

**SPECIFIC WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**NOVEMBER 2003 AGENDA**  
**Item No. WC-2**

<b>TITLE:</b> Request by <b>Silver Valley Unified School District</b> for a waiver of Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998. (Public Law 105-332)  <b>CDSIS:</b> 7-9-2003	<u>      </u> <b>ACTION</b> <u>      </u> <b>INFORMATION</b> <u>      </u> <b>PUBLIC HEARING</b> <u>  <b>X</b>  </u> <b>CONSENT</b>
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**RECOMMENDATION:**

The Department recommends:  Approval       Denial

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**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.

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**Summary of Key Issue(s):**

Section 131(d)(1) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (P.L. 105-332) requires local agencies with allocations under \$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. Silver Valley USD meets the waiver criteria and requests a waiver in order to receive its allocated funds for the 2003-04 program year.

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Authority for the waiver: Public Law 105-332, Section 131(d)(2)

Bargaining unit(s) consulted on: August 11 & 21, 2003

Position of bargaining unit (choose only one):

Neutral                       Support                       Oppose

Name of bargaining unit representative: Ginger Martin & Chris Samuels

Local board approval date: September 8, 2003

Effective dates of request: 7-1-03 through 6-30-04

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**Fiscal Analysis (as appropriate):** Approval will enable Silver Valley USD to receive allocated Perkins funds for the 2003-04 program year.

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**Background Information:** Waiver request forms and supporting documents are available for inspection in the Waiver Office.