

## MOTION TO RECOMMIT WITH INSTRUCTIONS

M\_\_\_\_\_.\_\_\_\_\_ moves to recommit the bill H.R. 5 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with the following amendment:

Page 25, after line 14, insert the following:

1           “(F) GUARANTEEING EDUCATIONAL OP-  
2           PORTUNITIES FOR CHILDREN WITH DISABIL-  
3           ITIES, INCLUDING STUDENTS WITH AUTISM,  
4           DOWN SYNDROME, AND OTHER DISABILITIES.—  
5           Each State plan shall demonstrate that the de-  
6           velopment and adoption of the academic content  
7           standards and academic achievement standards  
8           under this paragraph does not—

9           “(i) result in lower academic stand-  
10          ards for children with disabilities than the  
11          standards adopted for students without  
12          disabilities;

13          “(ii) deny students with disabilities,  
14          including students with the most signifi-  
15          cant cognitive disabilities, access to a reg-  
16          ular secondary school diploma;

1           “(iii) deny any parent the right to  
2           give informed consent before determining  
3           whether to apply alternate achievement  
4           standards to the assessment of his or her  
5           child or any relevant information needed to  
6           make such determination;

7           “(iv) otherwise lower expectations or  
8           academic achievement for students with  
9           disabilities, including students with the  
10          most significant cognitive disabilities; or

11          “(v) deny educational opportunities  
12          for students or any subgroup of students  
13          described in section 1111(b)(3)(B)(ii)(II),  
14          including racial and ethnic minority stu-  
15          dents who are identified for special edu-  
16          cation services at a rate disproportionately  
17          higher than their peers.”.

          Add at the end the following:

18 **SEC. 802. PROTECTING CHILDREN WITH DISABILITIES**  
19                           **FROM ABUSIVE SECLUSION AND RESTRAINT**  
20                           **PRACTICES.**

21          (a) PURPOSE.— The purpose of this section is to en-  
22          sure a safe learning environment and to protect each ele-  
23          mentary and secondary school student from physical or  
24          mental abuse, aversive behavioral interventions that com-

1 promise student health and safety, or any physical re-  
2 straint or seclusion when there is no imminent threat of  
3 physical injury or in a manner otherwise inconsistent with  
4 the purposes of the Elementary and Secondary Education  
5 Act of 1965 (21 U.S.C. 6301 et seq.).

6 (b) REGULATION.—Not later than 180 days after the  
7 date of the enactment of this Act, the Secretary of Edu-  
8 cation shall promulgate regulations providing, at min-  
9 imum, that school personnel shall be prohibited from im-  
10 posing on any elementary or secondary school student the  
11 following:

12 (1) Mechanical restraints.

13 (2) Chemical restraints.

14 (3) Physical restraint or physical escort that re-  
15 stricts breathing.

16 (4) Aversive behavioral interventions that com-  
17 promise health and safety such as excessive pain,  
18 use of heat or cold, spraying bleach infused water in  
19 faces, and depriving students of food and bathroom  
20 access for hours on end.

