

TITLE 20 - EDUCATION**CHAPTER 70 - STRENGTHENING AND IMPROVEMENT OF ELEMENTARY AND SECONDARY SCHOOLS****SUBCHAPTER I - IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED****Part A - Improving Basic Programs Operated by Local Educational Agencies
subpart 2 - allocations****§ 6335. Targeted grants to local educational agencies****(a) Eligibility of local educational agencies****(1) In general**

A local educational agency in a State is eligible to receive a targeted grant under this section for any fiscal year if—

(A) the number of children in the local educational agency counted under section 6333 (c) of this title, before application of the weighted child count described in subsection (c) of this section, is at least 10; and

(B) if the number of children counted for grants under section 6333 (c) of this title, before application of the weighted child count described in subsection (c) of this section, is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

(2) Special rule

For any fiscal year for which the Secretary allocates funds under this section on the basis of counties, funds made available as a result of applying this subsection shall be reallocated by the State educational agency to other eligible local educational agencies in the State in proportion to the distribution of other funds under this section.

(b) Grants for local educational agencies, the District of Columbia, and the Commonwealth of Puerto Rico**(1) In general**

The amount of the grant that a local educational agency in a State (other than the Commonwealth of Puerto Rico) is eligible to receive under this section for any fiscal year shall be the product of—

(A) the weighted child count determined under subsection (c) of this section; and

(B) the amount determined under section 6333 (a)(1)(B) of this title.

(2) Puerto Rico

For each fiscal year, the amount of the grant the Commonwealth of Puerto Rico is eligible to receive under this section shall be equal to the number of children counted under subsection (c) of this section for the Commonwealth of Puerto Rico, multiplied by the amount determined in section 6333 (a)(4) of this title for the Commonwealth of Puerto Rico.

(c) Weighted child count**(1) Weights for allocations to counties****(A) In general**

For each fiscal year for which the Secretary uses county population data to calculate grants, the weighted child count used to determine a county's allocation under this section is the larger of the two amounts determined under subparagraphs (B) and (C).

(B) By percentage of children

The amount referred to in subparagraph (A) is determined by adding—

- (i) the number of children determined under section 6333 (c) of this title for that county who constitute not more than 15.00 percent, inclusive, of the county's total population aged 5 to 17, inclusive, multiplied by 1.0;
- (ii) the number of such children who constitute more than 15.00 percent, but not more than 19.00 percent, of such population, multiplied by 1.75;
- (iii) the number of such children who constitute more than 19.00 percent, but not more than 24.20 percent, of such population, multiplied by 2.5;
- (iv) the number of such children who constitute more than 24.20 percent, but not more than 29.20 percent, of such population, multiplied by 3.25; and
- (v) the number of such children who constitute more than 29.20 percent of such population, multiplied by 4.0.

(C) By number of children

The amount referred to in subparagraph (A) is determined by adding—

- (i) the number of children determined under section 6333 (c) of this title who constitute not more than 2,311, inclusive, of the county's total population aged 5 to 17, inclusive, multiplied by 1.0;
- (ii) the number of such children between 2,312 and 7,913, inclusive, in such population, multiplied by 1.5;
- (iii) the number of such children between 7,914 and 23,917, inclusive, in such population, multiplied by 2.0;
- (iv) the number of such children between 23,918 and 93,810, inclusive, in such population, multiplied by 2.5; and
- (v) the number of such children in excess of 93,811 in such population, multiplied by 3.0.

(D) Puerto Rico

Notwithstanding subparagraph (A), the weighting factor for the Commonwealth of Puerto Rico under this paragraph shall not be greater than the total number of children counted under section 6333 (c) of this title multiplied by 1.82.

(2) Weights for allocations to local educational agencies

(A) In general

For each fiscal year for which the Secretary uses local educational agency data, the weighted child count used to determine a local educational agency's grant under this section is the larger of the two amounts determined under subparagraphs (B) and (C).

(B) By percentage of children

The amount referred to in subparagraph (A) is determined by adding—

- (i) the number of children determined under section 6333 (c) of this title for that local educational agency who constitute not more than 15.58 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;
- (ii) the number of such children who constitute more than 15.58 percent, but not more than 22.11 percent, of such population, multiplied by 1.75;
- (iii) the number of such children who constitute more than 22.11 percent, but not more than 30.16 percent, of such population, multiplied by 2.5;
- (iv) the number of such children who constitute more than 30.16 percent, but not more than 38.24 percent, of such population, multiplied by 3.25; and
- (v) the number of such children who constitute more than 38.24 percent of such population, multiplied by 4.0.

(C) By number of children

The amount referred to in subparagraph (A) is determined by adding—

- (i) the number of children determined under section 6333 (c) of this title who constitute not more than 691, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;
- (ii) the number of such children between 692 and 2,262, inclusive, in such population, multiplied by 1.5;
- (iii) the number of such children between 2,263 and 7,851, inclusive, in such population, multiplied by 2.0;
- (iv) the number of such children between 7,852 and 35,514, inclusive, in such population, multiplied by 2.5; and
- (v) the number of such children in excess of 35,514 in such population, multiplied by 3.0.

(D) Puerto Rico

Notwithstanding subparagraph (A), the weighting factor for the Commonwealth of Puerto Rico under this paragraph shall not be greater than the total number of children counted under section 6333 (c) of this title multiplied by 1.82.

(d) Calculation of grant amounts

Grant amounts under this section shall be calculated in the same manner as grant amounts are calculated under section 6333 (a)(2) and (3) of this title.

(e) State minimum

Notwithstanding any other provision of this section or section 6332 of this title, from the total amount available for any fiscal year to carry out this section, each State shall be allotted at least the lesser of—

- (1) 0.35 percent of the total amount available to carry out this section; or
- (2) the average of—
 - (A) 0.35 percent of the total amount available to carry out this section; and
 - (B) 150 percent of the national average grant under this section per child described in section 6333 (c) of this title, without application of a weighting factor, multiplied by the State's total number of children described in section 6333 (c) of this title, without application of a weighting factor.

(Pub. L. 89–10, title I, § 1125, as added Pub. L. 107–110, title I, § 101, Jan. 8, 2002, 115 Stat. 1522.)

Prior Provisions

A prior section 6335, Pub. L. 89–10, title I, § 1125, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3571, related to targeted grants to local educational agencies, prior to the general amendment of this subchapter by Pub. L. 107–110.