

2022 Regular Session

HOUSE BILL NO. 349

BY REPRESENTATIVE BRYANT

SCHOOLS/BUS OPERATORS: Provides relative to the removal of school bus operators

1 AN ACT

2 To amend and reenact R.S. 17:493(D), relative to the removal of school bus operators; to
3 provide for appeals of disciplinary actions under certain circumstances; to provide
4 for effectiveness; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:493(D) is hereby amended and reenacted to read as follows:

7 §493. Removal of bus operators; procedures; right to appeal

8 * * *

9 D. Within twenty calendar days after ~~written notice of the charges~~ receipt of
10 the superintendent's interim disciplinary action, if any, the bus operator may request
11 a hearing before a disciplinary hearing officer. If the bus operator fails to timely
12 request a hearing, the disciplinary action becomes final.

13 * * *

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

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)]

HB 349 Engrossed

2022 Regular Session

Bryant

Abstract: Adds an appeal step to the school bus operator disciplinary process in certain circumstances.

Present law provides for the removal of a permanent school bus operator by the local school board if the bus operator is found guilty on written and signed charges of certain offenses, including:

- (1) Willful neglect of duty.
- (2) Incompetence.
- (3) Immorality.
- (4) Drunkenness while on duty.

Present law provides that a permanent school bus operator has 10 calendar days from receipt of the written notice of charges to respond either in person or in writing. Authorizes the superintendent, within 10 days of the operator's response, to take disciplinary action including placing the bus operator on administrative leave without pay.

Present law authorizes the operator to request a hearing before a disciplinary hearing officer.

Present law requires the operator to request such a hearing within 20 days of the notice of charges. Proposed law requires that such a request be made within 20 days of the superintendent's disciplinary action. Otherwise retains present law.

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

(Amends R.S. 17:493(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Add effectiveness upon signature by governor.