



Elementary Secondary Education Committee

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LRB096 03013 NHT 22960 a

1 AMENDMENT TO HOUSE BILL 1106

2 AMENDMENT NO. _____. Amend House Bill 1106 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 ~~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

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

11 The State will pay the cost of transporting eligible pupils
12 less the assessed valuation in a dual school district
13 maintaining secondary grades 9 to 12 inclusive times a
14 qualifying rate of .05%; in elementary school districts
15 maintaining grades K to 8 times a qualifying rate of .06%; and
16 in unit districts maintaining grades K to 12, including
17 optional elementary unit districts and combined high school -
18 unit districts, times a qualifying rate of .07%; provided that
19 for optional elementary unit districts and combined high school
20 - unit districts, assessed valuation for high school purposes,
21 as defined in Article 11E of this Code, must be used. To be
22 eligible to receive reimbursement in excess of 4/5 of the cost
23 to transport eligible pupils, a school district shall have a
24 Transportation Fund tax rate of at least .12%. If a school
25 district does not have a .12% Transportation Fund tax rate, the
26 amount of its claim in excess of 4/5 of the cost of

1 transporting pupils shall be reduced by the sum arrived at by
2 subtracting the Transportation Fund tax rate from .12% and
3 multiplying that amount by the districts equalized or assessed
4 valuation, provided, that in no case shall said reduction
5 result in reimbursement of less than 4/5 of the cost to
6 transport eligible pupils.

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

9 Any such district transporting resident pupils during the
10 school day to an area vocational school or another school
11 district's vocational program more than 1 1/2 miles from the
12 school attended, as provided in Sections 10-22.20a and
13 10-22.22, shall be reimbursed by the State for 4/5 of the cost
14 of transporting eligible pupils.

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

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

22 Claims for reimbursement that include children who attend
23 any school other than a public school shall show the number of
24 such children transported.

25 Claims for reimbursement under this Section shall not be
26 paid for the transportation of pupils for whom transportation

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

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

1 rental of transportation equipment; plus a depreciation
2 allowance of 20% for 5 years for school buses and vehicles
3 approved for transporting pupils to and from school and a
4 depreciation allowance of 10% for 10 years for other
5 transportation equipment so used. Each school year, if a school
6 district has made expenditures to the Regional Transportation
7 Authority or any of its service boards, a mass transit
8 district, or an urban transportation district under an
9 intergovernmental agreement with the district to provide for
10 the transportation of pupils and if the public transit carrier
11 received direct payment for services or passes from a school
12 district within its service area during the 2000-2001 school
13 year, then the allowable direct cost of transporting pupils for
14 regular, vocational, and special education pupil
15 transportation shall also include the expenditures that the
16 district has made to the public transit carrier. In addition to
17 the above allowable costs school districts shall also claim all
18 transportation supervisory salary costs, including Illinois
19 municipal retirement payments, and all transportation related
20 building and building maintenance costs without limitation.

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

1 Indirect costs shall be included in the reimbursement claim
2 for districts which own and operate their own school buses.
3 Such indirect costs shall include administrative costs, or any
4 costs attributable to transporting pupils from their
5 attendance centers to another school building for
6 instructional purposes. No school district which owns and
7 operates its own school buses may claim reimbursement for
8 indirect costs which exceed 5% of the total allowable direct
9 costs for pupil transportation.

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

23 On or before August 15, annually, the chief school
24 administrator for the district shall certify to the State
25 Superintendent of Education the district's claim for
26 reimbursement for the school year ending on June 30 next

1 preceding. The State Superintendent of Education shall check
2 and approve the claims and prepare the vouchers showing the
3 amounts due for district reimbursement claims. Each fiscal
4 year, the State Superintendent of Education shall prepare and
5 transmit the first 3 vouchers to the Comptroller on the 30th
6 day of September, December and March, respectively, and the
7 final voucher, no later than June 20.

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

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

20 All reimbursements received from the State shall be
21 deposited into the district's transportation fund or into the
22 fund from which the allowable expenditures were made.

23 Notwithstanding any other provision of law, any school
24 district receiving a payment under this Section or under
25 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
26 classify all or a portion of the funds that it receives in a

1 particular fiscal year or from general State aid pursuant to
2 Section 18-8.05 of this Code as funds received in connection
3 with any funding program for which it is entitled to receive
4 funds from the State in that fiscal year (including, without
5 limitation, any funding program referenced in this Section),
6 regardless of the source or timing of the receipt. The district
7 may not classify more funds as funds received in connection
8 with the funding program than the district is entitled to
9 receive in that fiscal year for that program. Any
10 classification by a district must be made by a resolution of
11 its board of education. The resolution must identify the amount
12 of any payments or general State aid to be classified under
13 this paragraph and must specify the funding program to which
14 the funds are to be treated as received in connection
15 therewith. This resolution is controlling as to the
16 classification of funds referenced therein. A certified copy of
17 the resolution must be sent to the State Superintendent of
18 Education. The resolution shall still take effect even though a
19 copy of the resolution has not been sent to the State
20 Superintendent of Education in a timely manner. No
21 classification under this paragraph by a district shall affect
22 the total amount or timing of money the district is entitled to
23 receive under this Code. No classification under this paragraph
24 by a district shall in any way relieve the district from or
25 affect any requirements that otherwise would apply with respect
26 to that funding program, including any accounting of funds by

1 source, reporting expenditures by original source and purpose,
2 reporting requirements, or requirements of providing services.

3 Any school district with a population of not more than
4 500,000 must deposit all funds received under this Article into
5 the transportation fund and use those funds for the provision
6 of transportation services.

7 (Source: P.A. 94-875, eff. 7-1-06; 95-903, eff. 8-25-08.)".