

1 AN ACT concerning schools.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 Section 29-3 as follows:

6 (105 ILCS 5/29-3) (from Ch. 122, par. 29-3)

7 Sec. 29-3. Transportation in school districts. School  
8 boards of community consolidated districts, community unit  
9 districts, consolidated districts, and consolidated high  
10 school districts, and combined school districts if the  
11 combined district includes any district which was previously  
12 required to provide transportation, shall provide free  
13 transportation for pupils residing at a distance of one and  
14 one-half miles or more from any school to which they are  
15 assigned for attendance maintained within the district except  
16 for those pupils for whom the school board shall certify to  
17 the State Board of Education that adequate transportation for  
18 the public is available.

19 For the purpose of this Act 1 1/2 miles distance shall be  
20 from the exit of the property where the pupil resides to the  
21 point where pupils are normally unloaded at the school  
22 attended; such distance shall be measured by determining the  
23 shortest distance on normally traveled roads or streets.

24 Such school board may comply with the provisions of this  
25 Section by providing free transportation for pupils to and  
26 from an assigned school and a pick-up point located not more  
27 than one and one-half miles from the home of each pupil  
28 assigned to such point.

29 For the purposes of this Act "adequate transportation for  
30 the public" shall be assumed to exist for such pupils as can  
31 reach school by walking, one way, along normally traveled

1 roads or streets less than 1 1/2 miles irrespective of the  
2 distance the pupil is transported by public transportation.

3 In addition to the other requirements of this Section,  
4 each school board may provide free transportation for any  
5 pupil residing within 1 1/2 miles from the school attended  
6 where conditions are such that walking, either to or from the  
7 school to which a pupil is assigned for attendance or to or  
8 from a pick-up point or bus stop, constitutes a serious  
9 hazard to the safety of the pupil due to vehicular traffic or  
10 rail crossings or due to other hazards. Such transportation  
11 shall not be provided if adequate transportation for the  
12 public is available.

13 The determination as to what constitutes a serious safety  
14 hazard shall be made by the school board, in accordance with  
15 guidelines promulgated by the regional superintendent of  
16 schools Illinois----Department---of---Transportation, in  
17 consultation with the Department of Transportation with  
18 regard to vehicular traffic or rail crossings State  
19 Superintendent--of--Education. A school board, on written  
20 petition of the parent or guardian of a pupil for whom  
21 adequate transportation for the public is alleged not to  
22 exist because the pupil is required to walk along normally  
23 traveled roads or streets where walking is alleged to  
24 constitute a serious safety hazard ~~due-to-vehicular-traffic~~  
25 ~~or-rail-crossings~~, or who is required to walk between the  
26 pupil's home and assigned school or between the pupil's home  
27 or assigned school and a pick-up point or bus stop along  
28 roads or streets where walking is alleged to constitute a  
29 serious safety hazard ~~due--to--vehicular--traffic--or--rail~~  
30 ~~crossings~~, shall conduct a study and make findings, which the  
31 regional superintendent of schools, in consultation with the  
32 Department of Transportation with regard to vehicular traffic  
33 or rail crossings, shall review and approve or disapprove as  
34 provided in this Section, to determine whether a serious

1 safety hazard exists as alleged in the petition. The  
2 regional superintendent of schools, in consultation with the  
3 Department of Transportation with regard to vehicular traffic  
4 or rail crossings, shall review the findings of the school  
5 board and shall approve or disapprove the school board's  
6 determination that a serious safety hazard exists within 30  
7 days after the school board submits its findings to the  
8 regional superintendent of schools Department. The school  
9 board shall annually review the conditions and certify to the  
10 regional State superintendent of schools Education whether or  
11 not the hazardous conditions remain unchanged. The regional  
12 State superintendent of schools Education may request that  
13 the Illinois Department of Transportation verify that the  
14 conditions with regard to vehicular traffic or rail crossings  
15 have not changed. No action shall lie against the school  
16 board, the regional superintendent of schools, the--State  
17 Superintendent--of--Education or the Illinois Department of  
18 Transportation for decisions made in accordance with this  
19 Section. The provisions of the Administrative Review Law and  
20 all amendments and modifications thereof and the rules  
21 adopted pursuant thereto shall apply to and govern all  
22 proceedings instituted for the judicial review of final  
23 administrative decisions of the regional superintendent of  
24 schools Department--of--Transportation under this Section.  
25 (Source: P.A. 90-223, eff. 1-1-98.)