S T A T E O F N E W Y O R K

4317--A

2011-2012 Regular Sessions

I N S E N A T E

March 29, 2011

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to certain contracts regarding bus drivers and bus driver's assistants

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 23 of section 1604 of the education law, as amended by chapter 269 of the laws of 1974, is amended to read as follows:

23. To contract with any person, corporation or other school district for the conveyance of pupils residing within the district, when authorized to do so under subdivision nineteen of section two thousand twenty-one, by vote of the inhabitants of the district entitled to vote, or to contract for the operation, maintenance and garaging of motor vehicles owned by the district, in accordance with such rules and regulations as such trustees may establish, consistent with the regulations of the commissioner of education. Upon authorization by a school district meeting, every such contract of transportation may be made for a period not exceeding five years, notwithstanding any provision of any other law inconsistent herewith. WITH RESPECT TO ANY CONTRACT ENTERED INTO UNDER THIS SUBDIVISION, THE DISTRICT SHALL ABIDE BY THE TERMS CONTAINED IN ANY COLLECTIVELY BARGAINED AGREEMENT APPLICABLE TO BUS DRIVERS AND DRIVER'S ASSISTANTS ENTERED INTO BY THE CONTRACTING ENTITY, GOVERNING DISCIPLINARY ACTIONS AGAINST BUS DRIVERS AND DRIVER'S ASSISTANTS EMPLOYED BY SUCH CONTRACTING ENTITY, PRIOR TO THE DISTRICT IMPOSING OR IMPLEMENTING AN ADVERSE DISCIPLINARY ACTION AGAINST SUCH DRIVER OR DRIVER'S ASSISTANT.

S 2. Subdivision 27 of section 1709 of the education law, as amended by chapter 737 of the laws of 1992, is amended to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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27. To contract with any person, corporation or other school district for the conveyance of pupils residing within the district, when authorized to do so under subdivision nineteen of section two thousand twenty-one of this chapter, by vote of the inhabitants of the district entitled to vote, or to contract for the operation, maintenance and garaging of motor vehicles owned by the district, in accordance with such rules and regulations as such board of education may establish, consistent with the regulations of the commissioner. Upon authorization by a school district meeting, every such contract of transportation may be made for a period not exceeding five years, notwithstanding any provision of any other law inconsistent herewith. WITH RESPECT TO ANY CONTRACT ENTERED INTO UNDER THIS SUBDIVISION, THE DISTRICT SHALL ABIDE BY THE TERMS CONTAINED IN ANY COLLECTIVELY BARGAINED AGREEMENT APPLICABLE TO BUS DRIVERS AND DRIVER'S ASSISTANTS ENTERED INTO BY THE CONTRACTING ENTITY, GOVERNING DISCIPLINARY ACTIONS AGAINST BUS DRIVERS AND DRIVER'S ASSISTANTS EMPLOYED BY SUCH CONTRACTING ENTITY, PRIOR TO THE DISTRICT IMPOSING OR IMPLEMENTING AN ADVERSE DISCIPLINARY ACTION AGAINST SUCH DRIVER OR DRIVER'S ASSISTANT.

S 3. This act shall take effect immediately.