



Rep. Roger L. Eddy

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LRB095 06981 NHT 34513 a

1 AMENDMENT TO HOUSE BILL 3196

2 AMENDMENT NO. _____. Amend House Bill 3196 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, 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

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

12 The State will pay the cost of transporting eligible pupils
13 less the assessed valuation in a dual school district
14 maintaining secondary grades 9 to 12 inclusive times a
15 qualifying rate of .05%; in elementary school districts
16 maintaining any of grades pre-K ~~K~~ to 8 times a qualifying rate
17 of .06%; in unit districts maintaining any of grades pre-K ~~K~~ to
18 12 times a qualifying rate of .07%. To be eligible to receive
19 reimbursement in excess of 4/5 of the cost to transport
20 eligible pupils, a school district shall have a Transportation
21 Fund tax rate of at least .12%. If a school district does not
22 have a .12% Transportation Fund tax rate, the amount of its
23 claim in excess of 4/5 of the cost of transporting pupils shall
24 be reduced by the sum arrived at by subtracting the
25 Transportation Fund tax rate from .12% and multiplying that
26 amount by the districts equalized or assessed valuation,

1 provided, that in no case shall said reduction result in
2 reimbursement of less than 4/5 of the cost to transport
3 eligible pupils.

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

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

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

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

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

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

25 The allowable direct cost of transporting pupils for
26 regular, vocational, and special education pupil

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

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

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

24 Indirect costs shall be included in the reimbursement claim
25 for districts which own and operate their own school buses.
26 Such indirect costs shall include administrative costs, or any

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

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

20 On or before August 15, annually, the chief school
21 administrator for the district shall certify to the State
22 Superintendent of Education the district's claim for
23 reimbursement for the school year ending on June 30 next
24 preceding. The State Superintendent of Education shall check
25 and approve the claims and prepare the vouchers showing the
26 amounts due for district reimbursement claims. Each fiscal

1 year, the State Superintendent of Education shall prepare and
2 transmit the first 3 vouchers to the Comptroller on the 30th
3 day of September, December and March, respectively, and the
4 final voucher, no later than June 20.

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

11 For purposes of calculating claims for reimbursement under
12 this Section for any school year beginning July 1, 1998, or
13 thereafter, the equalized assessed valuation for a school
14 district used to compute reimbursement shall be computed in the
15 same manner as it is computed under paragraph (2) of subsection
16 (G) of Section 18-8.05.

17 All reimbursements received from the State shall be
18 deposited into the district's transportation fund or into the
19 fund from which the allowable expenditures were made.

20 Notwithstanding any other provision of law, any school
21 district receiving a payment under this Section or under
22 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
23 classify all or a portion of the funds that it receives in a
24 particular fiscal year or from general State aid pursuant to
25 Section 18-8.05 of this Code as funds received in connection
26 with any funding program for which it is entitled to receive

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

26 Any school district with a population of not more than

1 500,000 must deposit all funds received under this Article into
2 the transportation fund and use those funds for the provision
3 of transportation services.

4 (Source: P.A. 93-166, eff. 7-10-03; 93-663, eff. 2-17-04;
5 93-1022, eff. 8-24-04; 94-875, eff. 7-1-06.)

6 Section 99. Effective date. This Act takes effect July 1,
7 2007.".