

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5
OFFERED BY MR. YOHO OF FLORIDA**

Beginning on page 108, strike line 5 through page 110, line 6, and insert the following:

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

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of law and to the extent permitted under State law,
5 a State educational agency may allocate grant funds re-
6 ceived under this part among the local educational agen-
7 cies in the State based on the number of eligible children
8 enrolled in the public schools operated by each local edu-
9 cational agency and State-accredited private schools with-
10 in each local educational agency’s geographic jurisdiction.

11 “(b) ELIGIBLE CHILD.—

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

17 “(2) CRITERIA OF POVERTY.—In determining
18 the families with incomes below the poverty level for

1 the purposes of this section, a State educational
2 agency shall use the criteria of poverty used by the
3 Census Bureau in compiling the most recent decen-
4 nial census, as the criteria have been updated by in-
5 creases in the Consumer Price Index for All Urban
6 Consumers, published by the Bureau of Labor Sta-
7 tistics.

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

10 “(1) IDENTIFICATION OF ELIGIBLE CHIL-
11 DREN.—On an annual basis, on a date to be deter-
12 mined by the State educational agency, each local
13 educational agency that receives grant funding in ac-
14 cordance with subsection (a) shall inform the State
15 educational agency of the number of eligible children
16 enrolled in public schools served by the local edu-
17 cational agency and State-accredited private schools
18 within each local educational agency’s geographic ju-
19 risdiction.

20 “(2) ALLOCATION TO LOCAL EDUCATIONAL
21 AGENCIES.—Based on the identification of eligible
22 children in paragraph (1), the State educational
23 agency shall provide to a local educational agency
24 grant funds the State educational agency received
25 under this part in an amount equal to the sum of

1 the amount available for each eligible child in the
2 State, as determined by the Secretary, multiplied by
3 the number of eligible children identified by the local
4 educational agency under paragraph (1).

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

11 “(A) based on the number of eligible chil-
12 dren enrolled in such schools; and

13 “(B) in a manner that would, in the ab-
14 sence of such Federal funds, supplement the
15 funds made available from non-Federal re-
16 sources for the education of pupils participating
17 in programs under this part, and not to sup-
18 plant such funds.”.

