

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

By: Hughes

S.R. No. 543

R E S O L U T I O N

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

9 (1) Senate Rule 12.03(4) is suspended to permit the
10 committee to add text on a matter not included in either the house
11 or senate version of the bill by adding the following text to
12 proposed SECTION 2 of the bill, in added Section 33.913(a),
13 Education Code:
14 or a person who is not a member but meets the requirements under
15 Subsection (b)

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

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

24 (c) The superintendent or chief executive officer of each

1 school district or open-enrollment charter school or the person
2 designated by the superintendent or chief executive officer shall:

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

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

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

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

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

24 (3) Senate Rules 12.03(1) and (4) are suspended to permit
25 the committee to amend text not in disagreement and to add text on a
26 matter not included in either the house or senate version of the
27 bill in proposed SECTION 2 of the bill, amending the text to added

1 Section 33.913(d), Education Code, to read as follows:

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

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

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

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

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

23 (2) if the district or school has local, state, or
24 federal funds for purposes of the tutoring program and the teacher
25 is providing tutoring services for compensation, employ the teacher
26 as a tutor.

27 Explanation: The additions are necessary to give school

1 districts and open-enrollment charter schools the discretion to, if
2 the teacher contacts the district or school and the district or
3 school needs tutoring assistance, use or employ, using local,
4 state, or federal funds, an active or retired teacher as a tutor on
5 a volunteer basis or for compensation.

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

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

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

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

21 or open-enrollment charter schools

22 Explanation: The addition is necessary to require the
23 retirement system to provide a statement directing members and
24 retirees to contact their local open-enrollment charter schools
25 regarding the tutoring program.