

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 293 By Representative Harrison**

June 3, 2012

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 293 by Representative Harrison, recommend the following concerning the Engrossed bill:

1. That the Senate Floor Amendment proposed by Senator Morrell and adopted by the Senate on May 23, 2012, be rejected.

Respectfully submitted,

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Representative Joe Harrison

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Senator Conrad Appel

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Representative Stephen F. Carter

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Senator Jack Donahue

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Representative Girod Jackson III

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Senator R.L. Bret Allain, II

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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 293 by Representative Harrison

**Keyword and one-liner of the instrument as it left the House**

BUS DRIVERS: Limits applicability of laws relative to a school bus operator becoming a regular and permanent employee of the employing school board and provides relative to removal of certain operators

**Report adopts Senate amendments to:**

1. None.

**Report rejects Senate amendments which would have:**

1. Added proposed law provision, effective on and after July 1, 2012, relative to certain operators becoming regular and permanent employees of the employing school system after seven consecutive years of serving satisfactorily.

**Report amends the bill to:**

1. None.

**Digest of the bill as proposed by the Conference Committee**

Present law (R.S. 17:491) defines "school bus operator" (for purposes of certain laws including those relative to probation and tenure of bus operators) to mean any employee of any city or parish school board whose duty it is to transport students in any city or parish school bus or activity bus to and from any school of suitable grade approved by the state Dept. of Education or to and from any school-related activity.

Requires that such employee shall be certified to have participated in any school bus drivers instructional program or in-service training provided by the state Dept. of Education as provided by law, shall be at least 21 years old, and shall be certified to have passed any physical examination required by the department. Specifies that it shall be unlawful for anyone not so certified to transport school students to and from any such school.

Provides that employees of parish and city school boards who drive buses to colleges or universities, at the discretion of the employing school board, may be exempted for the specified age requirement but shall not be under age 18 (R.S. 17:160).

Proposed law retains present law except to make technical corrections.

Relative to probation and tenure of bus operators:

Present law (R.S. 17:492) provides that each school bus operator shall serve a probationary term of three years reckoned from the date of his first employment in the parish in which the operator is serving his probation. Provides that during the probationary term the parish school board may dismiss or discharge any operator upon the written recommendation of the parish superintendent of schools accompanied by valid reasons therefor.

Specifies that any school bus operator found unsatisfactory by the parish school board at the expiration of the probationary term shall be notified in writing by the board that he has been discharged or dismissed. Provides that in the absence of such notification the probationary school bus operator shall automatically become a regular and permanent operator in the employ of the school board of the parish in which he has successfully served his probationary term.

Provides that all school bus operators in the employ of any parish school board on July 26, 1944, and who have served satisfactorily as school bus operators for more than three consecutive years and who are employed for the school term of 1944-1945, are declared to be regular and permanent school bus operators in the employ of the school board of that parish.

Requires that in order to acquire tenure under present law, each school bus operator must personally operate and drive the school bus he is employed to operate and that no one shall acquire tenure in the operation of more than one school bus.

Proposed law retains present law with respect to persons hired prior to July 1, 2012, except to make technical corrections and to delete provisions relative to operators employed by a parish school board on July 26, 1944.

Proposed law additionally provides that present law provisions relative to an operator becoming a regular and permanent operator are not applicable to any school bus operator whose date of first employment with the school system is July 1, 2012, or thereafter. Relative to such an operator, proposed law provides that after the expiration of the probationary term provided by present law, the operator may be removed from his position as provided by the personnel policy of the employing school board.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:491 and 492)