

# **WEST VIRGINIA LEGISLATURE**

**2021 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2267**

BY DELEGATES TONEY AND PAYNTER

[Passed April 8, 2021; in effect ninety days from passage.]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §18A-2-15, relating to authorizing recruitment and training programs for  
3 prospective bus operators; providing required approval, limitations and elements of locally  
4 funded recruitment and training programs; establishing no entitlement to employment  
5 upon completion of the program; and not permitting seniority to accrue for time spent  
6 during completion of the program.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2. SCHOOL PERSONNEL.**

### **§18A-2-15. County option recruitment and training programs for prospective school bus operators.**

1 (a) The legislature finds that recruiting and retaining bus operators, including substitute  
2 bus operators, is a substantial challenge for county boards of education. Accordingly, county  
3 boards of education are hereby permitted to establish locally funded recruitment and training  
4 programs for prospective bus operators in accordance with this section.

5 (b) County board funded recruitment and training programs for prospective bus operators  
6 are subject to the following:

7 (1) The program is submitted to the West Virginia Department of Education and is  
8 approved;

9 (2) The program may only be utilized if the county board is unable to maintain an adequate  
10 number of bus operators or substitute bus operators in its pool or is experiencing a shortage in  
11 adequately staffing its school transportation system;

12 (3) The program includes requirements for program participants to submit to and pass  
13 pursuant to §18A-4-8e(j)(4) of this code, a background check, and submit to and pass pursuant  
14 to W. Va. §126CSR92, the West Virginia School Bus Transportation Policy and Procedures  
15 Manual (Policy 4336), a drug screen;

16           (4) The program specifies the amount of any stipend to be paid to program participants or  
17 any reimbursement of participant costs or other benefit upon successful completion, if any, and  
18 any penalties for failure to complete the program, if any;

19           (5) The program specifies any obligation on participants who successfully complete the  
20 program to apply or become employed by the county board as a bus operator or substitute bus  
21 operator for a period of time, if any, and any penalty for failure to comply with any post program  
22 completion requirements, if any;

23           (6) The county board posts bus operator training program position openings on the county  
24 board web site and may advertise them in other media, including any appropriate qualifications;

25           (c) A bus operator recruitment and training program approved by the Department of  
26 Education must ensure that all of the requirements to become classified as a bus operator are  
27 met for successful program completion.

28           (d) Completion of a county board bus operator recruitment and training program does not  
29 entitle a participant to employment as a bus operator or substitute bus operator for the county  
30 board providing the program. The person may attain regular employment status only upon  
31 successful application in accordance with this article for an open bus operator or substitute bus  
32 operator position with the county.

33           (e) A person completing a bus operator recruitment training program in accordance with  
34 this section does not accrue seniority for time spent in the training program.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2021.

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*Governor*