

1 AMENDMENT TO SENATE BILL 1949

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1949 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding  
5 Sections 10-20.37 and 34-18.26 and changing Sections 17-8 and  
6 29-5 as follows:

7 (105 ILCS 5/10-20.37 new)

8 Sec. 10-20.37. Deposit of State reimbursements for  
9 mandated categorical programs. Notwithstanding any other law  
10 to the contrary, reimbursements received from the State under  
11 Sections 14-7.02, 14-7.02a, 14-7.03, 14-13.01, 18-3, 18-4.3,  
12 and 29-5 of this Code and the School Breakfast and Lunch  
13 Program Act may be deposited into any school district fund,  
14 as determined by the school board.

15 (105 ILCS 5/34-18.26 new)

16 Sec. 34-18.26. Deposit of State reimbursements for  
17 mandated categorical programs. Notwithstanding any other law  
18 to the contrary, reimbursements received from the State under  
19 Sections 14-7.02, 14-7.02a, 14-7.03, 14-13.01, 18-3, 18-4.3,  
20 and 29-5 of this Code and the School Breakfast and Lunch  
21 Program Act may be deposited into any school district fund,

1 as determined by the board.

2 (105 ILCS 5/17-8) (from Ch. 122, par. 17-8)

3 Sec. 17-8. Transportation costs paid from transportation  
4 fund. Any transportation operating costs incurred for  
5 transporting pupils to and from school and school sponsored  
6 activities and the costs of acquiring equipment shall be paid  
7 from a transportation fund to consist of moneys received from  
8 any tax levy for such purpose, State reimbursement for  
9 transportation, as determined by the school board and except  
10 as provided in Section 29-5, all funds received from other  
11 districts for transporting pupils and any charges for  
12 transportation services rendered to individuals or auxiliary  
13 enterprises of the school.

14 For the purpose of this Act "transportation operating  
15 cost" shall include all costs of transportation except  
16 interest and rental of building facilities.

17 (Source: P.A. 85-581.)

18 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

19 Sec. 29-5. Reimbursement by State for transportation.  
20 Any school district, maintaining a school, transporting  
21 resident pupils to another school district's vocational  
22 program, offered through a joint agreement approved by the  
23 State Board of Education, as provided in Section 10-22.22 or  
24 transporting its resident pupils to a school which meets the  
25 standards for recognition as established by the State Board  
26 of Education which provides transportation meeting the  
27 standards of safety, comfort, convenience, efficiency and  
28 operation prescribed by the State Board of Education for  
29 resident pupils in kindergarten or any of grades 1 through 12  
30 who: (a) reside at least 1 1/2 miles as measured by the  
31 customary route of travel, from the school attended; or (b)  
32 reside in areas where conditions are such that walking

1 constitutes a hazard to the safety of the child when  
2 determined under Section 29-3; and (c) are transported to the  
3 school attended from pick-up points at the beginning of the  
4 school day and back again at the close of the school day or  
5 transported to and from their assigned attendance centers  
6 during the school day, shall be reimbursed by the State as  
7 hereinafter provided in this Section.

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

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

28 Any such district transporting resident pupils during the  
29 school day to an area vocational school or another school  
30 district's vocational program more than 1 1/2 miles from the  
31 school attended, as provided in Sections 10-22.20a and  
32 10-22.22, shall be reimbursed by the State for 4/5 of the  
33 cost of transporting eligible pupils.

34 School day means that period of time which the pupil is

1 required to be in attendance for instructional purposes.

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

7 Claims for reimbursement that include children who attend  
8 any school other than a public school shall show the number  
9 of such children transported.

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

14 The allowable direct cost of transporting pupils for  
15 regular, vocational, and special education pupil  
16 transportation shall be limited to the sum of the cost of  
17 physical examinations required for employment as a school bus  
18 driver; the salaries of full or part-time drivers and school  
19 bus maintenance personnel; employee benefits excluding  
20 Illinois municipal retirement payments, social security  
21 payments, unemployment insurance payments and workers'  
22 compensation insurance premiums; expenditures to independent  
23 carriers who operate school buses; payments to other school  
24 districts for pupil transportation services; pre-approved  
25 contractual expenditures for computerized bus scheduling; the  
26 cost of gasoline, oil, tires, and other supplies necessary  
27 for the operation of school buses; the cost of converting  
28 buses' gasoline engines to more fuel efficient engines or to  
29 engines which use alternative energy sources; the cost of  
30 travel to meetings and workshops conducted by the regional  
31 superintendent or the State Superintendent of Education  
32 pursuant to the standards established by the Secretary of  
33 State under Section 6-106 of the Illinois Vehicle Code to  
34 improve the driving skills of school bus drivers; the cost of

1 maintenance of school buses including parts and materials  
2 used; expenditures for leasing transportation vehicles,  
3 except interest and service charges; the cost of insurance  
4 and licenses for transportation vehicles; expenditures for  
5 the rental of transportation equipment; plus a depreciation  
6 allowance of 20% for 5 years for school buses and vehicles  
7 approved for transporting pupils to and from school and a  
8 depreciation allowance of 10% for 10 years for other  
9 transportation equipment so used. In addition to the above  
10 allowable costs school districts shall also claim all  
11 transportation supervisory salary costs, including Illinois  
12 municipal retirement payments, and all transportation related  
13 building and building maintenance costs without limitation.

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

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

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

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

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

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

32 For purposes of calculating claims for reimbursement  
33 under this Section for any school year beginning July 1,  
34 1998, or thereafter, the equalized assessed valuation for a

1 school district used to compute reimbursement shall be  
2 computed in the same manner as it is computed under paragraph  
3 (2) of subsection (G) of Section 18-8.05.

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

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

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

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

10 (Source: P.A. 91-96, eff. 7-9-99; 92-568, eff. 6-26-02.)

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