

## **Section Three**

### Allocations

## ALLOCATIONS

**Timeline:** Spring allocation from state to local educational agency (LEA)

**Other Resources:** Website: Final allocations: <http://www.fldoe.org/bsa>  
Title I Handbook/Thompson

**FDOE Contact:** Martha K. Asbury, (850) 245-9398

### Basic Grants to LEAs

#### *Overview*

The United States Department of Education (USDE) calculates the Title I grant allocations to LEAs on an annual basis. The calculation uses the census data that is provided by the Census Bureau to determine the number of “formula children” in the district.

Florida Department of Education receives the final allocation for the districts from USDE in the spring of each year. Due to possible changes in the district and to allow for state reservations, FDOE must adjust USDE’s allocations. The state’s reservations include:

- non-county LEAs (FSDB, Lab Schools);
- 4 percent for school improvement activities;
- 1 percent for State Administration;
- up to 5 percent of the Title I, Part A amount a state received in excess of its prior year amount for the state academic achievement awards program.

The Bureau of Student Assistance sends out the preliminary and final allocations to the districts.



**UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
WASHINGTON, DC 20202-6132**

March 27, 2007

**MEMORANDUM TO CHIEF STATE SCHOOL OFFICERS AND TITLE I STATE COORDINATORS**

**Subject: Preliminary School Year (SY) 2007-08 Title I Allocations**

Enclosed are **preliminary** SY 2007-08 allocations for Title I, Part A Basic, Concentration, Targeted, and Education Finance Incentive Grants, the State Agency Neglected and Delinquent program, and Even Start. We based these allocations on action taken by Congress in the Revised Continuing Resolution for 2007, Public Law (PL) 110-5.

In calculating preliminary Basic, Concentration, Targeted, and Education Finance Incentive Grant allocations for local educational agencies (LEAs), we used income year 2004 census estimates of the number of related children ages 5-17 in families in poverty, the total school-age population, and the total resident population for each LEA. In addition to the 2004 census data, these allocations factor in updated State per-pupil expenditure data from SY 2004-05 and data on the number of children in locally operated neglected or delinquent institutions, foster homes, and families above poverty receiving assistance under the Temporary Assistance for Needy Families program that were used last year to determine SY 2006-07 allocations. Note that these preliminary allocations will change with the use of updated non-census data and because of possible changes to the 2004 census data that result from the process used to verify the school district boundary survey on which these data are based.

In determining Title I LEA allocations, we also used the variable hold-harmless provision in section 1122(c) of the Title I statute. Each eligible LEA is guaranteed at least 85, 90, or 95 percent of the amount allocated to it in the preceding year, depending on its percentage of formula children. In the case of Concentration Grants, however, the statute provides that an LEA not meeting the statutory eligibility thresholds is guaranteed its hold-harmless amount for four consecutive years. Therefore, an LEA that was last eligible for a Concentration Grant in SY 2003-04 but not eligible in SY 2004-05, SY 2005-06, SY 2006-07, and SY 2007-08 will receive its hold-harmless amount in SY 2007-08. If that LEA, however, fails to meet the Concentration Grant eligibility thresholds next year (SY 2008-09), it will no longer be eligible for the hold-harmless guarantee.

The attached notification provides more detail about the operation of the Title I, Part A formulas.

If you have any questions about these preliminary allocations, please contact Mr. Sandy Brown on my staff at (202) 260-0976. We expect to announce final allocations in May.

Jacquelyn C. Jackson, Ed.D.  
Director  
Student Achievement and School  
Accountability Programs

Attachments

Final Fiscal Year 2007-08 Title I Part A Allocations

AGENCY	Final 2007-08 ALLOCATIONS	20% - Choice with Transportation and SES	5% - Highly Qualified Teachers	1% Parent Involvement	10% Professional Development	Total Set-Asides	2007-08 LEA Available School Allocation	42% TITLE I, PART A ALLOCATIONS	Cost Per Pupil For SES	1st Preliminary 2007-08 ALLOCATION	Difference Final vs. Preliminary	AGENCY
ALACHUA	5,792,200	1,158,440	289,610	57,922	579,220	2,085,192	3,707,008	2,432,724	1,216	5,792,200	0	ALACHUA
P.K. YONGE SCHOOL	112,843	22,569	5,642	1,128	11,284	40,623	72,220	47,394		112,843	0	P.K. YONGE SCHOOL
BAKER	785,740	157,148	39,287	7,857	78,574	282,866	502,874	330,011	1,062	786,940	(1,200)	BAKER
BAY	5,160,677	1,032,135	258,034	51,607	516,068	1,857,844	3,302,833	2,167,484	1,145	5,154,719	5,958	BAY
BRADFORD	806,262	161,252	40,313	8,063	80,626	290,254	516,008	338,630	1,076	806,262	0	BRADFORD
BREVARD	11,243,403	2,248,681	562,170	112,434	1,124,340	4,047,625	7,195,778	4,722,229	1,195	11,255,730	(12,327)	BREVARD
BROWARD	60,561,232	12,112,246	3,028,062	605,612	6,056,123	21,802,044	38,759,188	25,435,717	1,318	60,777,641	(216,409)	BROWARD
CALHOUN	462,992	92,598	23,150	4,630	46,299	166,677	296,315	194,457	1,087	463,165	(173)	CALHOUN
CHARLOTTE	2,147,594	429,519	107,380	21,476	214,759	773,134	1,374,460	901,989	944	2,147,594	0	CHARLOTTE
CITRUS	3,243,880	648,776	162,194	32,439	324,388	1,167,797	2,076,083	1,362,430	1,162	3,243,880	0	CITRUS
CLAY	2,535,893	507,179	126,795	25,359	253,589	912,921	1,622,972	1,065,075	934	2,534,311	1,582	CLAY
COLLIER	6,206,772	1,241,354	310,339	62,068	620,677	2,234,438	3,972,334	2,606,844	1,085	6,218,269	(11,497)	COLLIER
COLUMBIA	2,375,482	475,096	118,774	23,755	237,548	855,174	1,520,308	997,702	1,155	2,375,482	0	COLUMBIA
DADE	126,543,800	25,308,760	6,327,190	1,265,438	12,654,380	45,555,768	80,988,032	53,148,396	1,467	126,543,800	0	DADE
DE SOTO	1,462,677	292,535	73,134	14,627	146,268	526,564	936,113	614,324	1,152	1,462,677	0	DE SOTO
DIXIE	597,480	119,496	29,874	5,975	59,748	215,093	382,387	250,942	1,102	596,708	772	DIXIE
DUVAL	30,089,104	6,017,821	1,504,455	300,891	3,008,910	10,832,077	19,257,027	12,637,424	1,272	30,128,877	(39,773)	DUVAL
ESCAMBIA	11,210,130	2,242,026	560,507	112,101	1,121,013	4,035,647	7,174,483	4,708,255	1,249	11,216,473	(6,343)	ESCAMBIA
FLAGLER	1,168,302	233,660	58,415	11,683	116,830	420,589	747,713	490,687	970	1,166,860	1,442	FLAGLER
FRANKLIN	330,712	66,142	16,536	3,307	33,071	119,056	211,656	138,899	1,140	330,712	0	FRANKLIN
GADSDEN	2,128,783	425,757	106,439	21,288	212,878	766,362	1,362,421	894,089	1,162	2,128,783	0	GADSDEN
GILCHRIST	545,345	109,069	27,267	5,453	54,535	196,324	349,021	229,045	1,120	545,345	0	GILCHRIST
GLADES	317,193	63,439	15,860	3,172	31,719	114,189	203,004	133,221	1,179	317,193	0	GLADES
GULF	418,400	83,680	20,920	4,184	41,840	150,624	267,776	175,728	1,159	418,400	0	GULF
HAMILTON	603,253	120,651	30,163	6,033	60,325	217,171	386,082	253,366	1,147	603,253	0	HAMILTON
HARDEE	1,576,075	315,215	78,804	15,761	157,608	567,387	1,008,688	661,952	1,088	1,489,612	86,463	HARDEE
HENDRY	1,894,325	378,865	94,716	18,943	189,433	681,957	1,212,368	795,617	1,082	1,896,424	(2,099)	HENDRY
HERNANDO	3,810,127	762,025	190,506	38,101	381,013	1,371,646	2,438,481	1,600,253	1,139	3,810,127	0	HERNANDO

Florida Department of Education  
Office of Grants Management  
Gwendolyn Jackson - June 6, 2007

Final Fiscal Year 2007-08 Title I Part A Allocations

HIGHLANDS	2,878,938	575,788	143,947	28,789	287,894	1,036,418	1,842,520	1,209,154	1,122	2,877,850	1,088	HIGHLANDS
HILLSBOROUGH	43,343,566	8,668,713	2,167,178	433,436	4,334,357	15,603,684	27,739,882	18,204,298	1,291	43,390,230	(46,664)	HILLSBOROUGH
HOLMES	804,995	160,999	40,250	8,050	80,500	289,798	515,197	338,098	1,123	806,000	(1,005)	HOLMES
INDIAN RIVER	2,050,174	410,035	102,509	20,502	205,017	738,063	1,312,111	861,073	924	2,054,111	(3,937)	INDIAN RIVER
JACKSON	1,497,660	299,532	74,883	14,977	149,766	539,158	958,502	629,017	1,052	1,497,904	(244)	JACKSON
JEFFERSON	474,398	94,880	23,720	4,744	47,440	170,783	303,615	199,247	1,286	474,398	0	JEFFERSON
LAFAYETTE	277,550	55,510	13,878	2,776	27,755	99,918	177,632	116,571	1,059	279,533	(1,983)	LAFAYETTE
LAKE	5,974,381	1,194,876	298,719	59,744	597,438	2,150,777	3,823,604	2,509,240	1,145	6,015,545	(41,164)	LAKE
LEE	12,432,115	2,486,423	621,606	124,321	1,243,212	4,475,561	7,956,554	5,221,488	1,205	12,432,730	(615)	LEE
LEON	5,445,744	1,089,149	272,287	54,457	544,574	1,960,468	3,485,276	2,287,212	1,085	5,434,817	10,927	LEON
FAMU SCHOOL	67,037	13,407	3,352	670	6,704	24,133	42,904	28,156	*1,085	66,903	134	FAMU SCHOOL
FSU SCHOOL	220,708	44,142	11,035	2,207	22,071	79,455	141,253	92,697		220,265	443	FSU SCHOOL
LEVY	1,485,578	297,116	74,279	14,856	148,558	534,808	950,770	623,943	1,120	1,485,578	0	LEVY
LIBERTY	233,554	46,711	11,678	2,336	23,355	84,079	149,475	98,093	1,076	233,620	(66)	LIBERTY
MADISON	771,252	154,250	38,563	7,713	77,125	277,651	493,601	323,926	1,074	770,600	652	MADISON
MANATEE	7,131,967	1,426,393	356,598	71,320	713,197	2,567,508	4,564,459	2,995,426	1,144	7,162,749	(30,782)	MANATEE
MARION	10,449,784	2,089,957	522,489	104,498	1,044,978	3,761,922	6,687,862	4,388,909	1,305	10,449,784	0	MARION
MARTIN	2,012,108	402,422	100,605	20,121	201,211	724,359	1,287,749	845,085	912	2,007,626	4,482	MARTIN
MONROE	1,281,124	256,225	64,056	12,811	128,112	461,205	819,919	538,072	1,050	1,281,124	0	MONROE
NASSAU	1,089,980	217,996	54,499	10,900	108,998	392,393	697,587	457,792	883	1,096,166	(6,186)	NASSAU
OKALOOSA	3,841,403	768,281	192,070	38,414	384,140	1,382,905	2,458,498	1,613,389	976	3,853,335	(11,932)	OKALOOSA
OKEECHOBEE	1,355,455	271,091	67,773	13,555	135,546	487,964	867,491	569,291	1,062	1,355,846	(391)	OKEECHOBEE
ORANGE	37,426,402	7,485,280	1,871,320	374,264	3,742,640	13,473,505	23,952,897	15,719,089	1,278	37,608,737	(182,335)	ORANGE
OSCEOLA	8,459,331	1,691,866	422,967	84,593	845,933	3,045,359	5,413,972	3,552,919	1,177	8,451,227	8,104	OSCEOLA
PALM BEACH HENDERSON SCHOOL	33,950,156 86,587	6,790,031 17,317	1,697,508 4,329	339,502 866	3,395,016 8,659	12,222,056 31,171	21,728,100 55,416	14,259,066 36,367	1,271	34,099,816 86,969	(149,660) (382)	PALM BEACH HENDERSON SCHOOL
PASCO	11,432,695	2,286,539	571,635	114,327	1,143,270	4,115,770	7,316,925	4,801,732	1,195	11,527,323	(94,628)	PASCO
PINELLAS	24,029,554	4,805,911	1,201,478	240,296	2,402,955	8,650,639	15,378,915	10,092,413	1,269	24,047,670	(18,116)	PINELLAS
POLK	20,799,968	4,159,994	1,039,998	208,000	2,079,997	7,487,988	13,311,980	8,735,987	1,251	20,843,433	(43,465)	POLK
PUTNAM	3,598,837	719,767	179,942	35,988	359,884	1,295,581	2,303,256	1,511,512	1,138	3,599,650	(813)	PUTNAM
ST. JOHNS	2,142,208	428,442	107,110	21,422	214,221	771,195	1,371,013	899,727	913	2,144,946	(2,738)	ST. JOHNS

Florida Department of Education  
Office of Grants Management  
Gwendolyn Jackson - June 6, 2007

Final Fiscal Year 2007-08 Title I Part A Allocations

ST. LUCIE	7,200,752	1,440,150	360,038	72,008	720,075	2,592,271	4,608,481	3,024,316	1,183	7,202,305	(1,553)	ST. LUCIE
SANTA ROSA	2,826,749	565,350	141,337	28,267	282,675	1,017,630	1,809,119	1,187,235	946	2,823,763	2,986	SANTA ROSA
SARASOTA	4,802,775	960,555	240,139	48,028	480,278	1,728,999	3,073,776	2,017,166	987	4,809,934	(7,159)	SARASOTA
SEMINOLE	8,882,394	1,776,479	444,120	88,824	888,239	3,197,662	5,684,732	3,730,605	1,167	8,893,524	(11,130)	SEMINOLE
SUMTER	1,633,337	326,667	81,667	16,333	163,334	588,001	1,045,336	686,002	1,052	1,645,732	(12,395)	SUMTER
SUWANNEE	1,424,217	284,843	71,211	14,242	142,422	512,718	911,499	598,171	1,103	1,424,217	0	SUWANNEE
TAYLOR	716,796	143,359	35,840	7,168	71,680	258,047	458,749	301,054	1,108	716,796	0	TAYLOR
UNION	358,811	71,762	17,941	3,588	35,881	129,172	229,639	150,701	1,055	358,811	0	UNION
VOLUSIA	13,241,481	2,648,296	662,074	132,415	1,324,148	4,766,933	8,474,548	5,561,422	1,215	13,313,468	(71,987)	VOLUSIA
WAKULLA	607,265	121,453	30,363	6,073	60,727	218,615	388,650	255,051	978	607,524	(259)	WAKULLA
WALTON	1,592,855	318,571	79,643	15,929	159,286	573,428	1,019,427	668,999	1,192	1,592,855	0	WALTON
WASHINGTON FLA SCH. DEAF & BLIND	819,953 193,538	163,991 38,708	40,998 9,677	8,200 1,935	81,995 19,354	295,183 69,674	524,770 123,864	344,380 81,286	1,114 *913	819,953 193,846	0 (308)	WASHINGTON FLA SCH. DEAF & BLIND
<b>TOTAL TO LEA'S</b>	<b>575,476,808</b>	<b>\$ 115,095,362</b>	<b>\$ 28,773,840</b>	<b>\$ 5,754,768</b>	<b>\$ 57,547,681</b>	<b>\$ 207,171,651</b>	<b>\$ 368,305,157</b>	<b>\$ 241,700,259</b>	<b>1,264</b>	<b>\$ 576,383,493</b>	<b>\$ (906,685)</b>	<b>TOTAL TO LEA'S</b>
<b>FLA PART D, SUBPART 2</b>	<b>7,788,746</b>							<b>3,271,273</b>		<b>8,198,680</b>	<b>\$ (409,934)</b>	<b>FLA PART D, SUBPART 2</b>
<b>STATE TOTALS</b>	<b>\$ 583,265,554</b>							<b>\$ 244,971,533</b>		<b>\$ 584,582,173</b>	<b>\$ (1,316,619)</b>	<b>STATE TOTALS</b>

<b>TOTAL TITLE I, PART A FUNDS</b>	<b>\$ 589,157,126</b>
Less: 1% State Administration	5,891,571
Less: 4% School Improvement	23,566,285
<b>Total Available for LEA's Prior to Hold Harmless</b>	<b>559,699,270</b>
Plus FY 2006 Adjustment for Hold-Harmless	23,566,285

Program Title	Final Fiscal Year 2007-08 Amount	Preliminary Fiscal Year 2007-08 Amount	Difference
Title I Basic LEA Grant	\$ 575,476,808	\$576,383,493	\$ (906,685)
Title I Delinquent (Local)	7,788,746	8,198,680	(409,934)
State Administration 1%	5,891,571	5,904,946	(13,375)
Title I School Improvement	0	7,457	(7,457)
<b>TOTAL GRANT AWARD</b>	<b>\$ 589,157,125</b>	<b>\$590,494,576</b>	<b>\$ (1,337,451)</b>



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
WASHINGTON, DC 20202-6132

January 12, 2008

MEMORANDUM TO TITLE I STATE DIRECTORS

**Subject: Updated Census Data for Allocating School Year 2008-09 Title I, Part A Funds to Local Educational Agencies**

Please find attached updated 2005 population and poverty estimates for the local educational agencies (LEAs) in your State. The Census Bureau released these data on January 9, 2008. These data are also available at <http://www.census.gov/hhes/www/saipe/index.html>. I am providing these data for two reasons: (1) to enable your State to review these data and verify the accuracy of the school district boundary survey on which these data are based; and (2) to enable you to estimate your LEAs' eligibility for, and allocation of, Title I, Part A funds. We will use these data to calculate school year (SY) 2008-09 allocations.

Review of estimated census data: These estimates are based on a statistical model that uses decennial data, household survey data, administrative records data, and population estimates. The Census Bureau has established a 90-day period for reviewing these data and requests that corrections be submitted in cases where non-statistical errors can be documented. Such errors generally include errors that the Census Bureau may have made in (1) processing the data used to run its estimation models and (2) processing information that defines a school district's geographic boundaries.

You must submit written challenges (by mail, facsimile, or email) concerning the accuracy of these data no later than April 7, 2008 to:

DID SAEB  
Attn: SAIPE Challenge  
U.S. Census Bureau  
Room 6H128  
Washington, DC 20233  
Facsimile: (301) 763-6234  
Email: [hhes.saipe@census.gov](mailto:hhes.saipe@census.gov)

For more information and guidance concerning the Census Bureau's challenge procedures please see the following web site:

<http://www.census.gov/hhes/www/saipe/nontechdoc/challengepro.html>

Note that the list of school districts used for the 2005 estimates is based on the SY 2005-06 school district boundary survey conducted by the Census Bureau with the help of the district mapping coordinator in your State. Also, the school districts on this list include only "regular" school districts that have geographic boundaries. The list excludes, for

example, special school districts, such as charter schools, that a State recognizes as LEAs, as well as regional vocational education districts. Rather than “correcting” such LEA boundary data, States will need to adjust the Title I, Part A LEA allocations that the U.S. Department of Education (ED) determines in order to accommodate new or special LEAs not included on the Census Bureau's SY 2005-06 list.

Estimating LEAs’ eligibility and allocations: The data attached to this memorandum—the estimated number of related children ages 5-17 in families in poverty, the estimated total school-age population, and the estimated total resident population for each LEA—should also enable you to determine which LEAs on this list are potentially eligible for funds under the Basic, Concentration, Targeted, and Education Finance Incentive Grants allocation formulas.<sup>1</sup> Please bear in mind that the census poverty data do not include the other children counted in the formula, such as foster and neglected children. This information, in combination with the 85, 90, and 95 percent hold-harmless guarantee provided in the Title I statute, will help you determine which LEAs are potentially eligible and help eligible LEAs to begin planning for the coming school year since they would at least know that their minimum amount would be based on their prior year’s allocation. We expect to release preliminary estimates of SY 2008-09 LEA allocations based on the updated 2005 census data in several weeks.

The information also shows which LEAs in your State have a total resident population of fewer than 20,000. This will enable you to begin exploring whether your State wishes to use the flexibility provided in the Title I statute to redistribute LEA allocations determined by ED for those districts with a resident population under 20,000 using alternative poverty data. ED must approve any alternative poverty data that a State chooses to use for this purpose. If ED has already approved your use of alternative poverty data, you do not need to resubmit your request.

If you have questions about SY 2008-09 allocation issues, please contact Paul S. (Sandy) Brown on my staff. He can be reached at (202) 260-0976 (email: paul.brown@ed.gov).

Zollie Stevenson, Jr., Ph.D.  
Acting Director  
Student Achievement and School  
Accountability Programs

Attachment

cc: Chief State School Officers

---

<sup>1</sup> To be eligible for a Basic Grant, an LEA must have at least 10 children counted under the Title I formula **and** the number of formula children must be greater than two percent of the LEA’s school-age population. To be eligible for a Concentration Grant, an LEA must generally have more than 6,500 formula children **or** the number of formula children must exceed 15 percent of the LEA’s school-age population. To qualify for Targeted and Education Finance Incentive Grants, an LEA must have at least 10 formula children **and** that number must be at least 5 percent of its school-age population.



**COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA**

**2005 Census Poverty Data by Local Educational Agency**

**NAME OF STATE: FLORIDA**

State	State Code	LEA Code	Name of Local Educational Agency (LEA)	Poverty	5 - 17 Population	Percent	Total Population	Less than 20,000 Total Population 1 = YES 0 = NO
FL	12	1200030	ALACHUA COUNTY SCHOOL DISTRICT	5,851	30,456	19.21%	223,709	0
FL	12	1200060	BAKER COUNTY SCHOOL DISTRICT	804	4,423	18.18%	24,549	0
FL	12	1200090	BAY COUNTY SCHOOL DISTRICT	4,909	26,569	18.48%	161,322	0
FL	12	1200120	BRADFORD COUNTY SCHOOL DISTRICT	836	4,087	20.46%	28,041	0
FL	12	1200150	BREVARD COUNTY SCHOOL DISTRICT	10,192	81,636	12.48%	528,640	0
FL	12	1200180	BROWARD COUNTY SCHOOL DISTRICT	41,975	309,388	13.57%	1,782,016	0
FL	12	1200210	CALHOUN COUNTY SCHOOL DISTRICT	520	2,074	25.07%	13,315	1
FL	12	1200240	CHARLOTTE COUNTY SCHOOL DISTRICT	2,562	18,213	14.07%	154,340	0
FL	12	1200270	CITRUS COUNTY SCHOOL DISTRICT	3,481	16,884	20.62%	134,054	0
FL	12	1200300	CLAY COUNTY SCHOOL DISTRICT	3,152	31,395	10.04%	170,609	0
FL	12	1200330	COLLIER COUNTY SCHOOL DISTRICT	5,981	43,312	13.81%	307,864	0
FL	12	1200360	COLUMBIA COUNTY SCHOOL DISTRICT	2,598	10,874	23.89%	64,059	0
FL	12	1200390	DADE COUNTY SCHOOL DISTRICT	88,751	410,366	21.63%	2,377,725	0
FL	12	1200420	DESOTO COUNTY SCHOOL DISTRICT	1,594	5,434	29.33%	35,060	0
FL	12	1200450	DIXIE COUNTY SCHOOL DISTRICT	682	2,172	31.40%	14,630	1
FL	12	1200480	DUVAL COUNTY SCHOOL DISTRICT	22,609	153,059	14.77%	826,791	0
FL	12	1200510	ESCAMBIA COUNTY SCHOOL DISTRICT	10,595	48,556	21.82%	295,624	0
FL	12	1200540	FLAGLER COUNTY SCHOOL DISTRICT	1,379	9,852	14.00%	76,045	0
FL	12	1200570	FRANKLIN COUNTY SCHOOL DISTRICT	365	1,486	24.56%	10,167	1
FL	12	1200600	GADSDEN COUNTY SCHOOL DISTRICT	2,062	8,110	25.43%	46,207	0
FL	12	1200630	GILCHRIST COUNTY SCHOOL DISTRICT	552	2,702	20.43%	16,480	1
FL	12	1200660	GLADES COUNTY SCHOOL DISTRICT	321	1,715	18.72%	11,265	1
FL	12	1200690	GULF COUNTY SCHOOL DISTRICT	440	2,037	21.60%	13,970	1
FL	12	1200720	HAMILTON COUNTY SCHOOL DISTRICT	662	2,173	30.46%	13,938	1
FL	12	1200750	HARDEE COUNTY SCHOOL DISTRICT	1,669	5,227	31.93%	28,274	0
FL	12	1200780	HENDRY COUNTY SCHOOL DISTRICT	2,247	8,089	27.78%	39,585	0

COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA

FL	12	1200810	HERNANDO COUNTY SCHOOL DISTRICT	3,942	22,158	17.79%	158,135	0
FL	12	1200840	HIGHLANDS COUNTY SCHOOL DISTRICT	3,577	13,099	27.31%	95,687	0
FL	12	1200870	HILLSBOROUGH COUNTY SCHOOL DISTRICT	33,317	201,354	16.55%	1,131,542	0
FL	12	1200900	HOLMES COUNTY SCHOOL DISTRICT	890	2,985	29.82%	19,095	1
FL	12	1200930	INDIAN RIVER COUNTY SCHOOL DISTRICT	2,786	17,387	16.02%	127,357	0
FL	12	1200960	JACKSON COUNTY SCHOOL DISTRICT	1,635	7,373	22.18%	48,825	0
FL	12	1200990	JEFFERSON COUNTY SCHOOL DISTRICT	453	2,044	22.16%	14,458	1
FL	12	1201020	LAFAYETTE COUNTY SCHOOL DISTRICT	322	1,081	29.79%	7,919	1
FL	12	1201050	LAKE COUNTY SCHOOL DISTRICT	5,994	38,941	15.39%	276,822	0
FL	12	1201080	LEE COUNTY SCHOOL DISTRICT	10,672	78,022	13.68%	544,196	0
FL	12	1201110	LEON COUNTY SCHOOL DISTRICT	5,771	35,981	16.04%	244,220	0
FL	12	1201140	LEVY COUNTY SCHOOL DISTRICT	1,743	6,220	28.02%	38,031	0
FL	12	1201170	LIBERTY COUNTY SCHOOL DISTRICT	271	1,114	24.33%	7,727	1
FL	12	1201200	MADISON COUNTY SCHOOL DISTRICT	912	3,288	27.74%	18,981	1
FL	12	1201230	MANATEE COUNTY SCHOOL DISTRICT	6,475	46,065	14.06%	306,254	0
FL	12	1201260	MARION COUNTY SCHOOL DISTRICT	9,398	45,152	20.81%	303,448	0
FL	12	1201290	MARTIN COUNTY SCHOOL DISTRICT	2,456	18,895	13.00%	139,282	0
FL	12	1201320	MONROE COUNTY SCHOOL DISTRICT	1,243	8,997	13.82%	76,140	0
FL	12	1201350	NASSAU COUNTY SCHOOL DISTRICT	1,270	10,885	11.67%	64,668	0
FL	12	1201380	OKALOOSA COUNTY SCHOOL DISTRICT	4,337	31,013	13.98%	181,221	0
FL	12	1201410	OKEECHOBEE COUNTY SCHOOL DISTRICT	1,554	6,789	22.89%	39,722	0
FL	12	1201440	ORANGE COUNTY SCHOOL DISTRICT	30,169	181,387	16.63%	1,021,884	0
FL	12	1201470	OSCEOLA COUNTY SCHOOL DISTRICT	7,936	42,273	18.77%	231,482	0
FL	12	1201500	PALM BEACH COUNTY SCHOOL DISTRICT	28,352	194,484	14.58%	1,264,956	0
FL	12	1201530	PASCO COUNTY SCHOOL DISTRICT	9,269	64,621	14.34%	430,053	0
FL	12	1201560	PINELLAS COUNTY SCHOOL DISTRICT	20,126	131,901	15.26%	926,810	0
FL	12	1201590	POLK COUNTY SCHOOL DISTRICT	17,207	93,181	18.47%	541,910	0
FL	12	1201620	PUTNAM COUNTY SCHOOL DISTRICT	3,868	12,747	30.34%	73,343	0
FL	12	1201650	SANTA ROSA COUNTY SCHOOL DISTRICT	2,993	25,084	11.93%	142,442	0
FL	12	1201680	SARASOTA COUNTY SCHOOL DISTRICT	5,385	43,789	12.30%	365,117	0
FL	12	1201710	SEMINOLE COUNTY SCHOOL DISTRICT	6,779	70,919	9.56%	401,291	0
FL	12	1201740	ST. JOHNS COUNTY SCHOOL DISTRICT	2,020	25,405	7.95%	161,211	0
FL	12	1201770	ST. LUCIE COUNTY SCHOOL DISTRICT	7,195	38,318	18.78%	239,970	0
FL	12	1201800	SUMTER COUNTY SCHOOL DISTRICT	1,823	7,468	24.41%	63,908	0
FL	12	1201830	SUWANNEE COUNTY SCHOOL DISTRICT	1,475	6,236	23.65%	38,583	0

**COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA**

FL	12	1201860	TAYLOR COUNTY SCHOOL DISTRICT	777	3,249	23.92%	19,623	1
FL	12	1201890	UNION COUNTY SCHOOL DISTRICT	400	1,995	20.05%	14,862	1
FL	12	1201920	VOLUSIA COUNTY SCHOOL DISTRICT	9,803	71,151	13.78%	487,875	0
FL	12	1201950	WAKULLA COUNTY SCHOOL DISTRICT	693	4,613	15.02%	28,227	0
FL	12	1201980	WALTON COUNTY SCHOOL DISTRICT	1,509	7,653	19.72%	50,403	0
FL	12	1202010	WASHINGTON COUNTY SCHOOL DISTRICT	844	3,659	23.07%	22,232	0
<b>STATE TOTAL</b>				<b>474,430</b>	<b>2,869,265</b>	<b>16.53%</b>	<b>17,768,191</b>	<b>14</b>

Total count of LEAs in State 67  
 Percent below 20,000 total population 20.90%

**COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA BY STATE**

	5-17 POPULATION (2004 CENSUS ESTIMATE)	2004 POVERTY (CENSUS ESTIMATE)	2004 POVERTY RATE	PERCENT OF TOTAL NAT'L POVERTY POPULATION	5-17 POPULATION (2005 CENSUS ESTIMATE)	CHANGE FROM 2004
U.S. TOTAL	53,939,943	8,830,494	16.37%	100.00%	53,986,155	46,212
ALABAMA	793,174	160,787	20.27%	1.82%	809,054	15,880
ALASKA	137,583	14,841	10.79%	0.17%	133,317	-4,266
ARIZONA	1,120,662	214,962	19.18%	2.43%	1,109,855	-10,807
ARKANSAS	488,245	95,393	19.54%	1.08%	494,864	6,619
CALIFORNIA	7,015,678	1,225,762	17.47%	13.88%	6,869,235	-146,443
COLORADO	840,478	94,396	11.23%	1.07%	816,441	-24,037
CONNECTICUT	623,970	64,564	10.35%	0.73%	621,247	-2,723
DELAWARE	140,519	15,877	11.30%	0.18%	146,003	5,484
DIST. COLUMBIA	74,517	19,536	26.22%	0.22%	80,807	6,290
FLORIDA	2,949,048	447,172	15.16%	5.06%	2,869,265	-79,783
GEORGIA	1,669,996	296,706	17.77%	3.36%	1,708,914	38,918
HAWAII	209,496	19,121	9.13%	0.22%	211,521	2,025
IDAHO	268,143	33,487	12.49%	0.38%	276,617	8,474
ILLINOIS	2,342,762	369,244	15.76%	4.18%	2,330,949	-11,813
INDIANA	1,172,408	155,506	13.26%	1.76%	1,142,864	-29,544
IOWA	490,046	53,683	10.95%	0.61%	519,683	29,637
KANSAS	486,336	59,392	12.21%	0.67%	503,275	16,939
KENTUCKY	710,471	135,287	19.04%	1.53%	721,689	11,218
LOUISIANA	825,207	201,957	24.47%	2.29%	846,707	21,500
MAINE	209,676	23,769	11.34%	0.27%	214,837	5,161
MARYLAND	1,021,474	107,072	10.48%	1.21%	1,000,586	-20,888
MASSACHUSETTS	1,061,308	121,129	11.41%	1.37%	1,071,476	10,168
MICHIGAN	1,874,059	276,639	14.76%	3.13%	1,860,358	-13,701
MINNESOTA	894,001	82,727	9.25%	0.94%	917,742	23,741
MISSISSIPPI	536,654	142,059	26.47%	1.61%	552,561	15,907
MISSOURI	1,002,415	158,877	15.85%	1.80%	1,031,791	29,376
MONTANA	151,435	22,842	15.08%	0.26%	161,531	10,096
NEBRASKA	308,223	32,859	10.66%	0.37%	318,564	10,341
NEVADA	447,262	60,862	13.61%	0.69%	436,953	-10,309
NEW HAMPSHIRE	230,350	17,353	7.53%	0.20%	227,340	-3,010
NEW JERSEY	1,580,119	148,348	9.39%	1.68%	1,541,674	-38,445
NEW MEXICO	355,081	75,513	21.27%	0.86%	366,328	11,247
NEW YORK	3,296,783	638,113	19.36%	7.23%	3,331,872	35,089
NORTH CAROLINA	1,534,969	252,410	16.44%	2.86%	1,511,712	-23,257
NORTH DAKOTA	99,731	10,712	10.74%	0.12%	107,527	7,796
OHIO	2,027,440	288,329	14.22%	3.27%	2,049,795	22,355
OKLAHOMA	609,355	103,472	16.98%	1.17%	635,847	26,492
OREGON	624,417	88,798	14.22%	1.01%	620,427	-3,990
PENNSYLVANIA	2,091,834	289,566	13.84%	3.28%	2,097,059	5,225
PUERTO RICO	773,683	399,608	51.65%	4.53%	767,052	-6,631
RHODE ISLAND	181,029	28,943	15.99%	0.33%	179,211	-1,818
SOUTH CAROLINA	745,903	143,249	19.20%	1.62%	749,609	3,706
SOUTH DAKOTA	136,052	20,000	14.70%	0.23%	140,886	4,834
TENNESSEE	1,003,072	170,654	17.01%	1.93%	1,033,766	30,694
TEXAS	4,454,851	909,592	20.42%	10.30%	4,456,916	2,065
UTAH	507,425	52,513	10.35%	0.59%	529,922	22,497

**COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA BY STATE**

3-13

VERMONT	100,926	8,424	8.35%	0.10%	102,846	1,920
VIRGINIA	1,311,550	143,376	10.93%	1.62%	1,297,403	-14,147
WASHINGTON	1,090,269	144,330	13.24%	1.63%	1,113,732	23,463
WEST VIRGINIA	280,567	55,490	19.78%	0.63%	284,827	4,260
WISCONSIN	956,035	126,498	13.23%	1.43%	973,036	17,001
WYOMING	83,256	8,695	10.44%	0.10%	88,662	5,406

**COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA BY STATE**

	<u>PERCENT CHANGE FROM 2004</u>	<b>2005</b> <u>POVERTY (CENSUS ESTIMATE)</u>	<u>CHANGE FROM 2004</u>	<u>PERCENT CHANGE FROM 2004</u>	<b>2005</b> <u>POVERTY RATE</u>	<u>PERCENT OF TOTAL NAT'L POVERTY POPULATION</u>	<u>PERCENT CHANGE IN NAT'L POV. SHARE 2005 VS 2004</u>
U.S. TOTAL	0.53%	9,170,090	339,596	3.85%	16.99%	100.00%	
ALABAMA	2.00%	172,197	11,410	7.10%	21.28%	1.88%	3.13%
ALASKA	-3.10%	16,841	2,000	13.48%	12.63%	0.18%	9.27%
ARIZONA	-0.96%	205,175	-9,787	-4.55%	18.49%	2.24%	-8.09%
ARKANSAS	1.36%	108,273	12,880	13.50%	21.88%	1.18%	9.30%
CALIFORNIA	-2.09%	1,197,835	-27,927	-2.28%	17.44%	13.06%	-5.90%
COLORADO	-2.86%	101,811	7,415	7.86%	12.47%	1.11%	3.86%
CONNECTICUT	-0.44%	62,095	-2,469	-3.82%	10.00%	0.68%	-7.39%
DELAWARE	3.90%	17,149	1,272	8.01%	11.75%	0.19%	4.01%
DIST. COLUMBIA	8.44%	19,634	98	0.50%	24.30%	0.21%	-3.22%
FLORIDA	-2.71%	474,430	27,258	6.10%	16.53%	5.17%	2.17%
GEORGIA	2.33%	304,220	7,514	2.53%	17.80%	3.32%	-1.26%
HAWAII	0.97%	23,729	4,608	24.10%	11.22%	0.26%	19.50%
IDAHO	3.16%	39,106	5,619	16.78%	14.14%	0.43%	12.45%
ILLINOIS	-0.50%	341,763	-27,481	-7.44%	14.66%	3.73%	-10.87%
INDIANA	-2.52%	166,214	10,708	6.89%	14.54%	1.81%	2.93%
IOWA	6.05%	57,449	3,766	7.02%	11.05%	0.63%	3.05%
KANSAS	3.48%	60,203	811	1.37%	11.96%	0.66%	-2.39%
KENTUCKY	1.58%	146,404	11,117	8.22%	20.29%	1.60%	4.21%
LOUISIANA	2.61%	220,555	18,598	9.21%	26.05%	2.41%	5.16%
MAINE	2.46%	28,864	5,095	21.44%	13.44%	0.31%	16.94%
MARYLAND	-2.04%	98,407	-8,665	-8.09%	9.83%	1.07%	-11.50%
MASSACHUSETTS	0.96%	129,183	8,054	6.65%	12.06%	1.41%	2.70%
MICHIGAN	-0.73%	308,636	31,997	11.57%	16.59%	3.37%	7.43%
MINNESOTA	2.66%	87,697	4,970	6.01%	9.56%	0.96%	2.08%
MISSISSIPPI	2.96%	148,662	6,603	4.65%	26.90%	1.62%	0.77%
MISSOURI	2.93%	170,436	11,559	7.28%	16.52%	1.86%	3.30%
MONTANA	6.67%	26,584	3,742	16.38%	16.46%	0.29%	12.07%
NEBRASKA	3.36%	38,637	5,778	17.58%	12.13%	0.42%	13.23%
NEVADA	-2.30%	58,687	-2,175	-3.57%	13.43%	0.64%	-7.14%
NEW HAMPSHIRE	-1.31%	17,856	503	2.90%	7.85%	0.19%	-0.91%
NEW JERSEY	-2.43%	165,069	16,721	11.27%	10.71%	1.80%	7.15%
NEW MEXICO	3.17%	82,630	7,117	9.42%	22.56%	0.90%	5.37%
NEW YORK	1.06%	594,230	-43,883	-6.88%	17.83%	6.48%	-10.33%
NORTH CAROLINA	-1.52%	287,894	35,484	14.06%	19.04%	3.14%	9.83%
NORTH DAKOTA	7.82%	11,872	1,160	10.83%	11.04%	0.13%	6.72%
OHIO	1.10%	322,771	34,442	11.95%	15.75%	3.52%	7.80%
OKLAHOMA	4.35%	120,814	17,342	16.76%	19.00%	1.32%	12.44%
OREGON	-0.64%	99,462	10,664	12.01%	16.03%	1.08%	7.86%
PENNSYLVANIA	0.25%	305,450	15,884	5.49%	14.57%	3.33%	1.58%
PUERTO RICO	-0.86%	404,549	4,941	1.24%	52.74%	4.41%	-2.51%
RHODE ISLAND	-1.00%	28,272	-671	-2.32%	15.78%	0.31%	-5.94%
SOUTH CAROLINA	0.50%	150,806	7,557	5.28%	20.12%	1.64%	1.38%
SOUTH DAKOTA	3.55%	20,442	442	2.21%	14.51%	0.22%	-1.58%
TENNESSEE	3.06%	194,253	23,599	13.83%	18.79%	2.12%	9.61%
TEXAS	0.05%	983,654	74,062	8.14%	22.07%	10.73%	4.14%

**COMPARISON OF 2005 CENSUS DATA WITH 2004 DATA BY STATE**

3-15

UTAH	4.43%	51,517	-996	-1.90%	9.72%	0.56%	-5.53%
VERMONT	1.90%	10,753	2,329	27.65%	10.46%	0.12%	22.92%
VIRGINIA	-1.08%	153,431	10,055	7.01%	11.83%	1.67%	3.05%
WASHINGTON	2.15%	145,368	1,038	0.72%	13.05%	1.59%	-3.01%
WEST VIRGINIA	1.52%	64,238	8,748	15.77%	22.55%	0.70%	11.48%
WISCONSIN	1.78%	114,754	-11,744	-9.28%	11.79%	1.25%	-12.64%
WYOMING	6.49%	9,129	434	4.99%	10.30%	0.10%	1.10%

**PUBLIC LAW  
AND  
FEDERAL REGULATIONS**



**PUBLIC LAW 107-110****“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.**

“(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For the purpose of carrying out part A, there are authorized to be appropriated—

- “(1) \$13,500,000,000 for fiscal year 2002;
- “(2) \$16,000,000,000 for fiscal year 2003;
- “(3) \$18,500,000,000 for fiscal year 2004;
- “(4) \$20,500,000,000 for fiscal year 2005;
- “(5) \$22,750,000,000 for fiscal year 2006; and
- “(6) \$25,000,000,000 for fiscal year 2007.

“(b) READING FIRST.—

“(1) READING FIRST.—For the purpose of carrying out subpart 1 of part B, there are authorized to be appropriated \$900,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(2) EARLY READING FIRST.—For the purpose of carrying out subpart 2 of part B, there are authorized to be appropriated \$75,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(3) EVEN START.—For the purpose of carrying out subpart 3 of part B, there are authorized to be appropriated \$260,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(4) IMPROVING LITERACY THROUGH SCHOOL LIBRARIES.— For the purpose of carrying out subpart 4 of part B, there are authorized to be appropriated \$250,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there are authorized to be appropriated \$410,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(d) PREVENTION AND INTERVENTION PROGRAMS FOR YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT RISK.—For the purpose of carrying out part D, there are authorized to be appropriated \$50,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(e) FEDERAL ACTIVITIES.—

“(1) SECTIONS 1501 AND 1502.—For the purpose of carrying out sections 1501 and 1502, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years.

“(2) SECTION 1504.—

“(A) IN GENERAL.—For the purpose of carrying out section 1504, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and for each of the 5 succeeding fiscal years.

“(B) SPECIAL RULE.—Of the funds appropriated pursuant to subparagraph (A), not more than 30 percent may be used for teachers associated with students participating in the programs described in subsections (a)(1), (b)(1), and (c)(1).

“(f) COMPREHENSIVE SCHOOL REFORM.—For the purpose of carrying out part F, there are authorized to be appropriated such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years.

“(g) ADVANCED PLACEMENT.—For the purposes of carrying out part G, there are authorized to be appropriated such sums for fiscal year 2002 and each 5 succeeding fiscal year.

“(h) SCHOOL DROPOUT PREVENTION.—For the purpose of carrying out part H, there are authorized to be appropriated \$125,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years, of which—

- “(1) up to 10 percent shall be available to carry out subpart 1 of part H for each fiscal year; and
- “(2) the remainder shall be available to carry out subpart 2 of part H for each fiscal year.

“(i) SCHOOL IMPROVEMENT.—For the purpose of carrying out section 1003 (g), there are authorized to be

appropriated \$500,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years.

## FEDERAL REGULATIONS

### § 200.70 Allocation of funds to LEAs in general.

(a) The Secretary allocates basic grants, concentration grants, targeted grants, and education finance incentive grants, through SEAs, to each eligible LEA for which the Bureau of the Census has provided data on the number of children from low-income families residing in the school attendance areas of the LEA (hereinafter referred to as the “Census list”).

(b) In establishing eligibility and allocating funds under paragraph (a) of this section, the Secretary counts children ages 5 to 17, inclusive (hereinafter referred to as “formula children”)—

- (1) From families below the poverty level based on the most recent satisfactory data available from the Bureau of the Census;
- (2) From families above the poverty level receiving assistance under the Temporary Assistance for Needy Families program under Title IV of the Social Security Act;
- (3) Being supported in foster homes with public funds; and
- (4) Residing in local institutions for neglected children.

(c) Except as provided in §§200.72, 200.75, and 200.100, an SEA may not change the Secretary's allocation to any LEA that serves an area with a total census population of at least 20,000 persons.

(d) In accordance with §200.74, an SEA may use an alternative method, approved by the Secretary, to distribute the State's share of basic grants, concentration grants, targeted grants, and education finance incentive grants to LEAs that serve an area with a total census population of less than 20,000 persons.

(Approved by the Office of Management and Budget under control numbers 1810–0620 and 1810–0622)

(Authority: 20 U.S.C. 6333–6337)

[67 FR 71733, Dec. 2, 2002]

### § 200.71 LEA eligibility.

(a) *Basic grants.* An LEA is eligible for a basic grant if the number of formula children is—

- (1) At least 10; and
- (2) Greater than two percent of the LEA's total population ages 5 to 17 years, inclusive.

(b) *Concentration grants.* An LEA is eligible for a concentration grant if—

- (1) The LEA is eligible for a basic grant under paragraph (a) of this section; and
- (2) The number of formula children exceeds—
  - (i) 6,500; or
  - (ii) 15 percent of the LEA's total population ages 5 to 17 years, inclusive.

(c) *Targeted grants.* An LEA is eligible for a targeted grant if the number of formula children is—

- (1) At least 10; and
- (2) At least five percent of the LEA's total population ages 5 to 17 years, inclusive.

(d) *Education finance incentive grants.* An LEA is eligible for an education finance incentive grant if the number of formula children is—

- (1) At least 10; and
- (2) At least five percent of the LEA's total population ages 5 to 17 years, inclusive.

(Approved by the Office of Management and Budget under control numbers 1810–0620 and 1810–0622)

(Authority: 20 U.S.C. 6333–6337)

[67 FR 71733, Dec. 2, 2002]

### § 200.72 Procedures for adjusting allocations determined by the Secretary to account for eligible LEAs not on the Census list.

(a) *General.* For each LEA not on the Census list (hereinafter referred to as a “new” LEA), an SEA must determine the number of formula children and the number of children ages 5 to 17, inclusive, in that LEA.

(b) *Determining LEA eligibility.* An SEA must determine basic grant, concentration grant, targeted grant, and education finance incentive grant eligibility for each new LEA and re-determine eligibility for the LEAs on the Census list, as appropriate, based on the number of formula children and children ages 5 to 17, inclusive, determined in paragraph (a) of this section.

(c) *Adjusting LEA allocations.* An SEA must adjust the LEA allocations calculated by the Secretary to determine allocations for eligible new LEAs based on the number of formula children determined in paragraph (a) of this section.

(Approved by the Office of Management and Budget under control numbers 1810-0620 and 1810-0622)  
 (Authority: 20 U.S.C. 6333-6337)  
 [67 FR 71733, Dec. 2, 2002]

**§ 200.73 Applicable hold-harmless provisions.**

(a) *General.*

(1) Except as authorized under paragraph (c) of this section and §200.100(d)(2), an SEA may not reduce the allocation of an eligible LEA below the hold-harmless amounts established under paragraph (a)(4) of this section.

(2) The hold-harmless protection limits the maximum reduction of an LEA's allocation compared to the LEA's allocation for the preceding year.

(3) Except as provided in §200.100(d), an SEA must apply the hold-harmless requirement separately for basic grants, concentration grants, targeted grants, and education finance incentive grants as described in paragraph (a)(4) of this section.

(4) Under section 1122(c) of the ESEA, the hold-harmless percentage varies based on the LEA's proportion of formula children, as shown in the following table:

LEA's number of formula children ages 5 to 17, inclusive, as a percentage of its total population of children ages 5 to 17, inclusive	Hold-harmless percentage	Applicable grant formulas
(i) 30% or more	95	Basic Grants, Concentration Grants,
(ii) 15% or more but less than 30%	90	Targeted Grants, and Education Finance
(iii) Less than 15%	85	Incentive Grants.

(b) *Targeted grants and education finance incentive grants.* The number of formula children used to determine the hold-harmless percentage is the number before applying the weights described in section 1125 and section 1125A of the ESEA.

(c) *Adjustment for insufficient funds.* If the amounts made available to the State are insufficient to pay the full amount that each LEA is eligible to receive under paragraph (a)(4) of this section, the SEA must ratably reduce the allocations for all LEAs in the State to the amount available.

(d) *Eligibility for hold-harmless protection.*

(1) An LEA must meet the eligibility requirements for a basic grant, targeted grant, or education finance incentive grant under §200.71 in order for the applicable hold-harmless provision to apply.

(2) An LEA not meeting the eligibility requirements for a concentration grant under §200.71 must be paid its hold-harmless amount for four consecutive years.

(Approved by the Office of Management and Budget under control numbers 1810-0620 and 1810-0622)  
 (Authority: 20 U.S.C. 6332(c))  
 [67 FR 71733, Dec. 2, 2002]

**§ 200.74 Use of an alternative method to distribute grants to LEAs with fewer than 20,000 total residents.**

(a) For eligible LEAs serving an area with a total census population of less than 20,000 persons (hereinafter referred to as "small LEAs"), an SEA may apply to the Secretary to use an alternative method to distribute basic grant, concentration grant, targeted grant, and education finance incentive grant funds.

- (b) In its application, the SEA must—
- (1) Identify the alternative data it proposes to use; and
  - (2) Assure that it has established a procedure through which a small LEA that is dissatisfied with the determination of its grant may appeal directly to the Secretary.
- (c) The SEA must base its alternative method on population data that best reflect the current distribution of children from low-income families among the State's small LEAs and use the same poverty measure consistently for small LEAs across the State for all Title I, part A programs.
- (d) Based on the alternative poverty data selected, the SEA must—
- (1) Re-determine eligibility of its small LEAs for basic grants, concentration grants, targeted grants, and education finance incentive grants in accordance with §200.71;
  - (2) Calculate allocations for small LEAs in accordance with the provisions of sections 1124, 1124A, 1125, and 1125A of the ESEA, as applicable; and
  - (3) Ensure that each LEA receives the hold-harmless amount to which it is entitled under §200.73.
- (e) The amount of funds available for redistribution under each formula is the separate amount determined by the Secretary under sections 1124, 1124A, 1125, and 1125A of the ESEA for eligible small LEAs after the SEA has made the adjustments required under §200.72(c).
- (f) If the amount available for redistribution to small LEAs under an alternative method is not sufficient to satisfy applicable hold-harmless requirements, the SEA must ratably reduce all eligible small LEAs to the amount available.

(Approved by the Office of Management and Budget under control numbers 1810–0620 and 1810–0622)  
(Authority: 20 U.S.C. 6333–6337)  
[67 FR 71733, Dec. 2, 2002]