

**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:

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 amendment made
5 by section 112 of this Act to section 1111 of the Elemen-
6 tary and Secondary Education Act of 1965 (20 U.S.C.
7 6311) shall not take effect until the date on which the
8 Secretary of Education—

9 (1) determines that removing the 1 percent cap
10 with respect to students with the most significant
11 cognitive disabilities established under section
12 200.13(c)(2)(i) of title 34, Code of Federal Regula-
13 tions, will not result in an overreliance on the use
14 of less rigorous alternate assessments, aligned to al-
15 ternate achievement standards, for students with
16 disabilities; and

1 (2) provides written notification to Congress on
2 such determination

