

California Department of Education

Executive Office

SBE-007 (REV. 1/2018)

Federal Waiver

# California State Board of Education November 2020 Agenda Item #W-01

## Subject

Request by **two school districts** 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

* Colusa Unified School District Fed-9-2020
* Maxwell Unified School District Fed-10-2020

## 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 Districts are located in various rural counties and have student populations ranging from 340 to 1490. Districts are seeking waivers to function independently in order to meet the needs of the students in the district.

**Demographic Information:**

Colusa Unified School District has a student population of 1,490 and is located in Town: Distant (32) area in Colusa County.

Maxwell Unified School District has a student population of 340 and is located in a Rural: Distant (42) area in Colusa County.

## Summary of Previous State Board of Education (SBE) 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 SBE Waiver Policy #01-01: Strengthening Career and Technical Education for the 21st Century Act: Consortium Requirement for Minimum Allocation, available 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 these LEAs to receive an annual Perkins Act allocation that is listed on Attachment 1. These waivers have 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:** Colusa Unified School District Federal Waiver Request   
  Fed-9-2020 (1 page). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Maxwell Unified School District Federal Waiver Request   
  Fed-10-2020 (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-9-2020 | Colusa Unified School District | **Requested:**  September 10, 2020, to July 1, 2024  **Recommended:**  July 1, 2020, to June 30, 2024 | September 9, 2020 | 32 | Student Population of 1,490 located in  Colusa County | $9,297 |
| Fed-10-2020 | Maxwell Unified School District | **Requested:**  July 1, 2020, to June 30, 2024  **Recommended:**  July 1, 2020, to June 30, 2024 | September 9, 2020 | 42 | Student Population of 340 located in Colusa County | $2,319 |

Created by California Department of Education September 21, 2020

# Attachment 2: Waiver Fed-9-2020 Colusa Unified School District

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 0661598

Waiver Number: Fed-9-2020

Active Year: 2020  
SBE Meeting: 1-7-2021

Date In: 9/11/2020 9:20:51 AM

Local Education Agency: Colusa Unified

Address: 745 10th St.

Colusa, CA 95932

Start: 9/10/2020

End: 6/30/2024

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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: Federal Program Waiver

*Education Code* [PL 109-270 Section 131(c)(1)]

*Education Code* Authority [PL 109-270 Section 131(c)(2)]

Outcome Rationale: Small rural high school resulting in less than $15,000 in Perkins funding. Our district has elected to proceed with the waiver process as a result to continue to receive Perkins funding. Our CTE program benefits our students in Agriscience, Ag Mechanics and Business and Finance.

Student Population: 412

City Type: Rural

NCES Code: 32

Local Board Approval Date: 9/9/2020

Submitted by: Mr. Jeff Turner

Position: Superintendent

E-mail: jturner@colusa.k12.ca.us

Telephone:530-458-7791 x 400

# Attachment 3: Waiver Fed-10-2020 Maxwell Unified School District

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 0661606

Waiver Number: Fed-10-2020

Active Year: 2020  
SBE Meeting: 1-8-2021

Date In: 9/11/2020 3:33:32 PM

Local Education Agency: Maxwell Unified

Address: 515 Oak St.

Maxwell, CA 95955

Start: 7/1/2020

End: 6/30/2024

Waiver Renewal: Y

Previous Waiver Number: Fed-6-2016

Previous SBE Approval Date: 7/13/2016

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: Ed Code Title: Strengthening Career and Technical Education for the 21dt Century (Perkin V)

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: Strengthening Career and Technical Education for the 21st Century (Perkins V), Public law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less that $15,000 to enter into to a consortium with other agencies for the purpose of meeting the $15,000 minimum grant requirement.

Outcome Rationale: Maxwell Unified School District is requesting a waiver on behalf of Maxwell High School for the Car Perkins grant funds. The High School utilizes the grant funds to support 9th - 12th grade students in the vocational classroom and at vocational and leadership conferences. Maxwell's grant award is under the $15,000.00 threshold, therefore we must complete the waiver process to receive the funds.

Student Population: 86

City Type: Rural

NCES Code: 42

Local Board Approval Date: 9/9/2020

Submitted by: Ms. Danielle Wilson

Position: Business Manager

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