

California Department of Education

Executive Office

SBE-007 (REV. 1/2018)

Federal Waiver

# California State Board of Education January 2025 Agenda Item #W-03

## Subject

Request by **Trinity Alps 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

Fed-6-2024

## 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 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 this LEA due to the LEA receiving an allocation less than the $15,000 minimum: Specifically, at the May 2020 meeting, the SBE approved a waiver for Trinity Alps Unified School District. This waiver (Fed-1-2020) 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 LEA 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 and the district is located in a rural county with a student population of 672. The district is seeking a waiver to function independently in order to meet the needs of the students in the district.

**Demographic Information**

Trinity Alps Unified has a student population of 672 and is located in Rural: Remote (43) area in Trinity 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 LEA 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:** Trinity Alps Unified Federal Waiver Request Fed-5-2024 (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-6-2024 | Trinity Alps Unified | **Requested:**  July 1, 2024, to June 30, 2028  **Recommended:**  July 1, 2024, to June 30, 2028 | May 13, 2024 | 43 | Student Population of 672 located in Trinity County | $2,223 |

Created by California Department of Education

January 2025

# Attachment 2: Trinity Alps Unified Federal Waiver Request Fed-6-2024

**California Department of Education**

**WAIVER SUBMISSION - Federal**

CD Code: 5376513

Waiver Number: Fed-6-2024

Active Year: 2024

Date In: 8/22/2024 1:13:05 PM

Local Education Agency: Trinity Alps Unified

Address: 321 Victory Lane

Weaverville, CA 96093

Start: 7/1/2024

End: 6/30/2028

Waiver Renewal: Yes

Previous Waiver Number: FED-1-2020

Previous SBE Approval Date: 5/12/2020

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: Due to our rural nature

Student Population: 761

City Type: Rural

NCES Code: 43

Local Board Approval Date: 5/13/2024

Submitted by: Mr. Bob Anderson

Position: Director of Student/Grant Services

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