



CALIFORNIA STATE BOARD OF EDUCATION

ITEM #WC-3

MARCH 2004 AGENDA

Specific Waiver

SUBJECT	
Request by Muroc Joint Unified School District for a waiver of Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Public Law 105-332)	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
Waiver Number: 24-12-2003	

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education adopted guidelines on February 8, 2001, Waiver Policy #2001-01 to assist CDE staff in reviewing waivers. The Board has approved these waivers in the past.

SUMMARY OF KEY ISSUES

Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (P. L. 105-332) 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. Muroc Joint USD meets the waiver criteria and requests a waiver in order to receive its allocated funds for the 2003-04 and 2004-05 program years.

Note: On November 8, 2002, the State Board of Education approved the Muroc Joint USD request for a first time waiver for the 2000-01 and 2001-02 program years. The district did not request a renewal of the waiver for the 2002-03 program year because its allocation for that year exceeded the \$15,000 minimum grant award and a waiver was not needed. The district's request for a waiver for the 2003-04 and 2004-05 program years is based on a 2003-04 allocation that is again below the \$15,000 minimum grant award and a reasonable expectation that its 2004-05 allocation will also be less than \$15,000.

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Authority for the Waiver: Carl D. Perkins Vocational and Technical Education Act of 1998 (Public Law 105-332), Section 131(d)(2)

Bargaining unit(s) consulted on date(s): January 9, 2004

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit representative(s): Barbara Bishop, President—Muroc Education Association

Local board approval date(s): December 8, 2003

Period of request: July 1, 2003 through June 30, 2005

FISCAL ANALYSIS (AS APPROPRIATE)

Approval will enable Muroc Joint USD to receive its Perkins funds for the 2003-04 and 2004-05 program years.

BACKGROUND INFORMATION

The district's waiver request forms and supporting documents are available for inspection in the CDE waiver office.