

7269

2011-2012 Regular Sessions

I N   A S S E M B L Y

April 27, 2011

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Introduced by M. of A. NOLAN -- read once and referred to the Committee  
on Education

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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

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

4     23. To contract with any person, corporation or other school district  
5 for the conveyance of pupils residing within the district, when author-  
6 ized to do so under subdivision nineteen of section two thousand twen-  
7 ty-one, by vote of the inhabitants of the district entitled to vote, or  
8 to contract for the operation, maintenance and garaging of motor vehi-  
9 cles owned by the district, in accordance with such rules and regu-  
10 lations as such trustees may establish, consistent with the regulations  
11 of the commissioner of education. Upon authorization by a school  
12 district meeting, every such contract of transportation may be made for  
13 a period not exceeding five years, notwithstanding any provision of any  
14 other law inconsistent herewith. WITH RESPECT TO ANY CONTRACT ENTERED  
15 INTO UNDER THIS SUBDIVISION, THE DISTRICT SHALL ABIDE BY THE TERMS  
16 CONTAINED IN ANY COLLECTIVELY BARGAINED AGREEMENT APPLICABLE TO BUS  
17 DRIVERS AND DRIVER'S ASSISTANTS ENTERED INTO BY THE CONTRACTING ENTITY,  
18 GOVERNING DISCIPLINARY ACTIONS AGAINST BUS DRIVERS AND DRIVER'S ASSIST-  
19 ANTS EMPLOYED BY SUCH CONTRACTING ENTITY, PRIOR TO THE DISTRICT IMPOSING  
20 OR IMPLEMENTING AN ADVERSE DISCIPLINARY ACTION AGAINST SUCH DRIVER OR  
21 DRIVER'S ASSISTANT.

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

24     27. To contract with any person, corporation or other school district  
25 for the conveyance of pupils residing within the district, when author-

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

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1 ized to do so under subdivision nineteen of section two thousand twen-  
2 ty-one of this chapter, by vote of the inhabitants of the district enti-  
3 tled to vote, or to contract for the operation, maintenance and garaging  
4 of motor vehicles owned by the district, in accordance with such rules  
5 and regulations as such board of education may establish, consistent  
6 with the regulations of the commissioner. Upon authorization by a school  
7 district meeting, every such contract of transportation may be made for  
8 a period not exceeding five years, notwithstanding any provision of any  
9 other law inconsistent herewith. WITH RESPECT TO ANY CONTRACT ENTERED  
10 INTO UNDER THIS SUBDIVISION, THE DISTRICT SHALL ABIDE BY THE TERMS  
11 CONTAINED IN ANY COLLECTIVELY BARGAINED AGREEMENT APPLICABLE TO BUS  
12 DRIVERS AND DRIVER'S ASSISTANTS ENTERED INTO BY THE CONTRACTING ENTITY,  
13 GOVERNING DISCIPLINARY ACTIONS AGAINST BUS DRIVERS AND DRIVER'S ASSIST-  
14 ANTS EMPLOYED BY SUCH CONTRACTING ENTITY, PRIOR TO THE DISTRICT IMPOSING  
15 OR IMPLEMENTING AN ADVERSE DISCIPLINARY ACTION AGAINST SUCH DRIVER OR  
16 DRIVER'S ASSISTANT.  
17 S 3. This act shall take effect immediately.