

California Department of Education

Executive Office

SBE-007 (REV. 1/2018)

Federal Waiver

# California State Board of Education July 2021 Agenda Item #W-03

## Subject

Requests by **six local educational agencies** 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

* Duarte Unified School District (CA School of the Arts - San Gabriel Valley) Fed-2-2021
* Golden Valley Unified School District Fed-1-2021
* Inyo County Office of Education (College Bridge Academy) Fed-4-2021
* Laton Joint Unified School District Fed-5-2021
* Orange County Office of Education (OCSA) Fed-3-2021
* Willows Unified School District Fed-6-2021

## 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 293 to 2,204. Districts are seeking waivers to function independently in order to meet the needs of the students in the district.

### Demographic Information:

Duarte Unified School District (CA School of the Arts - San Gabriel Valley) has a student population of 900 and is located in Suburb: Large (21) area in Los Angeles County.

Golden Valley Unified School District has a student population of 2,021 and is located in Town: Fringe (31) area in Madera County.

Inyo County Office of Education (College Bridge Academy) has a student population of 293 and is located in City: Large (11) area in Los Angeles County.

Laton Joint Unified has a student population of 661 and is located in Rural: Fringe (41) area in Fresno County.

Orange County Office of Education (OCSA) has a student population of 2,204 and is located in a City: Large (11) area in Orange County.

Willows Unified has a student population of 1,437 and is located in a Town: Distant (32) area in Glenn 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 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 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:** Summary Table (1 page).
* **Attachment 2:** Duarte Unified School District (CA School of the Arts - San Gabriel Valley) Federal Waiver Request Fed-2-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Golden Valley Unified School District Federal Waiver Request   
  Fed-1-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:** Inyo County Office of Education (College Bridge Academy) Federal Waiver Request Fed-4-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** Laton Joint Unified School District Federal Waiver Request   
  Fed-5-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 6:** Orange County Office of Education (OCSA) Federal Waiver Request Fed-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 7:** Willows Unified Federal Waiver Request   
  Fed-6-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

Local Educational Agencies 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-2-2021 | Duarte Unified School District (CA School of the Arts - San Gabriel Valley) | **Requested:**  July 1, 2021, to June 30, 2025  **Recommended:**  July 1, 2021, to June 30, 2025 | April 22, 2021 | 21 | Student Population of 3,433 located in  Los Angeles County | $8,529 |
| Fed-1-2021 | Golden Valley Unified School District | **Requested:**  July 1, 2021, to June 30, 2025  **Recommended:**  July 1, 2021, to June 30, 2025 | April 27, 2021 | 31 | Student Population of 2,021 located in Madera County | $14,976 |
| Fed-4-2021 | Inyo County Office of Education  (College Bridge Academy) | **Requested:**  July 1, 2021, to June 30, 2025  **Recommended:**  July 1, 2021, to June 30, 2025 | March 11, 2021 | 11 | Student Population of 293 located in Los Angeles County | $8,267 |
| Fed-5-2021 | Laton Joint Unified School District | **Requested:**  July 1, 2021, to June 30, 2025  **Recommended:**  July 1, 2021, to June 30, 2025 | May 12, 2021 | 41 | Student Population of 661 located in Fresno County | $9,818 |
| Fed-3-2021 | Orange County Office of Education  (OCSA) | **Requested:**  July 1, 2021, to June 30, 2025  **Recommended:**  July 1, 2021, to June 30, 2025 | April 28, 2021 | 11 | Student Population of 3,047 located in Orange County | $13,701 |
| Fed-6-2021 | Willows Unified School District | **Requested:**  July 1, 2021, to June 30, 2025  **Recommended:**  July 1, 2021, to June 30, 2025 | May 6, 2021 | 32 | Student Population of 1,437 located in Glenn County | $13,422 |

Created by California Department of Education May 18, 2021

# Attachment 2: Duarte Unified School District (CA School of the Arts - San Gabriel Valley) Federal Waiver Request Fed-2-2021

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 1964469

Waiver Number: Fed-2-2021

Active Year: 2021

Date In: 5/4/2021 1:40:52 PM

Local Education Agency: Duarte Unified

Address: CA School of the Arts -San Gabriel Valley. 1401 Highland Avenue

Duarte, CA 91010

Start: 7/1/2021

End: 6/30/2025

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: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than $15,000 to enter into a consortium with other agencies for the purpose of meeting the $15,000 minimum grant requirement.

Outcome Rationale: **California School of the Arts – San Gabriel Valley** is an independent charter affiliated with Duarte Unified School District. We are seeking the federal grant for CTE, Carl D. Perkins to support our CTE arts, media, and entertainment career pathway industry sector. By receiving this grant and waiver approval, we can implement a more rigorous and relevant CTE pathway for our students to complete and prepare them for the career and college readiness once they complete the pathway. Since this is a supplemental grant, district, local, state and other funds will only be used to supplement not supplant the CTE pathway. Onsite technical assistance, regional Perkins meetings, CTE meetings, and other professional development for CTE teachers will also be made available by our assigned CDE Perkins consultant for continued support.

Student Population: 900

City Type: Suburban

NCES Code: 23

Local Board Approval Date: 4/22/2021

Submitted by: Ms. Abbe Levine

Position: Executive Dean of Strategic Growth

E-mail: [abbe.levine@ocsarts.net](mailto:abbe.levine@ocsarts.net)

Telephone: 714-560-0900 x6181

Fax: 714-664-0461

# Attachment 3: Golden Valley Unified School District Federal Waiver Request Fed-1-2021

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 2075580

Waiver Number: Fed-1-2021

Active Year: 2021

Date In: 4/30/2021 4:45:13 PM

Local Education Agency: Golden Valley Unified

Address: 37479 Avenue 12

Madera, CA 93636

Start: 7/7/2021

End: 6/30/2025

Waiver Renewal: N

Previous Waiver Number: FED-13-2017

Previous SBE Approval Date: 11/7/2013

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: PL 109-270 Section 131(c) MINIMUM ALLOCATION.

"(1) IN GENERAL.-Except as provided in paragraph(2), a local education agency shall not receive an allocation under subsection (a) unliess the amount allocated to such agency under subsection (a) is greater than $15,00. A local education

Outcome Rationale: Golden Valley Unified School District is located in a rural area 10 miles from an urbanized area. Our estimated Perkins allotment is under $15,000 which would require us to be part of a consortium. The district is surrounded by large districts who have no need for a consortium, and there are no consortiums in our area. We are requesting a wavier of PL 109-270 Section 131(c)(1) to allow us to funstion independently in order to meet the needs of the students in our district

Student Population: 542

City Type: Rural

NCES Code: 42

Local Board Approval Date: 4/27/2021

Submitted by: Mr. Kevin Hatch

Position: Assistant Superintendent

E-mail: [khatch@gvusd.org](mailto:khatch@gvusd.org)

Telephone: 559-645-3572

Fax: 559-645-7144

# Attachment 4: Inyo County Office of Education (College Bridge Academy) Federal Waiver Request Fed-4-2021

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 1410140

Waiver Number: Fed-4-2021

Active Year: 2021

Date In: 5/11/2021 1:53:32 PM

Local Education Agency: Inyo County Office of Education

Address: 166 Grandview Dr.

Bishop, CA 93514

Start: 7/1/2021

End: 6/30/2025

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: Ed Code Title: Strengthening Career and Technical Education for the 21st Century (Perkins 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 than $15,000 to enter into to a consortium with other agencies for the purpose of meeting the $15,000 minimum grant requirement.]

Outcome Rationale: **College Bridge Academy** Watts is part of the Inyo County Office of Education. When surveying the possibilities of forming a consortium, we discovered that the closest school within the district that is eligible to apply for Perkins is in Fresno, which is three hours away from Watts. Therefore, we are seeking a waiver because we are unable to join another school to meet the minimum $15,000 requirement.

Student Population: 700

City Type: Urban

NCES Code: 33

Local Board Approval Date: 3/11/2021

Submitted by: Mr. Noel Rauda-Trout

Position: CEO

E-mail: [ntrout@laedcorps.org](mailto:ntrout@laedcorps.org)

Telephone: 213-300-9704

Fax:

# Attachment 5: Laton Joint Unified School District Federal Waiver Request Fed-5-2021

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 1062281

Waiver Number: Fed-5-2021

Active Year: 2021

Date In: 5/13/2021 8:32:00 AM

Local Education Agency: Laton Joint Unified

Address: 6259 DeWoody

Laton, CA 93242

Start: 7/1/2021

End: 6/30/2025

Waiver Renewal: Y

Previous Waiver Number: Fed-7-2013-W-01

Previous SBE Approval Date: 11/7/2013

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: PL 109-270131 (c) (1) of the Carl D Perkins Career and Technical Education

Improvement Act of 206 (Public Law 10-2270)

PL 109-270 Section 131 (c) (2)

Outcome Rationale: We are too small of a School District and there is not another district near us to form the consortium with.

Student Population: 133

City Type: Rural

NCES Code: 41

Local Board Approval Date: 5/12/2021

Submitted by: Mr. Michael Langton

Position: Principal

E-mail: [mlangton@latonunified.org](mailto:mlangton@latonunified.org)

Telephone: 559-922-4080

Fax: 559-923-4791

# Attachment 6: Orange County Department of Education (OCSA) Federal Waiver Request Fed-3-2021

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 3010306

Waiver Number: Fed-3-2021

Active Year: 2021

Date In: 5/4/2021 1:54:57 PM

Local Education Agency: Orange County Department of Education

Address: OC School of the Arts. 1010 North Main Street

Santa Ana, CA 92710

Start: 7/1/2021

End: 6/30/2025

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: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than $15,000 to enter into a consortium with other agencies for the purpose of meeting the $15,000 minimum grant requirement.

Outcome Rationale: **OC School of the Arts** is an independent charter affiliated with Orange County Board of Education. We are seeking the federal grant for CTE, Carl D. Perkins to support our CTE arts, media, and entertainment career pathway industry sector. By receiving this grant and waiver approval, we can implement a more rigorous and relevant CTE pathway for our students to complete and prepare them for the career and college readiness once they complete the pathway. Since this is a supplemental grant, district, local, state and other funds will only be used to supplement not supplant the CTE pathway. Onsite technical assistance, regional Perkins meetings, CTE meetings, and other professional development for CTE teachers will also be made available by our assigned CDE Perkins consultant for continued support.

Student Population: 2204

City Type: Urban

NCES Code: 23

Local Board Approval Date: 4/28/2021

Submitted by: Ms. Abbe Levine

Position: Executive Dean of Strategic Growth

E-mail: [abbe.levine@ocsarts.net](mailto:abbe.levine@ocsarts.net)

Telephone: 714-560-0900 x6181

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# Attachment 7: Willows Unified School District Federal Waiver Request Fed-6-2021

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 1162661

Waiver Number: Fed-6-2021

Active Year: 2021

Date In: 5/14/2021 1:23:23 PM

Local Education Agency: Willows Unified

Address: 823 West Laurel St.

Willows, CA 95988

Start: 7/1/2021

End: 6/30/2025

Waiver Renewal: N

Previous Waiver Number: Fed-2-2016-W-01

Previous SBE Approval Date: 5/16/2016

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: 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 than $15,000 to enter into a consortium with other agencies for the purpose of meeting the $15,000 minimum grant requirement.

Outcome Rationale: The elimination of the ROP funding system resulted in the dissolution of the Glenn County consortium. School districts in Glenn County range in enrollment from 95 to 2,300 students with Willows Unified being the second largest at 1,363. Willows Unified is seeking this waiver to continue to function independently in order to meet the specific needs of students in our district.

Student Population: 1363

City Type: Rural

NCES Code: 32

Local Board Approval Date: 5/6/2021

Submitted by: Ms. Debbie Costello

Position: Director of Business Services

E-mail: [dcostello@willowsunified.org](mailto:dcostello@willowsunified.org)

Telephone: 530-934-6600 x5

Fax: 530-934-6609