

California Department of Education

Executive Office

SBE-007 (REV. 1/2018)

Federal Waiver

# California State Board of Education January 2023 AgendaItem #W-01

## Subject

Request by **Westwood Unified School District** for a waiver of Section 131(c)(1) of the Strengthening Career and Technical Education for the 21st Century Act (Public Law
115-224).

## Waiver Number

Westwood Unified School District Fed-5-2022

## Type of Action

Action, Consent

## Summary of the Issue(s)

The California Department of Education recommends approval to waive the Strengthening Career and Technical Education for the 21st Century Act (Perkins Act), Public Law
115-224 Section 131(c)(1), which requires local educational agencies (LEAs) whose allocations are less than $15,000 to enter into a consortium with other agencies. If they are unable to do so, under Section 131(c)(2), they may waive the consortium requirement 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, thus allowing the districts to meet the needs of their students.

**Authority for Waiver**

Federal Waiver Authority (Public Law 115-224) 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 District is located in a rural county and has a student population of 189. The district is seeking a waiver to function independently in order to meet the needs of the students in the district.

**Demographic Information:**

Westwood Unified has a student population of 189 and is located in Rural: Remote (43) area in Lassen 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: Strengthening Career and Technical Education for the 21st Century Act: Consortium Requirement for Minimum Allocation, available on the California Department of Education’s Waiver Policies web page at <https://www.cde.ca.gov/re/lr/wr/waiverpolicies.asp>, has criteria defining rural that are specifically tied to the National Center for Education Statistics 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 the LEA to receive the annual Perkins Act allocation that is listed on Attachment 1. This waiver has no significant effect on the distribution of Perkins Act funds statewide.

## Attachment(s)

* **Attachment 1:** Districts Requesting Strengthening Career and Technical Education for the 21st Century Act Waivers (1 page).
* **Attachment 2:** Westwood Unified Federal Waiver Request Fed-5-2022 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

Districts Requesting Strengthening Career and Technical Education for the 21st Century Act Waivers

| Waiver Number | District | Period of Request | Local Board and Public Hearing Approval | NCES Locale Code | Demographic Information | Perkins Act Allocation |
| --- | --- | --- | --- | --- | --- | --- |
| Fed-5-2022 | Westwood Unified School District | **Requested:**July 1, 2022, to June 30, 2026**Recommended:**July 1, 2022, to June 30, 2026 | August 17, 2022 | 43 | Student Population of 189 located inLassen County | $2,209 |

Created by California Department of Education Oct 20, 2022

# Attachment 2: Westwood Unified Federal Waiver Request Fed-5-2022

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 1864204

Waiver Number: Fed-5-2022

Active Year: 2022

Date In: 8/18/2022 9:08:24 AM

Local Education Agency: Westwood Unified

Address: Fourth and Greenwood Sts.

Westwood, CA 96137

Start: 7/1/2022

End: 6/30/2026

Waiver Renewal: Y

Previous Waiver Number: Fed-5-2018-W-3

Previous SBE Approval Date: 9/7/2019

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: Except as provided in paragraph (2), [a local educational agency shall not receive an allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater than $15,000. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum allocation requirement of this paragraph.]

Outcome Rationale: Westwood High School is located in a small rural community in Northern California. Do to our schools remote location joining a consortium is not easily feasible. Therefore we are asking for a waiver to not join a consortium. With the resources that are received through the Perkins Grant we are able to enhance our Ag Mechanics Program and provide additional supplies that would otherwise not be purchased

Student Population: 98

City Type: Rural

NCES Code: 43

Local Board Approval Date: 8/17/2022

Submitted by: Ms. Kissy House

Position: CBO

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