

California Department of Education

Executive Office

SBE-007 (REV. 1/2018)

Federal Waiver

# California State Board of Education September 2024 Agenda Item #W-01

## Subject

Request by **five 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

* Big Valley Joint Unified School District Fed-5-2024
* Colusa Unified School District Fed-1-2024
* Fort Sage Unified School District Fed-4-2024
* Hamilton Unified School District Fed-2-2024
* Surprise Valley Joint Unified School District Fed-3-2024

## 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 with other LEAs for the purpose of meeting the $15,000 minimum grant requirement. 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.

Consortia enable LEAs to combine Perkins funds to meet the minimum allocation requirements and require that funds are used for mutually beneficial purposes across all participating LEAs and in accordance with the requirements outlined in the Perkins Act. This approach is particularly beneficial for urban districts below the $15,000 threshold. However, rural LEAs often lack nearby districts with Perkins funding, making consortium participation neither feasible nor mutually beneficial. Consequently, these rural LEAs seek a waiver to independently access the necessary funds to meet program requirements.

The State Board of Education (SBE) has previously approved waivers of the consortium requirement for each of these LEAs due to each LEA receiving an allocation less than the $15,000 minimum:

1. At the July 2020 meeting, the SBE approved a waiver for Big Valley Unified School District. This waiver (Fed-4-2020) expired on 6/30/2024
2. At the November 2020 meeting, the SBE approved a waiver for Colusa Unified School District. This waiver (Fed-9-2020) expired on 6/30/2024
3. At the January 2021 meeting, the SBE approved a waiver for Fort Sage Unified School District. This waiver (Fed-11-2020) expired on 6/30/2024
4. At the July 2020 meeting, the SBE approved a waiver for Hamilton Unified School District. This waiver (Fed-3-2020) expired on 6/30/2024
5. At the September 2020 meeting, the SBE approved a waiver for Surprise Valley Unified School District. This waiver (Fed-7-2020) expired on 6/30/2024

**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.

For each of the five districts, there are no other districts in the local area willing to join in a consortium and the districts are located in rural counties with student populations ranging from 96 to 1,533. The districts are seeking a waiver to function independently in order to meet the needs of the students in the district.

**Demographic Information**

Big Valley Joint Unified has a student population of 132 and is located in Rural: Remote 43) area in Lassen County.

Colusa Unified has a student population of 1,533 and is located in Town: Distant (32) area in Colusa County.

Fort Sage Unified has a student population of 248 and is located in Town: Remote (33) area in Lassen County.

Hamilton Unified has a student population of 711 and is located in Rural: Distant (42) area in Glenn County.

Surprise Valley Unified has a student population of 96 and is located in Rural: Remote (43) area in Modoc 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 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 submitted to the SBE to date.

## Fiscal Analysis (as appropriate)

Approval will enable the LEAs to receive the 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:** Big Valley Joint Unified Federal Waiver Request Fed-5-2024 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Colusa Unified Federal Waiver Request Fed-1-2024 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:** Fort Sage Unified Federal Waiver Request Fed-4-204 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** Hamilton Unified Federal Waiver Request Fed-2-2024 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 6:** Surprise Valley Joint Unified Federal Waiver Request Fed-3-2024 (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-5-2024 | Big Valley Joint Unified | **Requested:**  July 1, 2024, to June 30, 2028  **Recommended:**  July 1, 2024, to June 30, 2028 | June 26, 2024 | 43 | Student Population of 132 located in Lassen County | $2,223 |
| Fed-1-2024 | Colusa Unified | **Requested:**  July 1, 2024, to June 30, 2028  **Recommended:**  July 1, 2024, to June 30, 2028 | June 17, 2024 | 32 | Student Population of 1,533 located in Colusa County | $12,243 |
| Fed-4-2023 | Fort Sage Unified | **Requested:**  July 1, 2024, to June 30, 2028  **Recommended:**  July 1, 2024, to June 30, 2028 | July 10, 2024 | 33 | Student Population of 248 located in  Lassen County | $3,926 |
| Fed-2-2024 | Hamilton Unified | **Requested:**  July 1, 2024, to June 30, 2028  **Recommended:**  July 1, 2024, to June 30, 2028 | June 12, 2024 | 42 | Student Population of 711 located in Glenn County | $7,618 |
| Fed-3-2023 | Surprise Valley Joint Unified | **Requested:**  July 1, 2024, to June 30, 2028  **Recommended:**  July 1, 2024, to June 30, 2028 | June 13, 2024 | 43 | Student Population of 96 located in Modoc County | $1,785 |

Created by California Department of Education

July 2024

# Attachment 2: Big Valley Joint Unified Federal Waiver Request Fed-5-2024

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 1864089

Waiver Number: Fed-5-2024

Active Year: 2024

Date In: 7/15/2024 10:28:07 AM

Local Education Agency: Big Valley Joint Unified

Address: 400 Bridge St.

Bieber, CA 96009

Start: 7/1/2024

End: 6/30/2028

Waiver Renewal: Yes

Previous Waiver Number: Fed-4-2020

Previous SBE Approval Date: 7/8/2020

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

Outcome Rationale: The criterion for qualifying for this waiver is demonstration that the LEAs cannot form or join a consortium that handles the Perkins funds. There are no other districts in the local area willing to join in a consortium. Districts are located in various rural counties and have student populations ranging from 150 to 1,300. Districts are seeking waivers to function independently in order to meet the needs of the students in the district. BVJUSD needs to apply for the waiver because we are a necessary small rural school. The 2024-2025 Perkins fund allocation will not meet the minimum of $15,000 and we are not a part of a consortium.

Student Population: 53

City Type: Rural

NCES Code: 43

Local Board Approval Date: 6/26/2024

Submitted by: Ms. Teresa Ragsdale

Position: Superintendent/Principal

E-mail: [tragsdale@bigvalleyschool.org](mailto:tragsdale@bigvalleyschool.org)

Telephone: 530-294-5231 x6201

# Attachment 3: Colusa Unified Federal Waiver Request Fed-1-2023

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 0661598

Waiver Number: Fed-1-2024

Active Year: 2024

Date In: 6/18/2024 10:22:30 AM

Local Education Agency: Colusa Unified

Address: 745 Tenth Street

Colusa, CA 95932

Start: 7/1/2024

End: 6/30/2028

Waiver Renewal: Yes

Previous Waiver Number: Fed-09-2020

Previous SBE Approval Date: 6/9/2020

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: *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: 436

City Type: Rural

NCES Code: 43

Local Board Approval Date: 6/17/2024

Submitted by: Ms. Rebecca Changus

Position: Superintendent

E-mail: [rchangus@colusa.k12.ca.us](mailto:rchangus@colusa.k12.ca.us)

Telephone: 530-458-7791

# Attachment 4: Fort Sage Unified Federal Waiver Request Fed-4-2024

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 1875036

Waiver Number: Fed-4-2024

Active Year: 2024

Date In: 7/11/2024 11:50:11 AM

Local Education Agency: Fort Sage Unified

Address: Herlong High School

Herlong, CA 96113

Start: 7/1/2024

End: 6/30/2028

Waiver Renewal: Yes

Previous Waiver Number: FED-11-2020-W-01

Previous SBE Approval Date: 1/13/2021

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.

Outcome Rationale: 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. Request a renewal of the waiver created in 2021.

Student Population: 41

City Type: Rural

NCES Code: 43

Local Board Approval Date: 7/10/2024

Submitted by: Ms. Kim Dieter

Position: teacher

E-mail: [kdieter@fortsage.org](mailto:kdieter@fortsage.org)

Telephone: 530-827-2101 x6713

# Attachment 5: Hamiliton Unified Federal Waiver Request Fed-2-2024

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 1176562

Waiver Number: Fed-2-2024

Active Year: 2024

Date In: 6/14/2024 11:41:58 AM

Local Education Agency: Hamilton Unified

Address: 620 Canal St.

Hamilton City, CA 95951

Start: 7/1/2024

End: 6/30/2028

Waiver Renewal: No

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 required local agencies whose allocations are less than $15,000 to enter into a consortium with other agencies.

Outcome Rationale: District received less than $15,000 and needs to enter into a consortium

Student Population: 305

City Type: Rural

NCES Code: 41

Local Board Approval Date: 6/12/2024

Submitted by: Ms. Janice Lohse

Position: Department Chair

E-mail: [jlohse@husdschools.org](mailto:jlohse@husdschools.org)

Telephone: 530-826-3261

# Attachment 6: Surprise Valley Joint Unified Federal Waiver Request Fed-3-2024

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 2565896

Waiver Number: Fed-3-2024

Active Year: 2024

Date In: 7/3/2024 11:39:51 AM

Local Education Agency: Surprise Valley Joint Unified

Address: PO Box 100

Cedarville, CA 96104

Start: 7/1/2024

End: 6/30/2028

Waiver Renewal: Yes

Previous Waiver Number: Fed-7-2020-W-03

Previous SBE Approval Date: 9/23/2020

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 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

Outcome Rationale: Our local educational agency (LEA) does not meet the minimum allocation requirement ($15k) to receive federal 2024–25 Perkins funds.

Student Population: 43

City Type: Rural

NCES Code: 43

Local Board Approval Date: 6/13/2024

Submitted by: Ms. Maigen Scritchfield

Position: Ag Teacher

E-mail: [mscritchfield@svjusd.org](mailto:mscritchfield@svjusd.org)

Telephone: 530-279-6141 x131