AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5
OFFERED BY MR. KLINE OF MINNESOTA

Page 31, line 20, insert “, on an annual and subject-by-subject basis,” after “determining”.

Page 31, line 25, strike “are informed” and insert “are clearly informed, as part of the process for developing the Individualized Education Program (as defined in section 614(d)(1)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)),”.

Page 32, line 8, insert “as defined in section 6101(36)(A)” after “diploma”.

Page 32, after line 8, insert the following (and redesignate provisions accordingly):

“(iii) ensures that students with the most significant cognitive disabilities who take an alternate assessment based on alternate academic achievement standards are not precluded from attempting to complete the requirements for a regular secondary school diploma, as determined by the State;
Page 45, after line 2, insert the following:

“(6) RULE OF CONSTRUCTION.—A State plan shall be presumed approved upon submission unless the Secretary finds that the plan does not meet one of the required elements, but in no case shall a deficiency be found due to the content of the material submitted.”

Page 47, after line 13, insert the following (and redesignate provisions accordingly):

“(iv) the number, percentage, and disability category of students with significant cognitive disabilities participating in the alternate assessments described in subsection (b)(2)(C) (except that such reporting shall not be required in a case in which the results would reveal personally identifiable information about an individual student);

Page 85, strike lines 20 through 23, and insert the following:

“(K) at what time and where services will be provided; and

Page 231, after line 3, insert the following:
“(7) A description of how the State will establish, implement, or improve policies and procedures on background checks for school employees and contractors who have direct unsupervised access to students, which may be conducted and administered by the State or local educational agencies, including by—

“(A) expanding the registries or repositories searched when conducting background checks, including—

“(i) the State criminal registry or repository of the State in which the school employee resides;

“(ii) the State-based child abuse and neglect registries and databases of the State in which the school employee resides;

“(iii) the Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System;

“(iv) the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); and
“(v) the National Crime Information Center;

“(B) establishing, implementing, or improving policies and procedures that prohibit employing as a school employee an individual who—

“(i) refuses to consent to a background check;

“(ii) makes false statements in connection with a background check;

“(iii) has been convicted of a felony, consisting of—

“(I) homicide;

“(II) child abuse or neglect;

“(III) a crime against children, including child pornography;

“(IV) domestic violence;

“(V) a crime involving rape or sexual assault;

“(VI) kidnaping;

“(VII) arson; or

“(VIII) physical assault, battery, or a drug-related offense, committed on or after the date that is 5 years
before the date of the individual’s
criminal background check;
“(iv) has been convicted of any other
crimes, as determined by the State; or
“(v) is registered or required to be
registered on a State sex offender registry
or the National Sex Offender Registry es-
established under the Adam Walsh Child
Protection and Safety Act of 2006 (42
U.S.C. 16901 et seq.);
“(C) establishing, implementing, or im-
proving policies and procedures for States, local
educational agencies, or schools to provide the
results of background checks to—
“(i) individuals subject to the back-
ground checks in a statement that indi-
cates whether the individual is ineligible
for such employment due to the back-
ground check and includes information re-
lated to each disqualifying crime;
“(ii) the employer in a statement that
indicates whether a school employee is eli-
gible or ineligible for employment, without
revealing any disqualifying crime or other
related information regarding the individual;

“(iii) another employer in the same State or another State, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

“(iv) another local educational agency in the same State or another State that is considering such school employee for employment, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

“(D) developing, implementing, or improving mechanisms to assist local educational agencies and schools in effectively recognizing and quickly responding to incidents of child abuse by school employees.

Page 234, line 17, strike “teachers and school leaders” and insert “teachers, school leaders, and if appropriate, specialized instructional support personnel”.

Page 239, beginning on line 8, strike “teachers and school leaders” and insert “teachers, school leaders, and
if appropriate, specialized instructional support personnel”.

Page 243, line 6, strike the final quotation marks and period at the end.

Page 243, after line 6, insert the following:

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"SEC. 2134. EMPLOYEE TRANSFERS.

"A local educational agency or State educational agency shall be ineligible for funds under this Act if such agency knowingly facilitates the transfer of any employee if the agency knows, or has probable cause to believe, that the employee engaged in sexual misconduct with a student.”.
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Page 262, line 22, strike “and” at the end

Page 263, line 2, strike the period at the end and insert “; and”.

Page 263, after line 2, insert the following:

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“(C) has a timely and efficient approval process to approve or disapprove a teacher or school leader preparation academy.
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Page 345, line 4, strike “(I) or (III)” and insert “(I), (II), or (IV)”.

Page 348, after line 9, insert the following (and re-designate provisions accordingly):

“(II) educational service agency;

Page 348, line 12, strike “(I) or (II)” and insert “(I), (II), or (III)”.

Beginning on page 381, strike line 24 through page 383, line 4, and insert the following:

(e) HOLD HARMLESS.—Section 8003(e) (20 U.S.C. 7703(e)) is amended to read as follows:

“(e) HOLD HARMLESS.—The maximum amount that a local educational agency is eligible to receive, as calculated under paragraph (1)(C), (2)(C), or (2)(D) of subsection (b), shall not be less than 90 percent of the calculated maximum amount that was used to determine the local educational agency’s payment for subsection (b)(1) or (b)(2) in the previous fiscal year for a period not to exceed 3 consecutive fiscal years, if such agency meets the eligibility requirements of paragraph (1)(B) or (2)(B) of subsection (b).”.

Page 563, after line 15, insert the following:
“SEC. 6532. SCHOOLCHILDREN'S PROTECTION FROM ABOR-
TION PROVIDERS.

“(a) LIMITATION ON FUNDING.—Notwithstanding
section 6102, no funds under this Act may be used by
any State educational agency or local educational agency
that enters into a contract or other agreement with a
school-based health center relating to the provision of
health services to students served by the agency unless
such center certifies that—

“(1) the center will not perform an abortion;

and

“(2) the center will not provide abortion-related
materials, referrals, or directions for abortion serv-
ices to any such student.

“(b) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to prevent a school-based health
center from providing non-abortion health services to
pregnant students.

“(c) SCHOOL-BASED HEALTH CENTER.—In this sec-
tion, the term ‘school-based health center’ has the mean-
ing given such term in section 2110(e)(9) of the Social
Security Act (42 U.S.C. 1397jj(e)(9)).”.

Beginning on page 570, strike line 1 through page
572, line 24 (and redesignate provisions accordingly).
Page 574, beginning on line 19, strike “and Parental Rights Over the Education of Their Children”.

Page 574, line 24, strike “No” and insert “In order to ensure local control over the acceptance of federal funds, no”.

Page 575, line 6, strike “have waived” through “assistance” on line 9, and insert “have affirmatively agreed to abide by the conditions attached to the receipt of such funds”.

Page 575, line 23, strike “waiving the State’s rights” through “assistance” on line 25 and insert “has affirmatively agreed to abide by the conditions attached to the receipt of such funds”.

Page 576, after line 21, insert the following (and redesignate provisions accordingly):

“(e) Rule of Construction.—Nothing in this section shall be construed to allow the Secretary to condition the receipt of any grant funds under this Act on the adoption of any specific standards, including the Common Core State Standards, assessments, or curriculum.

Page 577, after line 25, insert the following:
“SEC. 6565. PRIVACY.

“The Secretary shall ensure each grantee receiving funds under this Act understands the importance of privacy protections for students and is aware of their responsibilities under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Education Rights and Privacy Act of 1974’).

Page 620, after line 8, add the following:

SEC. 802. PREVENTING IMPROPER USE OF TAXPAYER FUNDS.

To ensure any misuse of taxpayer funds is stopped or prevented before it occurs, the Secretary of Education—

(1) shall ensure that each recipient of a grant or subgrant under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) prominently displays the Department of Education Office of Inspector General hotline contact information so any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use;

(2) annually shall notify employees of the Department of Education of their responsibility to report fraud; and
(3) shall ensure that applicants for grants or
subgrants under such Act are aware of their require-
ment to submit truthful and accurate information
when applying for grants or subgrants and respond-
ing to monitoring and compliance reviews.