

1 AN ACT concerning education.

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 Section
5 29-5 as follows:

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

7 Sec. 29-5. Reimbursement by State for transportation. Any
8 school district, maintaining a school, transporting resident
9 pupils to another school district's vocational program,
10 offered through a joint agreement approved by the State Board
11 of Education, as provided in Section 10-22.22 or transporting
12 its resident pupils to a school which meets the standards for
13 recognition as established by the State Board of Education
14 which provides transportation meeting the standards of safety,
15 comfort, convenience, efficiency and operation prescribed by
16 the State Board of Education for resident pupils in
17 kindergarten or any of grades 1 through 12 who: (a) reside at
18 least 1 1/2 miles as measured by the customary route of travel,
19 from the school attended; or (b) reside in areas where
20 conditions are such that walking constitutes a hazard to the
21 safety of the child when determined under Section 29-3; and (c)
22 are transported to the school attended from pick-up points at
23 the beginning of the school day and back again at the close of

1 the school day or transported to and from their assigned
2 attendance centers during the school day, shall be reimbursed
3 by the State as hereinafter provided in this Section.

4 The State will pay the cost of transporting eligible pupils
5 less the assessed valuation in a dual school district
6 maintaining secondary grades 9 to 12 inclusive times a
7 qualifying rate of .05%; in elementary school districts
8 maintaining grades K to 8 times a qualifying rate of .06%; and
9 in unit districts maintaining grades K to 12, including
10 optional elementary unit districts and combined high school -
11 unit districts, times a qualifying rate of .07%; provided that
12 for optional elementary unit districts and combined high school
13 - unit districts, assessed valuation for high school purposes,
14 as defined in Article 11E of this Code, must be used. To be
15 eligible to receive reimbursement in excess of 4/5 of the cost
16 to transport eligible pupils, a school district shall have a
17 Transportation Fund tax rate of at least .12%. If a school
18 district does not have a .12% Transportation Fund tax rate, the
19 amount of its claim in excess of 4/5 of the cost of
20 transporting pupils shall be reduced by the sum arrived at by
21 subtracting the Transportation Fund tax rate from .12% and
22 multiplying that amount by the districts equalized or assessed
23 valuation, provided, that in no case shall said reduction
24 result in reimbursement of less than 4/5 of the cost to
25 transport eligible pupils.

26 The minimum amount to be received by a district is \$16

1 times the number of eligible pupils transported.

2 When calculating the reimbursement for transportation
3 costs, the State Board of Education may not deduct the number
4 of pupils enrolled in early education programs from the number
5 of pupils eligible for reimbursement if the pupils enrolled in
6 the early education programs are transported at the same time
7 as other eligible pupils.

8 Any such district transporting resident pupils during the
9 school day to an area vocational school or another school
10 district's vocational program more than 1 1/2 miles from the
11 school attended, as provided in Sections 10-22.20a and
12 10-22.22, shall be reimbursed by the State for 4/5 of the cost
13 of transporting eligible pupils.

14 School day means that period of time which the pupil is
15 required to be in attendance for instructional purposes.

16 If a pupil is at a location within the school district
17 other than his residence for child care purposes at the time
18 for transportation to school, that location may be considered
19 for purposes of determining the 1 1/2 miles from the school
20 attended.

21 Claims for reimbursement that include children who attend
22 any school other than a public school shall show the number of
23 such children transported.

24 Claims for reimbursement under this Section shall not be
25 paid for the transportation of pupils for whom transportation
26 costs are claimed for payment under other Sections of this Act.

1 The allowable direct cost of transporting pupils for
2 regular, vocational, and special education pupil
3 transportation shall be limited to the sum of the cost of
4 physical examinations required for employment as a school bus
5 driver; the salaries of full or part-time drivers and school
6 bus maintenance personnel; employee benefits excluding
7 Illinois municipal retirement payments, social security
8 payments, unemployment insurance payments and workers'
9 compensation insurance premiums; expenditures to independent
10 carriers who operate school buses; payments to other school
11 districts for pupil transportation services; pre-approved
12 contractual expenditures for computerized bus scheduling;
13 expenditures for housing assistance and homeless prevention
14 under Sections 1-17 and 1-18 of the Education for Homeless
15 Children Act that are not in excess of the school district's
16 actual costs for providing transportation services and are not
17 otherwise claimed in another State or Federal grant that
18 permits those costs to a parent, a legal guardian, any other
19 person who enrolled a pupil, or a homeless assistance agency
20 that is part of the Federal McKinney-Vento Homeless Assistance
21 Act's continuum of care for the area in which the district is
22 located; the cost of gasoline, oil, tires, and other supplies
23 necessary for the operation of school buses; the cost of
24 converting buses' gasoline engines to more fuel efficient
25 engines or to engines which use alternative energy sources; the
26 cost of travel to meetings and workshops conducted by the

1 regional superintendent or the State Superintendent of
2 Education pursuant to the standards established by the
3 Secretary of State under Section 6-106 of the Illinois Vehicle
4 Code to improve the driving skills of school bus drivers; the
5 cost of maintenance of school buses including parts and
6 materials used; expenditures for leasing transportation
7 vehicles, except interest and service charges; the cost of
8 insurance and licenses for transportation vehicles;
9 expenditures for the rental of transportation equipment; plus a
10 depreciation allowance of 20% for 5 years for school buses and
11 vehicles approved for transporting pupils to and from school
12 and a depreciation allowance of 10% for 10 years for other
13 transportation equipment so used. Each school year, if a school
14 district has made expenditures to the Regional Transportation
15 Authority or any of its service boards, a mass transit
16 district, or an urban transportation district under an
17 intergovernmental agreement with the district to provide for
18 the transportation of pupils and if the public transit carrier
19 received direct payment for services or passes from a school
20 district within its service area during the 2000-2001 school
21 year, then the allowable direct cost of transporting pupils for
22 regular, vocational, and special education pupil
23 transportation shall also include the expenditures that the
24 district has made to the public transit carrier. In addition to
25 the above allowable costs school districts shall also claim all
26 transportation supervisory salary costs, including Illinois

1 municipal retirement payments, and all transportation related
2 building and building maintenance costs without limitation.

3 Special education allowable costs shall also include
4 expenditures for the salaries of attendants or aides for that
5 portion of the time they assist special education pupils while
6 in transit and expenditures for parents and public carriers for
7 transporting special education pupils when pre-approved by the
8 State Superintendent of Education.

9 Indirect costs shall be included in the reimbursement claim
10 for districts which own and operate their own school buses.
11 Such indirect costs shall include administrative costs, or any
12 costs attributable to transporting pupils from their
13 attendance centers to another school building for
14 instructional purposes. No school district which owns and
15 operates its own school buses may claim reimbursement for
16 indirect costs which exceed 5% of the total allowable direct
17 costs for pupil transportation.

18 The State Board of Education shall prescribe uniform
19 regulations for determining the above standards and shall
20 prescribe forms of cost accounting and standards of determining
21 reasonable depreciation. Such depreciation shall include the
22 cost of equipping school buses with the safety features
23 required by law or by the rules, regulations and standards
24 promulgated by the State Board of Education, and the Department
25 of Transportation for the safety and construction of school
26 buses provided, however, any equipment cost reimbursed by the

1 Department of Transportation for equipping school buses with
2 such safety equipment shall be deducted from the allowable cost
3 in the computation of reimbursement under this Section in the
4 same percentage as the cost of the equipment is depreciated.

5 On or before August 15, annually, the chief school
6 administrator for the district shall certify to the State
7 Superintendent of Education the district's claim for
8 reimbursement for the school year ending on June 30 next
9 preceding. The State Superintendent of Education shall check
10 and approve the claims and prepare the vouchers showing the
11 amounts due for district reimbursement claims. Each fiscal
12 year, the State Superintendent of Education shall prepare and
13 transmit the first 3 vouchers to the Comptroller on the 30th
14 day of September, December and March, respectively, and the
15 final voucher, no later than June 20.

16 If the amount appropriated for transportation
17 reimbursement is insufficient to fund total claims for any
18 fiscal year, the State Board of Education shall reduce each
19 school district's allowable costs and flat grant amount
20 proportionately to make total adjusted claims equal the total
21 amount appropriated.

22 For purposes of calculating claims for reimbursement under
23 this Section for any school year beginning July 1, 1998, or
24 thereafter, the equalized assessed valuation for a school
25 district used to compute reimbursement shall be computed in the
26 same manner as it is computed under paragraph (2) of subsection

1 (G) of Section 18-8.05.

2 All reimbursements received from the State shall be
3 deposited into the district's transportation fund or into the
4 fund from which the allowable expenditures were made.

5 Notwithstanding any other provision of law, any school
6 district receiving a payment under this Section or under
7 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
8 classify all or a portion of the funds that it receives in a
9 particular fiscal year or from general State aid pursuant to
10 Section 18-8.05 of this Code as funds received in connection
11 with any funding program for which it is entitled to receive
12 funds from the State in that fiscal year (including, without
13 limitation, any funding program referenced in this Section),
14 regardless of the source or timing of the receipt. The district
15 may not classify more funds as funds received in connection
16 with the funding program than the district is entitled to
17 receive in that fiscal year for that program. Any
18 classification by a district must be made by a resolution of
19 its board of education. The resolution must identify the amount
20 of any payments or general State aid to be classified under
21 this paragraph and must specify the funding program to which
22 the funds are to be treated as received in connection
23 therewith. This resolution is controlling as to the
24 classification of funds referenced therein. A certified copy of
25 the resolution must be sent to the State Superintendent of
26 Education. The resolution shall still take effect even though a

1 copy of the resolution has not been sent to the State
2 Superintendent of Education in a timely manner. No
3 classification under this paragraph by a district shall affect
4 the total amount or timing of money the district is entitled to
5 receive under this Code. No classification under this paragraph
6 by a district shall in any way relieve the district from or
7 affect any requirements that otherwise would apply with respect
8 to that funding program, including any accounting of funds by
9 source, reporting expenditures by original source and purpose,
10 reporting requirements, or requirements of providing services.

11 Any school district with a population of not more than
12 500,000 must deposit all funds received under this Article into
13 the transportation fund and use those funds for the provision
14 of transportation services.

15 (Source: P.A. 95-903, eff. 8-25-08; 96-1264, eff. 1-1-11.)

16 Section 10. The Education for Homeless Children Act is
17 amended by adding Sections 1-17 and 1-18 as follows:

18 (105 ILCS 45/1-17 new)

19 Sec. 1-17. Homeless prevention.

20 (a) If a child is homeless or is at risk of becoming
21 homeless, the school district may:

22 (1) provide rental or mortgage assistance in such
23 amount as will allow the child and his or her parent, his
24 or her guardian, or the person who enrolled the child to

1 remain permanently in their current living situation or
2 obtain a new living situation;

3 (2) provide financial assistance with respect to
4 unpaid bills, loans, or other financial debts that results
5 in housing being considered inadequate pursuant to Section
6 1-5 of this Act and the Federal McKinney-Vento Homeless
7 Assistance Act; or

8 (3) provide assistance under both items (1) and (2) of
9 this subsection (a).

10 (b) In order to provide homeless prevention assistance
11 under subsection (a) of this Section, a school district shall
12 first make an attempt to provide such assistance through a
13 homeless assistance agency that is part of the Federal
14 McKinney-Vento Homeless Assistance Act's continuum of care for
15 the area in which the school district is located. If the
16 attempts to secure assistance through the applicable continuum
17 of care are unsuccessful, subject to the limitations specified
18 in Section 29-5 of the School Code, transportation funds under
19 Section 29-5 of the School Code may be used for those purposes.

20 (c) Prior to providing homeless prevention assistance
21 pursuant to subsection (a) of this Section, a housing plan must
22 first be approved in writing by the school district and the
23 parent, guardian, or person who enrolled the child.

24 (d) For purposes of this Section:

25 "At risk of becoming homeless" means that documented
26 evidence has been provided by the parent, guardian, or person

1 who enrolled the child that shows that a living situation will,
2 within 8 weeks, cease to become fixed, regular, and adequate
3 and will result in the child becoming homeless within the
4 definition of Section 1-5 of this Act and the Federal
5 McKinney-Vento Homeless Assistance Act. The documented
6 evidence shall include, but need not be limited to: foreclosure
7 notices, eviction notices, notices indicating that utilities
8 will be shut off or discontinued, or written statements from
9 the parent, guardian, or person who enrolled the child,
10 supplemented by financial documentation, that indicate a loss
11 of income that will prevent the maintenance of a permanent
12 living situation.

13 "Person who enrolled the child" also means an unaccompanied
14 youth.

15 (105 ILCS 45/1-18 new)

16 Sec. 1-18. Legislative intent. It is not the intent of this
17 amendatory Act of the 100th General Assembly to require school
18 districts, parents, guardians, or persons who enroll children
19 to enter into housing assistance or homeless prevention plans.
20 It is the intent of this amendatory Act of the 100th General
21 Assembly to permit school districts, parents, guardians, or
22 persons who enroll children to voluntarily enter into housing
23 assistance or homeless prevention plans when both parties agree
24 that those arrangements will be in the best of interest of the
25 child and district.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.