AMENDMENT TO RULES COMMITTEE PRINT FOR
H.R. 5
OFFERED BY MR. DANNY K. DAVIS OF ILLINOIS

On page 225, after line 17 (at the end of title I of the bill) insert the following:

Subtitle F—Effective Date

SEC. 161. EFFECTIVE DATE.

Notwithstanding any other provision of this Act or the amendments made by this Act, the amendment made by section 112 of this Act to section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) shall not take effect until the date on which the Secretary of Education—

(1) determines that removing the 1 percent cap with respect to students with the most significant cognitive disabilities established under section 200.13(c)(2)(i) of title 34, Code of Federal Regulations, will not result in an overreliance on the use of less rigorous alternate assessments, aligned to alternate achievement standards, for students with disabilities; and
(2) provides written notification to Congress on such determination.