

2018 Regular Session

HOUSE BILL NO. 523

BY REPRESENTATIVES HORTON AND ARMES

SCHOOLS/BUS OPERATORS: Provides relative to tenure of school bus operators

1 AN ACT

2 To amend and reenact R.S. 17:492(B) and to repeal R.S. 17:492(D), relative to tenure of
3 school bus operators; to provide that a school bus operator may be granted tenure
4 based upon the results of his performance evaluations; to provide for conditions; to
5 provide for applicability; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:492(B) is hereby amended and reenacted to read as follows:

8 §492. Probation and tenure of bus operators

9 * * *

10 B.(1) ~~Except as provided in Subsection D of this Section, any~~ A school bus
11 operator found unsatisfactory by the school board at the expiration of the
12 probationary term shall be notified in writing by the board that he has been
13 discharged or dismissed;

14 (2) ~~Except as provided in Paragraph (3) of this Subsection,~~ in the absence of
15 ~~such~~ the notification as specified in Paragraph (1) of this Subsection ~~such~~
16 ~~probationary~~ a school bus operator shall automatically become a regular and
17 permanent operator in the employ of the school board of the school system in which
18 he has successfully served his probationary term.

19 (3)(a) ~~The provisions of Paragraph (2) of this Subsection, relative to a school~~
20 bus operator becoming a regular and permanent operator, are not applicable to an

1 operator whose date of first employment with the school system is July 1, 2012, or
2 thereafter.

3 (b) After the expiration of the probationary term provided in Subsection A
4 of this Section and prior to being granted tenure or if he is not granted tenure a
5 school bus operator whose date of first employment with a school system is July 1,
6 2012, or thereafter, may be removed from his position as provided by the personnel
7 policy of the employing school board.

8 (c) Such school bus operator who receives the highest possible rating on his
9 performance evaluation for five years within a six-year period that begins after
10 July 1, 2018, shall be granted tenure.

11 (d) For purposes of this Paragraph, "performance evaluation" means the
12 evaluation annually conducted by the employing school board in accordance with
13 applicable state and local policies.

14 * * *

15 Section 2. R.S. 17:492(D) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 523 Original

2018 Regular Session

Horton

Abstract: Provides that a school bus operator who receives the highest possible rating on his evaluations for five out of six years shall be granted tenure.

Present law provides that each school bus operator shall serve a probationary term of three years. Provides that during the probationary term the employing school board may dismiss or discharge the operator upon the written recommendation (including valid reasons) of the local superintendent. Requires the immediate dismissal of a school bus operator who is convicted of or has pled nolo contendere to specified violations relative to operating a vehicle while intoxicated. Provides that a school bus operator hired *prior to* July 1, 2012, who is found unsatisfactory by the school board at the end of the probationary term shall be notified in writing by the board that he has been discharged or dismissed. Provides that if he is not found unsatisfactory, he shall automatically be granted tenure in the parish in which he successfully served his probationary term. Prohibits a school bus operator hired *on or after* July 1, 2012, from acquiring tenure and provides that after the expiration of the probationary term, the operator may be removed from his position as provided by the personnel policy of the employing school board.

Proposed law provides that an operator hired *on or after* July 1, 2012, shall be granted tenure if he receives the highest possible rating for five years within a six-year period on his

performance evaluation conducted by the employing school board. Provides that after the probationary term and prior to being granted tenure or if not granted tenure, the operator may be removed from his position as provided by the personnel policy of the employing school board. Otherwise retains present law.

(Amends R.S. 17:492(B); Repeals R.S. 17:492(D))