AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 5
OFFERED BY MR. BISHOP OF UTAH

Page 93, after line 14, insert the following:

SEC. 129. TITLE I PORTABILITY.

Subpart 2 of part A of title I (20 U.S.C. 6331 et seq.) is amended by adding at the end the following:

“SEC. 1128. STATE OPTION TO ALLOW TITLE I FUNDS TO FOLLOW THE LOW-INCOME CHILD.

“(a) IN GENERAL.—Notwithstanding any other section of this subpart or any other provision of law and to the extent permitted under State law, a State educational agency may allocate grant funds under this subpart among the local educational agencies in the State based on the number of eligible children enrolled in the public schools served by each local educational agency and State-accredited private schools within each local educational agency’s geographic jurisdiction.

“(b) ELIGIBLE CHILD.—

“(1) DEFINITION.—In this section, the term ‘eligible child’ means a child from a family with an income below the poverty level on the basis of the
most recent satisfactory data published by the Department of Commerce.

“(2) CRITERIA OF POVERTY.—In determining the families with incomes below the poverty level for the purposes of this section, a State educational agency shall use the criteria of poverty used by the Census Bureau in compiling the most recent decennial census, as the criteria have been updated by increases in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics.

“(c) STUDENT ENROLLMENT IN PUBLIC AND PRIVATE SCHOOLS.—

“(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency that receives grant funding in accordance with subsection (a) shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and State-accredited private schools within the local educational agency’s geographic jurisdiction.

“(2) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—Based on the identification of eligible
children in paragraph (1), the State educational agency shall provide to a local educational agency an amount equal to the sum of the amount available for each eligible child in the State multiplied by the number of eligible children identified by the local educational agency under paragraph (1).

“(3) DISTRIBUTION TO SCHOOLS.—Each local educational agency that receives funds under paragraph (2) shall distribute such funds to the public schools served by the local educational agency and State-accredited private schools within each local educational agency’s geographic jurisdiction—

“(A) based on the number of eligible children enrolled in such schools; and

“(B) in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this subpart, and not to supplant such funds.