

HB3520



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3520

Introduced 2/28/2007, by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

105 ILCS 5/29-5

from Ch. 122, par. 29-5

Amends the School Code. Makes a technical change in a Section concerning State reimbursement for transportation.

LRB095 08462 NHT 28640 b

A BILL FOR

1 AN ACT concerning education.

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 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 ~~the~~ State
11 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 of
14 Education which provides transportation meeting the standards
15 of safety, comfort, convenience, efficiency and operation
16 prescribed by the State Board of Education for resident pupils
17 in kindergarten or any of grades 1 through 12 who: (a) reside
18 at least 1 1/2 miles as measured by the customary route of
19 travel, from the school attended; or (b) reside in areas where
20 conditions are such that walking constitutes a hazard to the
21 safety of the child when determined under Section 29-3; and (c)
22 are transported to the school attended from pick-up points at
23 the beginning of the school day and back again at the close of

1 the school day or transported to and from their assigned
2 attendance centers during the school day, shall be reimbursed
3 by the State as hereinafter provided in this Section.

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

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

23 Any such district transporting resident pupils during the
24 school day to an area vocational school or another school
25 district's vocational program more than 1 1/2 miles from the
26 school attended, as provided in Sections 10-22.20a and

1 10-22.22, shall be reimbursed by the State for 4/5 of the cost
2 of transporting eligible pupils.

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

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

1 contractual expenditures for computerized bus scheduling; the
2 cost of gasoline, oil, tires, and other supplies necessary for
3 the operation of school buses; the cost of converting buses'
4 gasoline engines to more fuel efficient engines or to engines
5 which use alternative energy sources; the cost of travel to
6 meetings and workshops conducted by the regional
7 superintendent or the State Superintendent of Education
8 pursuant to the standards established by the Secretary of State
9 under Section 6-106 of the Illinois Vehicle Code to improve the
10 driving skills of school bus drivers; the cost of maintenance
11 of school buses including parts and materials used;
12 expenditures for leasing transportation vehicles, except
13 interest and service charges; the cost of insurance and
14 licenses for transportation vehicles; expenditures for the
15 rental of transportation equipment; plus a depreciation
16 allowance of 20% for 5 years for school buses and vehicles
17 approved for transporting pupils to and from school and a
18 depreciation allowance of 10% for 10 years for other
19 transportation equipment so used. Each school year, if a school
20 district has made expenditures to the Regional Transportation
21 Authority or any of its service boards, a mass transit
22 district, or an urban transportation district under an
23 intergovernmental agreement with the district to provide for
24 the transportation of pupils and if the public transit carrier
25 received direct payment for services or passes from a school
26 district within its service area during the 2000-2001 school

1 year, then the allowable direct cost of transporting pupils for
2 regular, vocational, and special education pupil
3 transportation shall also include the expenditures that the
4 district has made to the public transit carrier. In addition to
5 the above allowable costs school districts shall also claim all
6 transportation supervisory salary costs, including Illinois
7 municipal retirement payments, and all transportation related
8 building and building maintenance costs without limitation.

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

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

24 The State Board of Education shall prescribe uniform
25 regulations for determining the above standards and shall
26 prescribe forms of cost accounting and standards of determining

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

11 On or before August 15, annually, the chief school
12 administrator for the district shall certify to the State
13 Superintendent of Education the district's claim for
14 reimbursement for the school year ending on June 30 next
15 preceding. The State Superintendent of Education shall check
16 and approve the claims and prepare the vouchers showing the
17 amounts due for district reimbursement claims. Each fiscal
18 year, the State Superintendent of Education shall prepare and
19 transmit the first 3 vouchers to the Comptroller on the 30th
20 day of September, December and March, respectively, and the
21 final voucher, no later than June 20.

22 If the amount appropriated for transportation
23 reimbursement is insufficient to fund total claims for any
24 fiscal year, the State Board of Education shall reduce each
25 school district's allowable costs and flat grant amount
26 proportionately to make total adjusted claims equal the total

1 amount appropriated.

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

8 All reimbursements received from the State shall be
9 deposited into the district's transportation fund or into the
10 fund from which the allowable expenditures were made.

11 Notwithstanding any other provision of law, any school
12 district receiving a payment under this Section or under
13 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
14 classify all or a portion of the funds that it receives in a
15 particular fiscal year or from general State aid pursuant to
16 Section 18-8.05 of this Code as funds received in connection
17 with any funding program for which it is entitled to receive
18 funds from the State in that fiscal year (including, without
19 limitation, any funding program referenced in this Section),
20 regardless of the source or timing of the receipt. The district
21 may not classify more funds as funds received in connection
22 with the funding program than the district is entitled to
23 receive in that fiscal year for that program. Any
24 classification by a district must be made by a resolution of
25 its board of education. The resolution must identify the amount
26 of any payments or general State aid to be classified under

1 this paragraph and must specify the funding program to which
2 the funds are to be treated as received in connection
3 therewith. This resolution is controlling as to the
4 classification of funds referenced therein. A certified copy of
5 the resolution must be sent to the State Superintendent of
6 Education. The resolution shall still take effect even though a
7 copy of the resolution has not been sent to the State
8 Superintendent of Education in a timely manner. No
9 classification under this paragraph by a district shall affect
10 the total amount or timing of money the district is entitled to
11 receive under this Code. No classification under this paragraph
12 by a district shall in any way relieve the district from or
13 affect any requirements that otherwise would apply with respect
14 to that funding program, including any accounting of funds by
15 source, reporting expenditures by original source and purpose,
16 reporting requirements, or requirements of providing services.

17 Any school district with a population of not more than
18 500,000 must deposit all funds received under this Article into
19 the transportation fund and use those funds for the provision
20 of transportation services.

21 (Source: P.A. 93-166, eff. 7-10-03; 93-663, eff. 2-17-04;
22 93-1022, eff. 8-24-04; 94-875, eff. 7-1-06.)