

107TH CONGRESS  
2D SESSION

# S. 3087

To make adjustments to the method of determining eligibility for impact aid funds for heavily impacted local educational agencies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 9, 2002

Mr. JOHNSON (for himself and Mr. DASCHLE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To make adjustments to the method of determining eligibility for impact aid funds for heavily impacted local educational agencies, and for other purposes.

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

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

6       Section 8003(b)(2)(C)(i)(II)(bb) of the Elementary  
7       and Secondary Education Act of 1965 (20 U.S.C.  
8       7703(B)(2)(c)(i)(II)(bb)) is amended to read as follows:

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

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

16 The Secretary of Education—

17 (1) shall deem the local educational agency  
18 serving the Bonesteel-Fairfax school district, 26–5,  
19 in Bonesteel, South Dakota, as eligible to receive a  
20 fiscal year 2003 basic support payment for heavily  
21 impacted local educational agencies under section  
22 8003(b)(2) of the Elementary and Secondary Edu-  
23 cation Act of 1965 (20 U.S.C. 7703(b)(2)); and

1           (2) shall make a payment to such local edu-  
2           cational agency under such section for fiscal year  
3           2003.

4 **SEC. 3. APPLICATION OF CENTRAL SCHOOL DISTRICT,**  
5 **SEQUOYAH COUNTY, OKLAHOMA.**

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

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