

ATTACHMENT II
Text of Adopted Amendments to 19 TAC

Chapter 157. Hearings and Appeals

Subchapter AA. General Provisions for Hearings Before the Commissioner of Education

§157.1041. Scope and Purpose.

- (a) (No change.)
- (b) This chapter adopts for all purposes the provisions of the Texas Rules of Civil Evidence (<http://www.courts.state.tx.us/rules/tre-toc.asp>) and the Texas Rules of Civil Procedure (http://www.supreme.courts.state.tx.us/rules/TRCP/RCP_all.pdf) . The Rules of Civil Evidence and Civil Procedure will prevail except as modified by these rules. The provisions of this Subchapter AA shall govern the procedure for the administration of all hearings before the commissioner of education except where modified by Subchapter BB of this chapter (relating to Specific Appeals to the Commissioner).

§157.1055. Motions.

- (a) (No change.)
- (b) All motions requiring a ruling must be in writing and must contain a certificate of conference asserting that the movant has conferred with the opposing party representative and has or has not obtained agreement with the motion. If no conference was conducted, the movant shall state the reasons, amounting to good cause, why the conference was not held. All motions requiring a certificate of conference will be denied without the requirement of a response if the moving party fails to confer with the opposing party as required. Any motion for which a conference was not held , when the movant has alleged good cause for not holding a conference. must be responded to within seven days, unless the administrative law judge specifies a shorter time to respond.