

107TH CONGRESS  
2D SESSION

# H. R. 5599

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## AN ACT

To apply guidelines for the determination of per-pupil expenditure requirements for heavily impacted local educational agencies, and for other purposes.



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1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PER-PUPIL EXPENDITURE REQUIREMENT FOR**  
2 **NEW HEAVILY IMPACTED LOCAL EDU-**  
3 **CATIONAL AGENCIES.**

4 (a) IN GENERAL.—Section 8003(b)(2)(C)(i)(II)(bb)  
5 of the Elementary and Secondary Education Act of 1965  
6 (20 U.S.C. 7703(B)(2)(c)(i)(II)(bb)) is amended to read  
7 as follows:

8 “(bb) for a local educational  
9 agency that has a total student enroll-  
10 ment of less than 350 students, has a  
11 per-pupil expenditure that is less than  
12 the average per-pupil expenditure of  
13 generally comparable local educational  
14 agencies (determined according to the  
15 procedures described in section  
16 222.74(b) of title 34, Code of Federal  
17 Regulations, as such section was in ef-  
18 fect on January 1, 2000) in the State  
19 in which the local educational agency  
20 is located; and”.

21 (b) EFFECTIVE DATE.—The amendment made by  
22 this section shall be effective on September 30, 2001, and  
23 shall apply with respect to fiscal year 2002, and all subse-  
24 quent fiscal years.

1 **SEC. 2. ELIGIBILITY OF BONESTEEL-FAIRFAX SCHOOL DIS-**  
2 **TRICT IN BONESTEEL, SOUTH DAKOTA.**

3 The Secretary of Education shall deem the local edu-  
4 cational agency serving the Bonesteel-Fairfax school dis-  
5 trict, 26-5, in Bonesteel, South Dakota, to be eligible in  
6 fiscal year 2003 for a basic support payment for heavily  
7 impacted local educational agencies under section  
8 8003(b)(2) of the Elementary and Secondary Education  
9 Act of 1965 (20 U.S.C. 7703(b)(2)).

10 **SEC. 3. APPLICATION OF CENTRAL SCHOOL DISTRICT,**  
11 **SEQUOYAH COUNTY, OKLAHOMA.**

12 Notwithstanding any other provision of law, the Sec-  
13 retary of Education shall treat as timely filed an applica-  
14 tion filed by Central School District, Sequoyah County,  
15 Oklahoma, for payment for federally connected students  
16 for fiscal year 2003, pursuant to section 8003 of the Ele-  
17 mentary and Secondary Education Act of 1965 (20 U.S.C.  
18 7703), and shall process such application for payment, if  
19 the Secretary has received such application not later than  
20 30 days after the date of enactment of this Act.

Passed the House of Representatives October 15,  
2002.

Attest:

*Clerk.*