WEST virginia legislature

2021 regular session

Introduced

House Bill 2267

By Delegates Toney and Paynter

[Introduced February 10, 2021; Referred to the Committee on Education then Finance]

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

Be it enacted by the Legislature of West Virginia:

Article 2. School personnel.

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

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

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

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

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

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

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

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

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

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

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