

1 AN ACT relating to 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 29-5 as follows:

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

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

28 The State will pay the cost of transporting eligible  
29 pupils less the assessed valuation in a dual school district  
30 maintaining secondary grades 9 to 12 inclusive times a  
31 qualifying rate of .05%; in elementary school districts

1 maintaining grades K to 8 times a qualifying rate of .06%; in  
2 unit districts maintaining grades K to 12 times a qualifying  
3 rate of .07%. To be eligible to receive reimbursement in  
4 excess of 4/5 of the cost to transport eligible pupils, a  
5 school district shall have a Transportation Fund tax rate of  
6 at least .12%. If a school district does not have a .12%  
7 Transportation Fund tax rate, the amount of its claim in  
8 excess of 4/5 of the cost of transporting pupils shall be  
9 reduced by the sum arrived at by subtracting the  
10 Transportation Fund tax rate from .12% and multiplying that  
11 amount by the districts equalized or assessed valuation,  
12 provided, that in no case shall said reduction result in  
13 reimbursement of less than 4/5 of the cost to transport  
14 eligible pupils.

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

17 Any such district transporting resident pupils during the  
18 school day to an area vocational school or another school  
19 district's vocational program more than 1 1/2 miles from the  
20 school attended, as provided in Sections 10-22.20a and  
21 10-22.22, shall be reimbursed by the State for 4/5 of the  
22 cost of transporting eligible pupils.

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

25 If a pupil is at a location within the school district  
26 other than his residence for child care purposes at the time  
27 for transportation to school, that location may be considered  
28 for purposes of determining the 1 1/2 miles from the school  
29 attended.

30 Claims for reimbursement that include children who attend  
31 any school other than a public school shall show the number  
32 of such children transported.

33 Claims for reimbursement under this Section shall not be  
34 paid for the transportation of pupils for whom transportation

1 costs are claimed for payment under other Sections of this  
2 Act.

3 The allowable direct cost of transporting pupils for  
4 regular, vocational, and special education pupil  
5 transportation shall be limited to the sum of the cost of  
6 physical examinations required for employment as a school bus  
7 driver; the salaries of full or part-time drivers and school  
8 bus maintenance personnel; employee benefits excluding  
9 Illinois municipal retirement payments, social security  
10 payments, unemployment insurance payments and workers'  
11 compensation insurance premiums; expenditures to independent  
12 carriers who operate school buses; payments to other school  
13 districts for pupil transportation services; pre-approved  
14 contractual expenditures for computerized bus scheduling; the  
15 cost of gasoline, oil, tires, and other supplies necessary  
16 for the operation of school buses; the cost of converting  
17 buses' gasoline engines to more fuel efficient engines or to  
18 engines which use alternative energy sources; the cost of  
19 travel to meetings and workshops conducted by the regional  
20 superintendent or the State Superintendent of Education  
21 pursuant to the standards established by the Secretary of  
22 State under Section 6-106 of the Illinois Vehicle Code to  
23 improve the driving skills of school bus drivers; the cost of  
24 maintenance of school buses including parts and materials  
25 used; expenditures for leasing transportation vehicles,  
26 except interest and service charges; the cost of insurance  
27 and licenses for transportation vehicles; expenditures for  
28 the rental of transportation equipment; plus a depreciation  
29 allowance of 20% for 5 years for school buses and vehicles  
30 approved for transporting pupils to and from school and a  
31 depreciation allowance of 10% for 10 years for other  
32 transportation equipment so used. Each school year, if a  
33 school district has made expenditures to the Regional  
34 Transportation Authority or any of its service boards, a mass

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

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

21 Indirect costs shall be included in the reimbursement  
22 claim for districts which own and operate their own school  
23 buses. Such indirect costs shall include administrative  
24 costs, or any costs attributable to transporting pupils from  
25 their attendance centers to another school building for  
26 instructional purposes. No school district which owns and  
27 operates its own school buses may claim reimbursement for  
28 indirect costs which exceed 5% of the total allowable direct  
29 costs for pupil transportation.

30 The State Board of Education shall prescribe uniform  
31 regulations for determining the above standards and shall  
32 prescribe forms of cost accounting and standards of  
33 determining reasonable depreciation. Such depreciation shall  
34 include the cost of equipping school buses with the safety

1 features required by law or by the rules, regulations and  
2 standards promulgated by the State Board of Education, and  
3 the Department of Transportation for the safety and  
4 construction of school buses provided, however, any equipment  
5 cost reimbursed by the Department of Transportation for  
6 equipping school buses with such safety equipment shall be  
7 deducted from the allowable cost in the computation of  
8 reimbursement under this Section in the same percentage as  
9 the cost of the equipment is depreciated.

10 On or before July 10, annually, the chief school  
11 administrator for the district shall certify to the regional  
12 superintendent of schools upon forms prescribed by the State  
13 Superintendent of Education the district's claim for  
14 reimbursement for the school year ended on June 30 next  
15 preceding. The regional superintendent of schools shall  
16 check all transportation claims to ascertain compliance with  
17 the prescribed standards and upon his approval shall certify  
18 not later than July 25 to the State Superintendent of  
19 Education the regional report of claims for reimbursements.  
20 The State Superintendent of Education shall check and approve  
21 the claims and prepare the vouchers showing the amounts due  
22 for district reimbursement claims. Beginning with the 1977  
23 fiscal year, the State Superintendent of Education shall  
24 prepare and transmit the first 3 vouchers to the Comptroller  
25 on the 30th day of September, December and March,  
26 respectively, and the final voucher, no later than June 15.

27 If the amount appropriated for transportation  
28 reimbursement is insufficient to fund total claims for any  
29 fiscal year, the State Board of Education shall reduce each  
30 school district's allowable costs and flat grant amount  
31 proportionately to make total adjusted claims equal the total  
32 amount appropriated.

33 For purposes of calculating claims for reimbursement  
34 under this Section for any school year beginning July 1,

1 1998, or thereafter, the equalized assessed valuation for a  
2 school district used to compute reimbursement shall be  
3 computed in the same manner as it is computed under paragraph  
4 (2) of subsection (G) of Section 18-8.05.

5 All reimbursements received from the State shall be  
6 deposited into the district's transportation fund or into the  
7 fund from which the allowable expenditures were made.

8 Notwithstanding any other provision of law, any school  
9 district receiving a payment under this Section or under  
10 Section 14-7.02, 14-7.02a, or 14-13.01 of this Code may  
11 classify all or a portion of the funds that it receives in a  
12 particular fiscal year or from general State aid pursuant to  
13 Section 18-8.05 of this Code as funds received in connection  
14 with any funding program for which it is entitled to receive  
15 funds from the State in that fiscal year (including, without  
16 limitation, any funding program referenced in this Section),  
17 regardless of the source or timing of the receipt. The  
18 district may not classify more funds as funds received in  
19 connection with the funding program than the district is  
20 entitled to receive in that fiscal year for that program.  
21 Any classification by a district must be made by a resolution  
22 of its board of education. The resolution must identify the  
23 amount of any payments or general State aid to be classified  
24 under this paragraph and must specify the funding program to  
25 which the funds are to be treated as received in connection  
26 therewith. This resolution is controlling as to the  
27 classification of funds referenced therein. A certified copy  
28 of the resolution must be sent to the State Superintendent of  
29 Education. The resolution shall still take effect even though  
30 a copy of the resolution has not been sent to the State  
31 Superintendent of Education in a timely manner. No  
32 classification under this paragraph by a district shall  
33 affect the total amount or timing of money the district is  
34 entitled to receive under this Code. No classification

1 under this paragraph by a district shall in any way relieve  
2 the district from or affect any requirements that otherwise  
3 would apply with respect to that funding program, including  
4 any accounting of funds by source, reporting expenditures by  
5 original source and purpose, reporting requirements, or  
6 requirements of providing services.

7 Any school district with a population of not more than  
8 500,000 must deposit all funds received under this Article  
9 into the transportation fund and use those funds for the  
10 provision of transportation services.

11 (Source: P.A. 92-568, eff. 6-26-02; 93-166, eff. 7-10-03.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.