

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
FEBRUARY 2002 AGENDA
Item No. WC-1

TITLE: Request by Humboldt County Office of Education for a Waiver of Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332).	_____ ACTION _____ INFORMATION _____ PUBLIC HEARING <u> X </u> CONSENT
CDSIS: 8-12-2002	

RECOMMENDATION:

The Department recommends: **X** Approval Denial

Summary of Previous State Board of Education Discussion and Action:

This is a request for a waiver of the Section 131(d)(1) requirement. The State Board of Education has approved many of these Section 131(d)(1) waiver requests from districts in the past. SBE Waiver Policy #01-01 guidelines and additional documentation are used to review these waiver requests.

Summary of Key Issue(s):

Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-132) 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. Section 131(d)(2) of the Act permits states to waive the consortium requirement in any case in which the local educational agency is (a) in a rural, sparsely populated area, or is a public charter school operating secondary vocational and technical education programs; and (b) demonstrates it is unable to enter into a consortium to participate in the Perkins funding. Humboldt County Office of Education meets the consortium waiver criteria and requests a waiver in order to receive its allocated funds.

CDE recommends the waiver be approved for two years to enable the district to receive funds for each of the two years remaining in the Act (scheduled to expire on June 30, 2004). The district's annual Perkins allocation is expected to be below the minimum grant requirement in each of the three years. No change is expected in the county's ability to meet the waiver criteria during this time period.

Background Information

Bargaining unit(s) consulted on: November 19 and 20, 2002

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Jim Williams

Local board approval date: December 11, 2002

Effective dates of request: July 1, 2002 through June 30, 2004

Authority for the waiver: P.L. 105-332, Section 131(d)(2)

Fiscal Analysis (as appropriate): Approval will enable Humboldt County Office of Education receive its allocated Perkins funds each year for program years 2002-2003 through 2003-2004.

Background Information:

Waiver request forms and supporting documents are available for inspection in the Waiver Office.