

Suspending limitations on conference committee
jurisdiction, H.B. No. 3906 (Huberty/Taylor)

By: Huberty

H.R. No. 2205

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 86th Legislature, Regular Session, 2019, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 3906 (the assessment of
6 public school students, including the development and
7 administration of assessment instruments, and technology permitted
8 for use by students) to consider and take action on the following
9 matters:

10 (1) House Rule 13, Section 9(a)(4), is suspended to permit
11 the committee to add text on a matter not included in either the
12 house or senate version of the bill by adding the following new
13 language to SECTION 1 of the bill, amending Section 39.022,
14 Education Code, to read as follows:

15 (b) It is the policy of this state that the statewide
16 assessment program be designed to:

17 (1) provide assessment instruments that are as short
18 as practicable; and

19 (2) minimize the disruption to the educational
20 program.

21 Explanation: The addition is necessary to provide a general
22 statement of state policy regarding the design of the statewide
23 assessment program.

24 (2) House Rule 13, Sections 9(a)(1) and (4), are suspended

1 to permit the committee to change text not in disagreement and to
2 add text on a matter not included in either the house or senate
3 version of the bill in SECTION 3 of the bill, amending Section
4 32.023(a-12), Education Code, to read as follows:

5 (a-12) An assessment instrument adopted or developed under
6 Subsection (a) may not have more than three parts. A part of an
7 assessment instrument must be designed so that:

8 (1) if administered to students in grades three
9 through five, 85 percent of students will be able to complete that
10 part [~~the assessment instrument~~] within 60 [~~120~~] minutes; and

11 (2) if administered to students in grades five [~~six~~]
12 through eight, 85 percent of students will be able to complete that
13 part [~~the assessment instrument~~] within 75 [~~180~~] minutes.

14 Explanation: This change is necessary to limit the number of
15 parts of an assessment instrument and to modify the requirements
16 relating to the design of an assessment instrument to apply to parts
17 of an assessment instrument.

18 (3) House Rule 13, Section 9(a)(4), is suspended to permit
19 the committee to add text on a matter not included in either the
20 house or senate version of the bill by adding the following new
21 language to SECTION 3 of the bill, amending Section 39.023,
22 Education Code, to read as follows:

23 (a-16) An assessment instrument under this section may not
24 be administered to a kindergarten student except for the purpose of
25 determining whether the student is entitled to the benefit of the
26 Foundation School Program as provided under this code.

27 Explanation: The addition is necessary to prohibit the Texas

1 Education Agency from administering a statewide accountability
2 assessment instrument to kindergarten students except in limited,
3 specified circumstances.

4 (4) House Rule 13, Section 9(a)(1), is suspended to permit
5 the committee to alter text not in disagreement in SECTION 3 of the
6 bill, amending Section 32.023(c), Education Code, by striking "~~The~~
7 ~~State Board of Education shall adopt a schedule for the~~
8 ~~administration of end-of-course assessment instruments that~~
9 ~~complies with the requirements of Subsection (c-3).~~" and
10 substituting "The State Board of Education shall adopt a schedule
11 for the administration of end-of-course assessment instruments
12 that complies with the requirements of Subsection (c-3).".

13 Explanation: The alteration is necessary to restore language
14 in the current law regarding the duty of the State Board of
15 Education to adopt a schedule for the administration of
16 end-of-course assessment instruments that was bracketed out by both
17 the house and senate versions of the bill.

18 (5) House Rule 13, Section 9(a)(4), is suspended to permit
19 the committee to add text on a matter not included in either the
20 house or senate version of the bill by adding the following new
21 SECTION to the bill:

22 SECTION 9. The Texas Education Agency is required to
23 implement a provision of this Act only if the legislature
24 appropriates money specifically for that purpose. If the
25 legislature does not appropriate money specifically for that
26 purpose, the Texas Education Agency may, but is not required to,
27 implement a provision of this Act using other appropriations

1 available for that purpose.

2 Explanation: The addition is necessary to ensure fiscal
3 responsibility by providing that the Texas Education Agency is
4 required to implement a provision of the Act only if the legislature
5 appropriates money specifically for that purpose.