

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2719

FISCAL
NOTE

BY DELEGATE TONEY, DEAN, WAXMAN, PAYNTER,
JENNINGS, THOMPSON, R., PHILLIPS, MANDT, PACK AND
CADLE

[Introduced January 29, 2019; Referred
to the Committee on Education then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18A-2-15, relating to establishing an optional bus operator in residence
3 program for school districts; requiring certain steps in an application; establishing no
4 entitlement to employment upon completion of the program; establishing wages or salaries
5 paid to persons completing the program; establishing employment requirements after
6 completing the program; and not permitting seniority to accrue during completion of the
7 program.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. SCHOOL PERSONNEL.

§18A-2-15. Bus operator in residence program.

1 (a) Any school district may establish a Bus Operator in Residence program by submitting
2 its program to the West Virginia Department of Education for approval. The program shall ensure
3 completion of all requirements to become classified as a bus operator. The program, when
4 submitted and approved by the West Virginia Department of Education, shall only be utilized if
5 the school district is unable to maintain an adequate number of substitute bus operators in its
6 pool.

7 (b) Any person may apply to the Bus Operator in Residence program by:

8 (1) Applying to an open Bus Operator in Residence posting;

9 (2) Submitting to, and passing pursuant to §18A-4-8e(j)(4) of this code, a background
10 check; and

11 (3) Submitting to, and passing pursuant to W. Va. §126CSR92, the West Virginia School
12 Bus Transportation Policy and Procedures Manual (Policy 4336), a drug screen.

13 (c) Entitlement to employment – No person completing the Bus Operator in Residence
14 program shall be entitled to any employment as a bus operator for the school district where the
15 person completed the Bus Operator in Residence program. The person must apply for an open
16 bus operator position within the school district where the individual completed the program.

17 (d) Pay. – (1) Candidates for the Bus Operator in Residence program shall be paid 60
18 percent of the base salary of a regularly employed bus operator with zero years of experience
19 with the school district. The school district shall pay the salaries of all individuals participating in
20 the Bus Operator in Residence. Individuals shall be paid for all hours worked toward completing
21 all requirements of the Bus Operator in Residence program.

22 (2) Any candidate completing the program must work a minimum of six months as a
23 substitute bus operator per the school district's substitute requirements policy in the school district
24 where the program was completed, or the person must pay to the school district the salary
25 received for the duration of the Bus Operator in Residence program.

26 (3) Any person completing the program and successfully obtaining employment as a
27 regularly employed bus operator in the school district where the program was completed, must
28 work for a minimum of six months for the school district where the program was completed, or the
29 person must pay to the school district the salary received for the duration of the Bus Operator in
30 Residence program.

31 (e) Seniority. – No person completing the Bus Operator in Residence program may accrue
32 seniority. Seniority may accrue if the person becomes a regularly employed bus operator for the
33 school district or obtains employment in a different school district, per the policy of the school
34 district.

NOTE: The purpose of this bill is to establish a Bus Operator in Residence program to assist school districts with inadequate substitute bus operator pools.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.