

California Department of Education

Executive Office

SBE-007 (REV. 11/2017)

Federal Waiver

# California State Board of Education January 2018 Agenda Item #W-03

## Subject

Request by two school districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).

## Waiver Numbers

Cloverdale Unified School District Fed-17-2017

Muroc Joint Unified School District Fed-18-2017

## Type of Action

Action, Consent

## Summary of the Issue(s)

The criterion for qualifying for this waiver is demonstration that the LEAs cannot form or join a consortium that handles the Perkins Act funds. There are no other districts in the local area willing to join in a consortium. The Districts are located in various rural counties and have student populations ranging from 1,394 to 1,936. Districts are seeking waivers to function independently in order to meet the needs of the students in the district.

## Authority for Waiver

Federal Waiver Authority (Public Law 109-270) Section 131(c)(2)

## Recommendation

* Approval: Yes
* Approval with conditions: No
* Denial: No

## Summary of Key Issues

The criterion for qualifying for this waiver is demonstration that the LEAs cannot form or join a consortium that handles the Perkins Act funds. There are no other districts in the local area willing to join in a consortium. The Districts are located in various rural counties and have student populations ranging from 1,394 to 1,936. Districts are seeking waivers to function independently in order to meet the needs of the students in the district.

**Demographic Information:**

Cloverdale Unified School District has a student population of 1,394 and is located in a Town: Fringe (31) area in Sonoma County

Muroc Joint Unified School District has a student population of 1,936 and is located in a Rural: Distant (42) area in Kern County.

## Summary of Previous State Board of Education Discussion and Action

Section 131(c)(1) of the Perkins Act requires LEAs whose allocations are less than $15,000 to enter into a consortium with other LEAs for the purpose of meeting the $15,000 minimum grant requirement. Section 131(c)(2) of the Perkins Act permits states to waive the consortium agreement if the LEA is in a rural, sparsely populated area or is a public charter school operating secondary vocational and technical education programs, and is unable to join a consortium.

The State Board of Education (SBE) Waiver Policy #01-01: Carl D. Perkins Career and Technology Education Improvement Act: Consortium Requirement for Minimum Allocation, available at <http://www.cde.ca.gov/re/lr/wr/documents/perkinspolicyr.doc>, has criteria defining rural that are specifically tied to the National Center for Education Statistics (NCES) Locale Codes numbers 23, 31, 32, 33, 41, 42, or 43.

The SBE has approved all waivers of this statute that have been presented to it to date.

## Fiscal Analysis (as appropriate)

Approval will enable these Districts to receive an annual Perkins Act allocation that is listed on Attachment 1. The waiver has no significant effect on the distribution of Perkins Act funds statewide.

## Attachment(s)

* **Attachment 1:** District Requesting Carl D. Perkins Career and Technical Education Waivers (1 page)
* **Attachment 2:** Cloverdale Unified School District Federal Waiver Request Fed-17-2017 (1 page) (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Muroc Joint Unified School District Federal Waiver Request Fed-18-2017 (1 page) (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

Districts Requesting Carl D. Perkins Career and Technical Education Waivers

| Waiver Number | District | Period of Request | Local Board and Public Hearing Approval | NCES Locale Code | Demographic Information | Perkins Act Allocation |
| --- | --- | --- | --- | --- | --- | --- |
| Fed-17-2017 | Cloverdale Unified School District | **Requested:**  July 1, 2017, to June 30, 2021  **Recommended:**  July 1, 2017, to June 30, 2021 | September 13, 2017 | 31 | Student Population of 1,394 located in  Sonoma County | $7,500 |
| Fed-18-2017 | Muroc Joint Unified School District | **Requested:**  July 1, 2017, to June 30, 2021  **Recommended:**  July 1, 2017, to June 30, 2021 | September 13, 2017 | 42 | Student population of 1,936 located in  Kern County | $10,225 |

Created by California Department of Education  
November 9, 2017

# Attachment 2: Cloverdale Unified School District Federal Waiver Request Fed-17-2017

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 4970656

Waiver Number: Fed-17-2017

Active Year: 2017

Date In: 9/19/2017 10:57:05 AM

Local Education Agency: Cloverdale Unified

Address: 97 School St.

Cloverdale, CA 95425

Start: 7/1/2017

End: 6/30/2021

Waiver Renewal: No

Previous Waiver Number: NA

Previous SBE Approval Date: NA

Waiver Topic: Federal Program Waiver

Ed Code Title: Carl D. Perkins Voc and Tech Ed Act

Ed Code Section: PL 109-270 Section 131(c)(1)

Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or *CCR* to Waive: Public Law 109-270 Section 131 (c)(1)

Outcome Rationale: Our allocation amount is less than $15K and we do not belong to a consortium.

Student Population: 427

City Type: Small

NCES Code: 31

Local Board Approval Date: 9/13/2017

Submitted by: Ms. Patricia Mills

Position: CBO

E-mail: [millsp@cusd.org](mailto:millsp@cusd.org)

Telephone: 707-894-1999

Fax: 707-894-1922

# Attachment 3: Muroc Joint Unified School District Federal Waiver Request Fed-18-2017

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 1563685

Waiver Number: Fed-18-2017

Active Year: 2017

Date In: 9/21/2017 12:00:36 PM

Local Education Agency: Muroc Joint Unified School District

Address: 17100 Foothill Ave.

North Edwards, CA 93523

Start: 7/1/2017

End: 6/30/2021

Waiver Renewal: Yes

Previous Waiver Number: FED-4-2013

Previous SBE Approval Date: 12/1/2012

Waiver Topic: Federal Program Waiver

Ed Code Title: Carl D. Perkins Voc and Tech Ed Act

Ed Code Section: PL 109-270 Section 131(c)(1)

Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or *CCR* to Waive: Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270)

Outcome Rationale: The district qualifies for the waiver due to the rural location of the district, demonstrated by the NCES locale code.

Student Population: 1900

City Type: Rural

NCES Code: 41

Local Board Approval Date: 9/13/2017

Submitted by: Mr. Trevor Walker

Position: CBO

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