



Sen. Adriane Johnson

**Filed: 5/13/2024**

10300HB5480sam001

LRB103 37524 RJT 73169 a

1 AMENDMENT TO HOUSE BILL 5480

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5480 by replacing  
3 everything after the enacting clause with the following:

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 or State-authorized charter school,  
9 maintaining a school, transporting resident pupils to another  
10 school district's vocational program, offered through a joint  
11 agreement approved by the State Board of Education, as  
12 provided in Section 10-22.22 or transporting its resident  
13 pupils to a school which meets the standards for recognition  
14 as established by the State Board of Education which provides  
15 transportation meeting the standards of safety, comfort,  
16 convenience, efficiency and operation prescribed by the State

1 Board of Education for resident pupils in kindergarten or any  
2 of grades 1 through 12 who: (a) reside at least 1 1/2 miles as  
3 measured by the customary route of travel, from the school  
4 attended; or (b) reside in areas where conditions are such  
5 that walking constitutes a hazard to the safety of the child  
6 when determined under Section 29-3; and (c) are transported to  
7 the school attended from pick-up points at the beginning of  
8 the school day and back again at the close of the school day or  
9 transported to and from their assigned attendance centers  
10 during the school day, shall be reimbursed by the State as  
11 hereinafter provided in this Section.

12 The State will pay the prorated allowable cost of  
13 transporting eligible pupils less the real equalized assessed  
14 valuation as computed under paragraph (3) of subsection (d) of  
15 Section 18-8.15 in a dual school district maintaining  
16 secondary grades 9 to 12 inclusive times a qualifying rate of  
17 .05%; in elementary school districts maintaining grades K to 8  
18 times a qualifying rate of .06%; and in unit districts  
19 maintaining grades K to 12, including partial elementary unit  
20 districts formed pursuant to Article 11E, times a qualifying  
21 rate of .07%. For a State-authorized charter school, the State  
22 shall pay the prorated allowable cost of transporting eligible  
23 pupils less a prorated equalized assessed valuation times a  
24 qualifying rate. For purposes of calculating the prorated  
25 equalized assessed valuation, the State Board of Education  
26 shall calculate the average of the number of students in

1 grades kindergarten through 12 reported as enrolled in the  
2 charter school in the State Board's Student Information System  
3 on October 1 and March 1 of the immediately preceding school  
4 year. That value shall be divided by the average of the number  
5 of students in grades kindergarten through 12 reported as  
6 enrolled in the charter school's resident district on October  
7 1 and March 1 of the immediately preceding school year. That  
8 proportion shall be multiplied by the real equalized assessed  
9 valuation as computed under paragraph (3) of subsection (d) of  
10 Section 18-8.15 for each State-authorized charter school's  
11 applicable resident district. A State-authorized charter  
12 school's qualifying rate shall be the same as the rate that  
13 applies to the charter school's resident district.

14 To be eligible to receive reimbursement in excess of 4/5  
15 of the cost to transport eligible pupils, a school district or  
16 partial elementary unit district formed pursuant to Article  
17 11E shall have a Transportation Fund tax rate of at least .12%.  
18 The Transportation Fund tax rate for a partial elementary unit  
19 district formed pursuant Article 11E shall be the combined  
20 elementary and high school rates pursuant to paragraph (4) of  
21 subsection (a) of Section 18-8.15.

22 If a school district or partial elementary unit district  
23 formed pursuant to Article 11E does not have a .12%  
24 Transportation Fund tax rate, the amount of its claim in  
25 excess of 4/5 of the cost of transporting pupils shall be  
26 reduced by the sum arrived at by subtracting the

1 Transportation Fund tax rate from .12% and multiplying that  
2 amount by the district's real equalized assessed valuation as  
3 computed under paragraph (3) of subsection (d) of Section  
4 18-8.15, provided that in no case shall said reduction result  
5 in reimbursement of less than 4/5 of the cost to transport  
6 eligible pupils. No such adjustment may be applied to a claim  
7 filed by a State-authorized charter school.

8 Subject to the calculation of equalized assessed  
9 valuation, an adjustment for an insufficient tax rate, and the  
10 use of a qualifying rate as provided in this Section, a  
11 State-authorized charter school may make a claim for  
12 reimbursement by the State that is calculated in the same  
13 manner as a school district.

14 The minimum amount to be received by a district is \$16  
15 times the number of eligible pupils transported.

16 When calculating the reimbursement for transportation  
17 costs, the State Board of Education may not deduct the number  
18 of pupils enrolled in early education programs from the number  
19 of pupils eligible for reimbursement if the pupils enrolled in  
20 the early education programs are transported at the same time  
21 as other eligible pupils.

22 Any such district transporting resident pupils during the  
23 school day to an area vocational school or another school  
24 district's vocational program more than 1 1/2 miles from the  
25 school attended, as provided in Sections 10-22.20a and  
26 10-22.22, shall be reimbursed by the State for 4/5 of the cost

1 of transporting eligible pupils.

2 School day means that period of time during which the  
3 pupil is required to be in attendance for instructional  
4 purposes.

5 If a pupil is at a location within the school district  
6 other than his residence for child care purposes at the time  
7 for transportation to school, that location may be considered  
8 for purposes of determining the 1 1/2 miles from the school  
9 attended.

10 Claims for reimbursement that include children who attend  
11 any school other than a public school shall show the number of  
12 such children transported.

13 Claims for reimbursement under this Section shall not be  
14 paid for the transportation of pupils for whom transportation  
15 costs are claimed for payment under other Sections of this  
16 Act.

17 The allowable direct cost of transporting pupils for  
18 regular, vocational, and special education pupil  
19 transportation shall be limited to the sum of the cost of  
20 physical examinations required for employment as a school bus  
21 driver; the salaries of full-time or part-time drivers and  
22 school bus maintenance personnel; employee benefits excluding  
23 Illinois municipal retirement payments, social security  
24 payments, unemployment insurance payments and workers'  
25 compensation insurance premiums; expenditures to independent  
26 carriers who operate school buses; payments to other school

1 districts for pupil transportation services; pre-approved  
2 contractual expenditures for computerized bus scheduling;  
3 expenditures for housing assistance and homeless prevention  
4 under Sections 1-17 and 1-18 of the Education for Homeless  
5 Children Act that are not in excess of the school district's  
6 actual costs for providing transportation services and are not  
7 otherwise claimed in another State or federal grant that  
8 permits those costs to a parent, a legal guardian, any other  
9 person who enrolled a pupil, or a homeless assistance agency  
10 that is part of the federal McKinney-Vento Homeless Assistance  
11 Act's continuum of care for the area in which the district is  
12 located; the cost of gasoline, oil, tires, and other supplies  
13 necessary for the operation of school buses; the cost of  
14 converting buses' gasoline engines to more fuel efficient  
15 engines or to engines which use alternative energy sources;  
16 the cost of travel to meetings and workshops conducted by the  
17 regional superintendent or the State Superintendent of  
18 Education pursuant to the standards established by the  
19 Secretary of State under Section 6-106 of the Illinois Vehicle  
20 Code to improve the driving skills of school bus drivers; the  
21 cost of maintenance of school buses including parts and  
22 materials used; expenditures for leasing transportation  
23 vehicles, except interest and service charges; the cost of  
24 insurance and licenses for transportation vehicles;  
25 expenditures for the rental of transportation equipment; plus  
26 a depreciation allowance of 20% for 5 years for school buses

1 and vehicles approved for transporting pupils to and from  
2 school and a depreciation allowance of 10% for 10 years for  
3 other transportation equipment so used. Each school year, if a  
4 school district has made expenditures to the Regional  
5 Transportation Authority or any of its service boards, a mass  
6 transit district, or an urban transportation district under an  
7 intergovernmental agreement with the district to provide for  
8 the transportation of pupils and if the public transit carrier  
9 received direct payment for services or passes from a school  
10 district within its service area during the 2000-2001 school  
11 year, then the allowable direct cost of transporting pupils  
12 for regular, vocational, and special education pupil  
13 transportation shall also include the expenditures that the  
14 district has made to the public transit carrier. In addition  
15 to the above allowable costs, school districts shall also  
16 claim all transportation supervisory salary costs, including  
17 Illinois municipal retirement payments, and all transportation  
18 related building and building maintenance costs without  
19 limitation.

20 Special education allowable costs shall also include  
21 expenditures for the salaries of attendants or aides for that  
22 portion of the time they assist special education pupils while  
23 in transit and expenditures for parents and public carriers  
24 for transporting special education pupils when pre-approved by  
25 the State Superintendent of Education.

26 Indirect costs shall be included in the reimbursement

1 claim for districts which own and operate their own school  
2 buses. Such indirect costs shall include administrative costs,  
3 or any costs attributable to transporting pupils from their  
4 attendance centers to another school building for  
5 instructional purposes. No school district which owns and  
6 operates its own school buses may claim reimbursement for  
7 indirect costs which exceed 5% of the total allowable direct  
8 costs for pupil transportation.

9 The State Board of Education shall prescribe uniform  
10 regulations for determining the above standards and shall  
11 prescribe forms of cost accounting and standards of  
12 determining reasonable depreciation. Such depreciation shall  
13 include the cost of equipping school buses with the safety  
14 features required by law or by the rules, regulations and  
15 standards promulgated by the State Board of Education, and the  
16 Department of Transportation for the safety and construction  
17 of school buses provided, however, any equipment cost  
18 reimbursed by the Department of Transportation for equipping  
19 school buses with such safety equipment shall be deducted from  
20 the allowable cost in the computation of reimbursement under  
21 this Section in the same percentage as the cost of the  
22 equipment is depreciated.

23 On or before August 15, annually, the chief school  
24 administrator for the district shall certify to the State  
25 Superintendent of Education the district's claim for  
26 reimbursement for the school year ending on June 30 next



1 preceding. The State Superintendent of Education shall check  
2 and approve the claims and prepare the vouchers showing the  
3 amounts due for district reimbursement claims. Each fiscal  
4 year, the State Superintendent of Education shall prepare and  
5 transmit the first 3 vouchers to the Comptroller on the 30th  
6 day of September, December and March, respectively, and the  
7 final voucher, no later than June 20.

8 If the amount appropriated for transportation  
9 reimbursement is insufficient to fund total claims for any  
10 fiscal year, the State Board of Education shall reduce each  
11 school district's allowable costs and flat grant amount  
12 proportionately to make total adjusted claims equal the total  
13 amount appropriated.

14 For purposes of calculating claims for reimbursement under  
15 this Section for any school year beginning July 1, 2016, the  
16 equalized assessed valuation for a school district or partial  
17 elementary unit district formed pursuant to Article 11E used  
18 to compute reimbursement shall be the real equalized assessed  
19 valuation as computed under paragraph (3) of subsection (d) of  
20 Section 18-8.15.

21 All reimbursements received from the State shall be  
22 deposited into the district's transportation fund or into the  
23 fund from which the allowable expenditures were made.

24 Notwithstanding any other provision of law, any school  
25 district receiving a payment under this Section or under  
26 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may

1 classify all or a portion of the funds that it receives in a  
2 particular fiscal year or from State aid pursuant to Section  
3 18-8.15 of this Code as funds received in connection with any  
4 funding program for which it is entitled to receive funds from  
5 the State in that fiscal year (including, without limitation,  
6 any funding program referenced in this Section), regardless of  
7 the source or timing of the receipt. The district may not  
8 classify more funds as funds received in connection with the  
9 funding program than the district is entitled to receive in  
10 that fiscal year for that program. Any classification by a  
11 district must be made by a resolution of its board of  
12 education. The resolution must identify the amount of any  
13 payments or general State aid to be classified under this  
14 paragraph and must specify the funding program to which the  
15 funds are to be treated as received in connection therewith.  
16 This resolution is controlling as to the classification of  
17 funds referenced therein. A certified copy of the resolution  
18 must be sent to the State Superintendent of Education. The  
19 resolution shall still take effect even though a copy of the  
20 resolution has not been sent to the State Superintendent of  
21 Education in a timely manner. No classification under this  
22 paragraph by a district shall affect the total amount or  
23 timing of money the district is entitled to receive under this  
24 Code. No classification under this paragraph by a district  
25 shall in any way relieve the district from or affect any  
26 requirements that otherwise would apply with respect to that

1 funding program, including any accounting of funds by source,  
2 reporting expenditures by original source and purpose,  
3 reporting requirements, or requirements of providing services.

4 Any school district with a population of not more than  
5 500,000 must deposit all funds received under this Article  
6 into the transportation fund and use those funds for the  
7 provision of transportation services.

8 (Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)".