AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 5
OFFERED BY MR. SALMON OF ARIZONA

Insert after section 128, the following new section:

SEC. 129. TITLE I PORTABILITY.

Chapter B of subpart 1 of part A of title I (20 U.S.C. 6331 et seq.) is amended by adding at the end the following new section:

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

“(a) IN GENERAL.—Notwithstanding any other provision of law and to the extent permitted under State law, a State educational agency may allocate grant funds under this chapter 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 the 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 aged 5 to 17, inclusive, 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 decen-
tral census, as the criteria have been updated by in-
creases in the Consumer Price Index for All Urban
Consumers, published by the Bureau of Labor Sta-
tistics.

“(c) STUDENT ENROLLMENT IN PUBLIC AND PRI-
VATE SCHOOLS.—

“(1) IDENTIFICATION OF ELIGIBLE CHIL-
DREN.—On an annual basis, on a date to be deter-
mined by the State educational agency, each local
educational agency that receives grant funding in ac-
cordance with subsection (a) shall inform the State
educational agency of the number of eligible children
enrolled in public schools served by the local edu-
cational agency and the State-accredited private
schools within the local educational agency’s geo-
graphic 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—

“(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.”.