the toolkit's principles and AESA's additional resources into their advocacy efforts for maximum impact.

Start with Audience Analysis: Know Who and Why

Effective advocacy begins with understanding your audience.

Use the toolkit's audience analysis approach to:

- **Identify and segment your audiences** (primary, secondary, tertiary) based on their connection to your issue and their influence on outcomes.
- **Tailor your messages** to what matters most to each group, avoiding information overload or disengagement.
- **Anticipate objections and misinformation** by considering what your audience is already hearing and from whom, preparing you to address concerns before they escalate.

Message Development: Clarity, Consistency, and Relevance

Focus on three key messages that are clear, concise, and directly relevant to your audience's interests and values.

- **Address misinformation head-on:** Monitor social media, news, and community conversations to understand alternative viewpoints. Use your messaging to proactively counter false narratives with facts and relatable stories.
- **Stay on message:** Consistency is critical—reiterate your core points across all platforms and interactions to reinforce understanding and trust.

Channels & Content: Meet Your Audience Where They Are

Choose communication channels your audience prefers—whether it's email, social media, newsletters, or face-to-face meetings. Today's organizations are multi-generational – meet your audiences where they are by understanding how they consume information.

- **Leverage visual content:** Infographics, charts, and videos make complex information accessible and memorable, helping dispel misinformation and highlight your key points.
- **Keep digital content concise:** Use subheads, bullet points, and visuals to ensure your message is easily understood and retained, even in today's fast-paced, information-rich environment.

Advocacy Tactics: Engage, Build, and Amplify

Be your own best advocate:

- **Tell your ESA's story** across multiple channels to build your agency's reputation as a trusted, valuable resource.
- **Organize "Days at the Statehouse," legislative visits, and public testimony** to engage directly with policymakers. Prepare clear talking points, "leave behind" materials, and always make your "ask" explicit. Never leave a meeting without knowing where they stand.
- **Build coalitions:** Partner with like-minded organizations, parents, and community leaders to amplify your message and present a united front.
- **Share personal stories and data:** Humanize your advocacy by illustrating the real-world impact of policies on students and schools.
- **Follow up consistently:** After meetings or testimony, send thank-you notes and provide requested information to maintain engagement and credibility.

Managing Misinformation and Building Local Support

The toolkit emphasizes:

- **Proactive listening and monitoring:** Stay aware of what's being said about your agency and your issues by tracking social media, community forums, and feedback from partners.
- **Directly addressing concerns:** Use your messaging to correct misunderstandings and provide factual, relatable alternatives.
- **Continuous feedback:** Gather input on your communications to refine your approach and address emerging rumors or objections quickly.

Leverage AESA's Additional Resources

- **The State Examiner:** Stay informed with legislative updates, best practices, and success stories from ESAs nationwide. Use these insights to benchmark your efforts and adapt proven strategies to your context.
- **AESA Workshops and Training:** Participate in advocacy skill-building sessions and conferences tailored to state-level challenges. AESA makes these opportunities available through the September Advocacy in Action conference, the December Annual Conference, and through customized workshops and presentations.
- **Peer Networking:** Connect with other ESA leaders to share resources, troubleshoot challenges, and strengthen your advocacy coalition.

Incorporating the AESA Advocacy Toolkit and State Examiner into your state campaigns gives you a strategic edge—helping you craft targeted, persuasive messages, manage misinformation, and build the local and legislative support needed to advance your ESA's mission. With legislative sessions in the rearview mirror and Summer recess upon us, it is a perfect time to reassess your advocacy strategy and plan for when the legislature in your state reconvenes. Download the toolkit, subscribe to the State Examiner, and make these resources the foundation of your advocacy arsenal moving forward.

CUSTOMIZED AESA ADVOCACY TRAINING

AESA empowers education leaders to become effective advocates through its customized advocacy trainings, designed to meet a variety of needs and schedules. Whether you're seeking an in-depth exploration or a concise overview, AESA offers three levels of workshops to build your legislative knowledge and confidence. The comprehensive three-day workshop provides a step-by-step immersion into state advocacy, covering the legislative landscape, policy and rule-making, and hands-on advocacy strategies. For those with limited time, the one-day workshop delivers essential advocacy skills and actionable insights in a focused format. Looking for a customized training solution? AESA can do that too. Additionally, AESA offers tailored, one-hour presentations ideal for regional or local events, with expert speakers addressing state-specific challenges in politics, finance, and education policy. Each training is designed to equip participants with practical tools and strategies to make a meaningful impact in the state legislative process. For more information contact [Joan Wade, Executive Director](#).

SHARE YOUR ADVOCACY SUCCESS STORIES

AESA would like to highlight successful state-level advocacy campaigns. Share your triumphs in state advocacy with fellow members! Contribute to our newsletter by submitting your success stories – your experiences can enlighten and inspire others in navigating the often-complex landscape of state advocacy. Together, we can amplify our collective knowledge for the benefit of the entire AESA membership. Send your stories to info@aesa.us

STAY CONNECTED & INVOLVED

Have feedback for the AESA state advocacy team? Would you like to see a particular issue area addressed in future issues? Send feedback to info@aesa.us

STAY CONNECTED

