

Suspending limitations on conference committee jurisdiction, S.B. No. 1356 (Hughes/ Dutton)

By: Hughes

S.R. No. 543

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 87th Legislature, Regular Session 2021, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 1356 (the participation by members of nonprofit teacher organizations in a tutoring program for public school students and related retirement benefits for certain tutors participating in the program) to consider and take action on the following matters:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding the following text to proposed SECTION 2 of the bill, in added Section 33.913(a), Education Code:

or a person who is not a member but meets the requirements under Subsection (b)

Explanation: The addition is necessary to permit a person who is not a member of a nonprofit teacher organization to participate in the tutoring program.

(2) Senate Rules 12.03(1) and (4) are suspended to permit the committee to amend text not in disagreement and to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 2 of the bill, amending the text to added Section 33.913(c), Education Code, to read as follows:

(c) The superintendent or chief executive officer of each school district or open-enrollment charter school or the person designated by the superintendent or chief executive officer shall:

(1) oversee the tutoring program within the district or school; and

(2) not later than the last day of each semester, submit a report to the board of trustees of the district or the governing body of the school that includes, with respect to that semester:

(A) the number of active or retired teachers who contacted the district or school to offer tutoring services to students in the district or school; and

(B) the number of active or retired teachers who were used by the district or school as a tutor on a volunteer basis or employed by the district or school to provide tutoring services for compensation.

Explanation: The changes are necessary to require the chief executive officer of an open-enrollment charter school to oversee the tutoring program and to require the superintendent or chief executive officer of each school district or open-enrollment charter school, or other person designated by the school district or open-enrollment charter school, to submit a report each semester regarding the tutoring program to the board of trustees of the district or governing body of the school.

(3) Senate Rules 12.03(1) and (4) are suspended to permit

the committee to amend text not in disagreement and to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 2 of the bill, amending the text to added Section 33.913(d), Education Code, to read as follows:

(d) A school district or open-enrollment charter school may use any available local, state, or federal funds to provide compensation to a person participating in the program as a tutor who is providing tutoring for compensation under the program.

Explanation: The additions are necessary to allow a school district or open-enrollment charter school to use local, state, or federal funds to compensate a person providing tutoring services under the program.

(4) Senate Rules 12.03(1) and (4) are suspended to permit the committee to amend text not in disagreement and to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 2 of the bill, amending the text to added Section 33.913(e), Education Code, to read as follows:

(e) If an active or retired teacher who has been approved for participation in the tutoring program contacts a school district or open-enrollment charter school to provide tutoring to students in the district or school and the district or school needs tutoring assistance, the district or school may:

(1) if the teacher is providing tutoring services on a volunteer basis, use the volunteer tutoring services provided by the teacher; or

(2) if the district or school has local, state, or federal funds for purposes of the tutoring program and the

teacher is providing tutoring services for compensation, employ the teacher as a tutor.

Explanation: The additions are necessary to give school districts and open-enrollment charter schools the discretion to, if the teacher contacts the district or school and the district or school needs tutoring assistance, use or employ, using local, state, or federal funds, an active or retired teacher as a tutor on a volunteer basis or for compensation.

(5) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding the following text to proposed SECTION 2 of the bill, in added Section 33.913(f)(2), Education Code:

, any open-enrollment charter schools located within that district,

Explanation: The addition is necessary to require a nonprofit organization participating in the tutoring program to provide contact information of certain persons for certain open-enrollment charter schools.

(6) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding the following text to proposed SECTION 4 of the bill, in added Section 825.604(2), Government Code:

or open-enrollment charter schools

Explanation: The addition is necessary to require the retirement system to provide a statement directing members and

S.R. No. 543

retirees to contact their local open-enrollment charter schools regarding the tutoring program.

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 30, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate