

1 AMENDMENT TO HOUSE BILL 337

2 AMENDMENT NO. _____. Amend House Bill 337 by replacing
3 everything after the enacting clause with the following:

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

1 shortest distance on normally traveled roads or streets.

2 Such school board may comply with the provisions of this
3 Section by providing free transportation for pupils to and
4 from an assigned school and a pick-up point located not more
5 than one and one-half miles from the home of each pupil
6 assigned to such point.

7 For the purposes of this Act "adequate transportation for
8 the public" shall be assumed to exist for such pupils as can
9 reach school by walking, one way, along normally traveled
10 roads or streets less than 1 1/2 miles irrespective of the
11 distance the pupil is transported by public transportation.

12 In addition to the other requirements of this Section,
13 each school board may provide free transportation for any
14 pupil residing within 1 1/2 miles from the school attended
15 where conditions are such that walking, either to or from the
16 school to which a pupil is assigned for attendance or to or
17 from a pick-up point or bus stop, constitutes a serious
18 hazard to the safety of the pupil due to vehicular traffic or
19 rail crossings or due to other hazards. Such transportation
20 shall not be provided if adequate transportation for the
21 public is available.

22 The determination as to what constitutes a serious safety
23 hazard shall be made by the school board, in accordance with
24 guidelines promulgated by the regional superintendent of
25 schools Illinois---Department---of---Transportation, in
26 consultation with the Department of Transportation with
27 regard to vehicular traffic or rail crossings State
28 Superintendent-of--Education. A school board, on written
29 petition of the parent or guardian of a pupil for whom
30 adequate transportation for the public is alleged not to
31 exist because the pupil is required to walk along normally
32 traveled roads or streets where walking is alleged to
33 constitute a serious safety hazard due-to--vehicular--traffie
34 or--rail--eressings, or who is required to walk between the

1 pupil's home and assigned school or between the pupil's home
2 or assigned school and a pick-up point or bus stop along
3 roads or streets where walking is alleged to constitute a
4 serious safety hazard ~~due--to--vehicular--traffie--or-rail~~
5 ~~crossings~~, shall conduct a study and make findings, which the
6 regional superintendent of schools, in consultation with the
7 Department of Transportation with regard to vehicular traffic
8 or rail crossings, shall review and approve or disapprove as
9 provided in this Section, to determine whether a serious
10 safety hazard exists as alleged in the petition. The
11 regional superintendent of schools, in consultation with the
12 Department of Transportation with regard to vehicular traffic
13 or rail crossings, shall review the findings of the school
14 board and shall approve or disapprove the school board's
15 determination that a serious safety hazard exists within 30
16 days after the school board submits its findings to the
17 regional superintendent of schools Department. The school
18 board shall annually review the conditions and certify to the
19 regional State superintendent of schools Education whether or
20 not the hazardous conditions remain unchanged. The regional
21 State superintendent of schools Education may request that
22 the Illinois Department of Transportation verify that the
23 conditions with regard to vehicular traffic or rail crossings
24 have not changed. No action shall lie against the school
25 board, the regional superintendent of schools, the-State
26 Superintendent-of-Education or the Illinois Department of
27 Transportation for decisions made in accordance with this
28 Section. The provisions of the Administrative Review Law and
29 all amendments and modifications thereof and the rules
30 adopted pursuant thereto shall apply to and govern all
31 proceedings instituted for the judicial review of final
32 administrative decisions of the regional superintendent of
33 schools Department-of-Transportation under this Section.
34 (Source: P.A. 90-223, eff. 1-1-98.)"