

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

Page 252, after line 5, insert the following:

1 Subtitle F—Effective Date

2 SEC. 161. EFFECTIVE DATE.

3 Notwithstanding any other provision of this Act or
4 the amendments made by this Act, the amendments made
5 by section 112 to ~~section 1111(b)(2)(C)~~ of the Elementary
6 and Secondary Education Act of 1965 shall not take effect
7 until the date on which the Secretary of Education deter-
8 mines—

9 (1) that removing the 1 percent cap with re-
10 spect to students with disabilities established under
11 section 200.13(c)(2)(i) of title 34, Code of Federal
12 Regulations, will not result in an overreliance on the
13 use of less rigorous assessments for students with
14 disabilities for students with significant cognitive
15 disabilities; and

16 (2) provides written notification to Congress on
17 such determination.

