

Regular Session, 2012

# ACT No. 704

HOUSE BILL NO. 293

BY REPRESENTATIVE HARRISON

1 AN ACT

2 To amend and reenact R.S. 17:491 and 492, relative to tenure of school bus operators; to  
3 provide relative to a school bus operator becoming a regular and permanent  
4 employee of the employing school board; to provide definitions; to provide  
5 applicability; to provide relative to the removal of certain operators; to provide an  
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:491 and 492 are hereby amended and reenacted to read as  
9 follows:

10 §491. Definitions

11 A. As used in this Subpart, the term "school bus operator" means any  
12 employee of any city, ~~or parish, or other local public~~ school board whose duty it is  
13 to transport students in any ~~city or parish~~ board school bus or activity bus to and  
14 from any school of suitable grade approved by the ~~state department~~ Department of  
15 ~~education~~ Education or to and from any ~~school-related~~ school-related activity. Such  
16 employee shall be certified to have participated in any school bus drivers  
17 instructional program or in-service training provided by the ~~state department~~  
18 Department of ~~education~~ Education as provided for in R.S. ~~17:497.2~~ 17:497.4, shall  
19 have attained the age of twenty-one years, and shall be certified to have passed any  
20 physical examination required by the department. It shall be unlawful for anyone not  
21 certified as provided herein to transport school students to and from any such school.

22 B. Employees of ~~parish and city, parish, and other local public~~ school boards  
23 who drive buses to colleges or universities may, at the discretion of the employing

1 school board, be exempted from the age requirements provided ~~herein~~, by this  
2 Section but shall meet those age requirements provided in R.S. 17:160.

3 \* \* \*

4 §492. Probation and tenure of bus operators

5 A. Each school bus operator shall serve a probationary term of three years  
6 reckoned from the date of his first employment in the city, parish, or other local  
7 public school system in which the operator is serving his probation. During the  
8 probationary term, the city, parish, or other local public school board may dismiss  
9 or discharge any operator upon the written recommendation of the ~~parish~~ local  
10 superintendent of schools accompanied by valid reasons therefor.

11 B. ~~Any~~ Except as provided in Subsection D of this Section, any school bus  
12 operator found unsatisfactory by the ~~parish~~ school board at the expiration of the  
13 probationary term shall be notified in writing by the board that he has been  
14 discharged or dismissed; in the absence of such notification such probationary school  
15 bus operator shall automatically become a regular and permanent operator in the  
16 employ of the school board of the ~~parish~~ school system in which he has successfully  
17 served his probationary term; ~~provided that all school bus operators in the employ~~  
18 ~~of any parish school board on July 26, 1944, and who have served satisfactorily as~~  
19 ~~school bus operators for more than three consecutive years and who shall be~~  
20 ~~employed for the school term of 1944-45, are declared to be regular and permanent~~  
21 ~~school bus operators in the employ of the school board of that parish.~~

22 C. In order to acquire tenure under the provisions hereof, each school bus  
23 operator shall personally operate and drive the school bus he is employed to operate;  
24 no one shall acquire tenure in the operation of more than one school bus.

25 D.(1) The provisions of Subsection B of this Section, relative to a school bus  
26 operator becoming a regular and permanent operator, are not applicable to any  
27 school bus operator whose date of first employment with the school system is July  
28 1, 2012, or thereafter.

29 (2) After the expiration of the probationary term provided in Subsection A  
30 of this Section, a school bus operator whose date of first employment with a school

1           ~~system is July 1, 2012, or thereafter, may be removed from his position as provided~~  
2           ~~by the personnel policy of the employing school board.~~

3           Section 2. This Act shall become effective upon signature by the governor or, if not  
4 signed by the governor, upon expiration of the time for bills to become law without signature  
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_