**Section 120.10 Definitions**

 "Buildings" – A district leased, leased/purchased or owned structure or portion of a structure whose primary purpose is to house pupil transportation vehicles and/or equipment used for servicing the district's pupil transportation vehicles, such as a school bus storage building or pupil transportation maintenance garage.

 "Chief mechanic" – The person who directly supervises the school district's mechanics and maintenance personnel for pupil transportation vehicles and who also performs the duties of school bus mechanic when necessary.

 "Contract" – A written agreement between two parties, for a specific period of time and amount for compensation, that is enforceable by law.

 "Contractual pupil transportation service" – Pupil transportation services provided for a set fee under a contract with an independent carrier.

 "District owned and operated pupil transportation service" – Pupil transportation service provided by a school district that owns and operates the approved safety inspected vehicle(s), exercises managerial control over facilities and personnel used in the pupil transportation service, and also employs and supervises the school bus driver(s).

 "Equipment" – Items, other than vehicles, costing $2,500 or more and having a useful life of more than one year.

 "Independent Carrier" – An individual (other than a student), partnership, corporation, firm, organization, association or other legal entity not subject to control by a school district, which enters into a contract with a school district to provide pupil transportation services. An entity does not qualify as an independent carrier if its contract with the district requires that it do one or more of the following:

 employ existing school district drivers, mechanics, and administrative and clerical personnel;

 pay salaries as stipulated by the school district;

 employ or discharge employees solely at the discretion of the school district;

 employ specific types and numbers of administrative personnel.

 "Lease" – A written contract between two parties whereby the lessee agrees to pay the lessor a specified sum of money for the use of the lessor's transportation equipment, building, land and/or vehicles for a specific period of time with no option to purchase.

 "Lease/purchase agreement" – A written contract between two parties whereby the lessee agrees to pay the lessor a specified sum of money for the use of the lessor's transportation equipment, building, land and/or vehicles for a specific period of time, and the contract contains a clause permitting the lessee the option to purchase the equipment and/or vehicles at a specified price within a specified period of time.

 "Local Education Agency" ("LEA") – A public educational agency at the local level that operates schools or contracts for educational services. This includes school districts, school districts providing services under a joint agreement pursuant to Section 10-22.31a of the School Code [105 ILCS 5/10-22.31a], educational service regions pursuant to Section 3A-1 of the School Code [105 ILCS 5/3A-1], intermediate service centers pursuant to Section 2-3.62 of the School Code [105 ILCS 5/2-3.62], and governing boards formed pursuant to Section 10-22.20a, 10-22.31, or 3-15.14 of the School Code [105 ILCS 5/10-22.20a, 10-22.31, or 3-15.14].

 "Materials, parts, and supplies" – Items costing less than $2,500 or having a useful life of one year or less.

 "Principal cost or capital cost" –

 For purchased vehicles, equipment, land and/or buildings the principal cost is the cash cost (list price less any discount, revenue from sale of district-owned item, and/or trade-in allowance) plus the prior year's undepreciated balance of the traded/sold district-owned vehicle, equipment, land or building, excluding all financing charges whether explicit or implicit, minus any insurance proceeds.

 For leased or leased/purchased vehicles, equipment, land and/or buildings the principal cost is the lesser of the fair market value of the vehicle, equipment, land and/or building at the time of acquisition or the lease payment minus finance charges.

 "Prorated cost" – A cost incurred for multiple functions. In accounting for such cost, the total cost shall be prorated on the required basis among the appropriate account function codes.

 "Pupil transportation vehicles" – School buses and other vehicles meeting the requirements set forth in Section 1-182 of the Illinois Vehicle Code [625 ILCS 5/1-182] for transporting pupils.

 "School bus driver" – A person who possesses a valid school bus driver's permit, and drives a pupil transportation vehicle, including Division I vehicles identified in the Illinois Vehicle Code, such as taxi cabs, limousines, cars, and minivans, to transport pupils.

 "School bus maintenance personnel" – Individuals whose duties are to maintain the district owned or operated pupil transportation vehicles.

 "School Day" – *That period of time which the pupil is required to be in attendance at school for instructional purposes.* (Section 29-5 of the School Code [105 ILCS 5/29-5]).

 "Site improvement" – Any addition or improvement to a site leased, leased/purchased, or owned that is directly related to the district pupil transportation services, including but not limited to, underground fuel storage tanks and communication towers.

 "Transportation Fund" – An accounting entity as described in Section 17-8 of the School Code [105 ILCS 5/17-8], to account for revenue and expenditures related to pupil transportation services.

 "Transportation related building and building maintenance costs" – The portion of depreciation of buildings and site improvements and costs of operation and maintenance of buildings and site improvements directly related to a school district's pupil transportation program. These costs are chargeable to and paid from the Educational Fund or Operations and Maintenance Fund as prescribed in Section 17-7 of the School Code [105 ILCS 5/17-7].

 "Transportation supervisory personnel" – Personnel employed by the LEA responsible for all the following functions with respect to either the entire territory of the LEA or a portion of the LEA:

 Overall planning of the transportation program, including the development and presentation of recommendations to the board of education concerning contracting, leasing, and/or purchasing related to transportation services, and the preparation and establishment of procedures and policies related to crisis intervention, discipline, and general operation of the transportation service.

 Total responsibility for the development of all transportation routes.

 Monitoring and modification of the established transportation services, routes, and procedures to ensure an efficient, safe operational program. (This should not be confused with bus driver education.)

 Ensuring that sufficient, properly trained maintenance staff and bus drivers meeting the requirements of Section 6-106.1 of the Illinois Vehicle Code [625 ILCS 5/6-106.1] are available to provide the established transportation services.

 Provision of safety training to drivers, staff, and students for crisis situations (e.g., accidents, vehicle breakdowns).

 "Transportation supervisory salary costs" – That portion of the salary and allowable employee benefits of school district employee(s) who are documented as supervising a school district's pupil transportation programs (Regular, Vocational, Special Education and Nonreimbursable). For districts that do not employ a full or part-time transportation supervisor, a superintendent's/director of special education's salary and related employee benefits shall be prorated as detailed in Section 120.80(b)(3) of this Part. These salary and related employee benefit costs shall be paid from the Transportation Fund.

 "Useful life" – The period of time during which an item is expected to be functional for pupil transportation services.

(Source: Amended at 26 Ill. Reg. 1169, effective January 16, 2002)