



Sen. Heather A. Steans

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1 AMENDMENT TO HOUSE BILL 5825

2 AMENDMENT NO. _____. Amend House Bill 5825 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 3-14.23, 13A-9, 13B-20.35, 14-7.02, 14-13.01, 17-2, 17-8,
6 29-1, 29-2, 29-3, 29-3.2a, 29-5, 29-5.2, and 29-6.3 and by
7 adding Sections 29-0.01, 29-0.05, 29-0.10, and 29-0.15 as
8 follows:

9 (105 ILCS 5/3-14.23) (from Ch. 122, par. 3-14.23)

10 Sec. 3-14.23. School bus driver permits.

11 (a) To conduct courses of instruction for school bus
12 drivers pursuant to the standards established by the Secretary
13 of State under Section 6-106.1 of the Illinois Vehicle Code and
14 to charge a fee based upon the cost of providing such courses
15 of up to \$6 per person for fiscal years 2010, 2011, and 2012;
16 up to \$8 per person for fiscal years 2013, 2014, and 2015; and

1 up to \$10 per person for fiscal year 2016 and each fiscal year
2 thereafter for the initial classroom course in school bus
3 driver safety and of up to \$6 per person for fiscal years 2010,
4 2011, and 2012; up to \$8 per person for fiscal years 2013,
5 2014, and 2015; and up to \$10 per person for fiscal year 2016
6 and each fiscal year thereafter for the annual refresher
7 course.

8 (b) To conduct such investigations as may be necessary to
9 insure that all persons hired to operate school buses have
10 valid school bus driver permits as required under Sections
11 6-104 and 6-106.1 of "The Illinois Vehicle Code". If a regional
12 superintendent finds evidence of non-compliance with this
13 requirement, he shall submit such evidence together with his
14 recommendations in writing to the school board.

15 If the regional superintendent finds evidence of
16 noncompliance with the requirement that all persons employed
17 directly by the school board to operate school buses have valid
18 school bus driver permits as required under Sections 6-104 and
19 6-106.1 of "The Illinois Vehicle Code", the regional
20 superintendent shall schedule a hearing on a date not less than
21 5 days nor more than 10 days after notifying the district of
22 his findings. If based on the evidence presented at the hearing
23 the regional superintendent finds that persons employed
24 directly by the school board to operate school buses do not
25 have valid school bus driver permits as required under Sections
26 6-104 and 6-106.1 of "The Illinois Vehicle Code", the regional

1 superintendent shall submit such evidence and his findings
2 together with his recommendations to the State Superintendent
3 of Education. The State Superintendent of Education may reduce
4 the district's claim for reimbursement under Section 29-0.01 of
5 this Code ~~Sections 29-5 and 14-13.01~~ for transportation by
6 1.136% for each day of noncompliance.

7 If a school board finds evidence of noncompliance with the
8 requirement that all persons employed by a contractor to
9 operate school buses have valid school bus driver permits as
10 required under Sections 6-104 and 6-106.1 of "The Illinois
11 Vehicle Code", the school board shall request a hearing before
12 the regional superintendent. The regional superintendent shall
13 schedule a hearing on a date not less than 5 days nor more than
14 10 days after receiving the request. If based on the evidence
15 presented at the hearing the regional superintendent finds that
16 persons employed by a contractor to operate school buses do not
17 have valid school bus driver permits as required under Sections
18 6-104 and 6-106.1 of "The Illinois Vehicle Code", the school
19 board's financial obligations under the contract shall be
20 reduced by an amount equal to 1.136% for each day of
21 noncompliance. The findings of the regional superintendent and
22 the relief provided herein shall not impair the obligations of
23 the contractor to continue to provide transportation services
24 in accordance with the terms of the contract.

25 The provisions of the Administrative Review Law, and all
26 amendments and modifications thereof and the rules adopted

1 pursuant thereto shall apply to and govern all proceedings
2 instituted for judicial review of final administrative
3 decisions of the regional superintendent under this Section.

4 (Source: P.A. 96-616, eff. 1-1-10.)

5 (105 ILCS 5/13A-9)

6 Sec. 13A-9. Transportation. Subject to the requirements of
7 Article 29 and except as otherwise agreed by the parents,
8 school and regional superintendent, the school from which a
9 student is administratively transferred shall provide for any
10 transportation that the transfer necessitates, if
11 transportation is provided ~~required pursuant to Section 29-3.~~
12 The regional superintendent shall coordinate all
13 transportation arrangements with transferring school
14 districts. The regional superintendent may also arrange for
15 cooperation between school districts in the regional
16 superintendent's educational service region regarding the
17 transportation needs of transferred students in order to reduce
18 the costs of that transportation and to provide greater
19 convenience for the students involved.

20 (Source: P.A. 89-383, eff. 8-18-95; 89-629, eff. 8-9-96;
21 89-636, eff. 8-9-96; 90-14, eff. 7-1-97.)

22 (105 ILCS 5/13B-20.35)

23 Sec. 13B-20.35. Transportation of students. School
24 districts may ~~that are required to provide transportation~~

1 ~~pursuant to Section 29-3 of this Code shall~~ provide
2 transportation for students enrolled in alternative learning
3 opportunities programs. ~~Other school districts shall provide~~
4 ~~transportation~~ to the same extent that they provide
5 transportation to other students. A school district may
6 collaborate with the regional superintendent of schools to
7 establish a cooperative transportation agreement among school
8 districts in the region to reduce the costs of transportation
9 and to provide for greater accessibility for students attending
10 alternative learning opportunities programs.

11 (Source: P.A. 92-42, eff. 1-1-02.)

12 (105 ILCS 5/14-7.02) (from Ch. 122, par. 14-7.02)

13 Sec. 14-7.02. Children attending private schools, public
14 out-of-state schools, public school residential facilities or
15 private special education facilities. The General Assembly
16 recognizes that non-public schools or special education
17 facilities provide an important service in the educational
18 system in Illinois.

19 If because of his or her disability the special education
20 program of a district is unable to meet the needs of a child
21 and the child attends a non-public school or special education
22 facility, a public out-of-state school or a special education
23 facility owned and operated by a county government unit that
24 provides special educational services required by the child and
25 is in compliance with the appropriate rules and regulations of

1 the State Superintendent of Education, the school district in
2 which the child is a resident shall pay the actual cost of
3 tuition for special education and related services provided
4 during the regular school term and during the summer school
5 term if the child's educational needs so require, excluding
6 room, board and transportation costs charged the child by that
7 non-public school or special education facility, public
8 out-of-state school or county special education facility, or
9 \$4,500 per year, whichever is less, and shall provide him any
10 necessary transportation. "Nonpublic special education
11 facility" shall include a residential facility, within or
12 without the State of Illinois, which provides special education
13 and related services to meet the needs of the child by
14 utilizing private schools or public schools, whether located on
15 the site or off the site of the residential facility.

16 The State Board of Education shall promulgate rules and
17 regulations for determining when placement in a private special
18 education facility is appropriate. Such rules and regulations
19 shall take into account the various types of services needed by
20 a child and the availability of such services to the particular
21 child in the public school. In developing these rules and
22 regulations the State Board of Education shall consult with the
23 Advisory Council on Education of Children with Disabilities and
24 hold public hearings to secure recommendations from parents,
25 school personnel, and others concerned about this matter.

26 The State Board of Education shall also promulgate rules

1 and regulations for transportation to and from a residential
2 school. Transportation to and from home to a residential school
3 more than once each school term shall be subject to prior
4 approval by the State Superintendent in accordance with the
5 rules and regulations of the State Board.

6 A school district making tuition payments pursuant to this
7 Section is eligible for reimbursement from the State for the
8 amount of such payments actually made in excess of the district
9 per capita tuition charge for students not receiving special
10 education services. Such reimbursement shall be approved in
11 accordance with Section 14-12.01 and each district shall file
12 its claims, computed in accordance with rules prescribed by the
13 State Board of Education, on forms prescribed by the State
14 Superintendent of Education. Data used as a basis of
15 reimbursement claims shall be for the preceding regular school
16 term and summer school term. Each school district shall
17 transmit its claims to the State Board of Education on or
18 before August 15. The State Board of Education, before
19 approving any such claims, shall determine their accuracy and
20 whether they are based upon services and facilities provided
21 under approved programs. Upon approval the State Board shall
22 cause vouchers to be prepared showing the amount due for
23 payment of reimbursement claims to school districts, for
24 transmittal to the State Comptroller on the 30th day of
25 September, December, and March, respectively, and the final
26 voucher, no later than June 20. If the money appropriated by

1 the General Assembly for such purpose for any year is
2 insufficient, it shall be apportioned on the basis of the
3 claims approved.

4 No child shall be placed in a special education program
5 pursuant to this Section if the tuition cost for special
6 education and related services increases more than 10 percent
7 over the tuition cost for the previous school year or exceeds
8 \$4,500 per year unless such costs have been approved by the
9 Illinois Purchased Care Review Board. The Illinois Purchased
10 Care Review Board shall consist of the following persons, or
11 their designees: the Directors of Children and Family Services,
12 Public Health, Public Aid, and the Governor's Office of
13 Management and Budget; the Secretary of Human Services; the
14 State Superintendent of Education; and such other persons as
15 the Governor may designate. The Review Board shall establish
16 rules and regulations for its determination of allowable costs
17 and payments made by local school districts for special
18 education, room and board, and other related services provided
19 by non-public schools or special education facilities and shall
20 establish uniform standards and criteria which it shall follow.

21 The Review Board shall establish uniform definitions and
22 criteria for accounting separately by special education, room
23 and board and other related services costs. The Board shall
24 also establish guidelines for the coordination of services and
25 financial assistance provided by all State agencies to assure
26 that no otherwise qualified disabled child receiving services

1 under Article 14 shall be excluded from participation in, be
2 denied the benefits of or be subjected to discrimination under
3 any program or activity provided by any State agency.

4 The Review Board shall review the costs for special
5 education and related services provided by non-public schools
6 or special education facilities and shall approve or disapprove
7 such facilities in accordance with the rules and regulations
8 established by it with respect to allowable costs.

9 The State Board of Education shall provide administrative
10 and staff support for the Review Board as deemed reasonable by
11 the State Superintendent of Education. This support shall not
12 include travel expenses or other compensation for any Review
13 Board member other than the State Superintendent of Education.

14 The Review Board shall seek the advice of the Advisory
15 Council on Education of Children with Disabilities on the rules
16 and regulations to be promulgated by it relative to providing
17 special education services.

18 If a child has been placed in a program in which the actual
19 per pupil costs of tuition for special education and related
20 services based on program enrollment, excluding room, board and
21 transportation costs, exceed \$4,500 and such costs have been
22 approved by the Review Board, the district shall pay such total
23 costs which exceed \$4,500. A district making such tuition
24 payments in excess of \$4,500 pursuant to this Section shall be
25 responsible for an amount in excess of \$4,500 equal to the
26 district per capita tuition charge and shall be eligible for

1 reimbursement from the State for the amount of such payments
2 actually made in excess of the districts per capita tuition
3 charge for students not receiving special education services.

4 If a child has been placed in an approved individual
5 program and the tuition costs including room and board costs
6 have been approved by the Review Board, then such room and
7 board costs shall be paid by the appropriate State agency
8 subject to the provisions of Section 14-8.01 of this Act. Room
9 and board costs not provided by a State agency other than the
10 State Board of Education shall be provided by the State Board
11 of Education on a current basis. In no event, however, shall
12 the State's liability for funding of these tuition costs begin
13 until after the legal obligations of third party payors have
14 been subtracted from such costs. If the money appropriated by
15 the General Assembly for such purpose for any year is
16 insufficient, it shall be apportioned on the basis of the
17 claims approved. Each district shall submit estimated claims to
18 the State Superintendent of Education. Upon approval of such
19 claims, the State Superintendent of Education shall direct the
20 State Comptroller to make payments on a monthly basis. The
21 frequency for submitting estimated claims and the method of
22 determining payment shall be prescribed in rules and
23 regulations adopted by the State Board of Education. Such
24 current state reimbursement shall be reduced by an amount equal
25 to the proceeds which the child or child's parents are eligible
26 to receive under any public or private insurance or assistance

1 program. Nothing in this Section shall be construed as
2 relieving an insurer or similar third party from an otherwise
3 valid obligation to provide or to pay for services provided to
4 a disabled child.

5 If it otherwise qualifies, a school district is eligible
6 for the transportation reimbursement under Section 29-0.01 of
7 this Code ~~14-13.01~~ and for the reimbursement of tuition
8 payments under this Section whether the non-public school or
9 special education facility, public out-of-state school or
10 county special education facility, attended by a child who
11 resides in that district and requires special educational
12 services, is within or outside of the State of Illinois.
13 However, a district is not eligible to claim transportation
14 reimbursement under this Section unless the district certifies
15 to the State Superintendent of Education that the district is
16 unable to provide special educational services required by the
17 child for the current school year.

18 Nothing in this Section authorizes the reimbursement of a
19 school district for the amount paid for tuition of a child
20 attending a non-public school or special education facility,
21 public out-of-state school or county special education
22 facility unless the school district certifies to the State
23 Superintendent of Education that the special education program
24 of that district is unable to meet the needs of that child
25 because of his disability and the State Superintendent of
26 Education finds that the school district is in substantial

1 compliance with Section 14-4.01. However, if a child is
2 unilaterally placed by a State agency or any court in a
3 non-public school or special education facility, public
4 out-of-state school, or county special education facility, a
5 school district shall not be required to certify to the State
6 Superintendent of Education, for the purpose of tuition
7 reimbursement, that the special education program of that
8 district is unable to meet the needs of a child because of his
9 or her disability.

10 Any educational or related services provided, pursuant to
11 this Section in a non-public school or special education
12 facility or a special education facility owned and operated by
13 a county government unit shall be at no cost to the parent or
14 guardian of the child. However, current law and practices
15 relative to contributions by parents or guardians for costs
16 other than educational or related services are not affected by
17 this amendatory Act of 1978.

18 Reimbursement for children attending public school
19 residential facilities shall be made in accordance with the
20 provisions of this Section.

21 Notwithstanding any other provision of law, any school
22 district receiving a payment under this Section or under
23 Section 14-7.02b, 14-13.01, or 29-0.01 ~~29-5~~ of this Code may
24 classify all or a portion of the funds that it receives in a
25 particular fiscal year or from general State aid pursuant to
26 Section 18-8.05 of this Code as funds received in connection

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

1 (Source: P.A. 93-1022, eff. 8-24-04; 94-177, eff. 7-12-05.)

2 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

3 Sec. 14-13.01. Reimbursement payable by State; amounts for
4 personnel and transportation.

5 (a) For staff working on behalf of children who have not
6 been identified as eligible for special education and for
7 eligible children with physical disabilities, including all
8 eligible children whose placement has been determined under
9 Section 14-8.02 in hospital or home instruction, 1/2 of the
10 teacher's salary but not more than \$1,000 annually per child or
11 \$9,000 per teacher, whichever is less. A child qualifies for
12 home or hospital instruction if it is anticipated that, due to
13 a medical condition, the child will be unable to attend school,
14 and instead must be instructed at home or in the hospital, for
15 a period of 2 or more consecutive weeks or on an ongoing
16 intermittent basis. For purposes of this Section, "ongoing
17 intermittent basis" means that the child's medical condition is
18 of such a nature or severity that it is anticipated that the
19 child will be absent from school due to the medical condition
20 for periods of at least 2 days at a time multiple times during
21 the school year totaling at least 10 days or more of absences.
22 There shall be no requirement that a child be absent from
23 school a minimum number of days before the child qualifies for
24 home or hospital instruction. In order to establish eligibility
25 for home or hospital services, a student's parent or guardian

1 must submit to the child's school district of residence a
2 written statement from a physician licensed to practice
3 medicine in all of its branches stating the existence of such
4 medical condition, the impact on the child's ability to
5 participate in education, and the anticipated duration or
6 nature of the child's absence from school. Home or hospital
7 instruction may commence upon receipt of a written physician's
8 statement in accordance with this Section, but instruction
9 shall commence not later than 5 school days after the school
10 district receives the physician's statement. Special education
11 and related services required by the child's IEP or services
12 and accommodations required by the child's federal Section 504
13 plan must be implemented as part of the child's home or
14 hospital instruction, unless the IEP team or federal Section
15 504 plan team determines that modifications are necessary
16 during the home or hospital instruction due to the child's
17 condition. Eligible children to be included in any
18 reimbursement under this paragraph must regularly receive a
19 minimum of one hour of instruction each school day, or in lieu
20 thereof of a minimum of 5 hours of instruction in each school
21 week in order to qualify for full reimbursement under this
22 Section. If the attending physician for such a child has
23 certified that the child should not receive as many as 5 hours
24 of instruction in a school week, however, reimbursement under
25 this paragraph on account of that child shall be computed
26 proportionate to the actual hours of instruction per week for

1 that child divided by 5. The State Board of Education shall
2 establish rules governing the required qualifications of staff
3 providing home or hospital instruction.

4 (b) (Blank). ~~For children described in Section 14-1.02, 80%~~
5 ~~of the cost of transportation approved as a related service in~~
6 ~~the Individualized Education Program for each student in order~~
7 ~~to take advantage of special educational facilities.~~
8 ~~Transportation costs shall be determined in the same fashion as~~
9 ~~provided in Section 29-5. For purposes of this subsection (b),~~
10 ~~the dates for processing claims specified in Section 29-5 shall~~
11 ~~apply.~~

12 (c) For each qualified worker, the annual sum of \$9,000.

13 (d) For one full time qualified director of the special
14 education program of each school district which maintains a
15 fully approved program of special education the annual sum of
16 \$9,000. Districts participating in a joint agreement special
17 education program shall not receive such reimbursement if
18 reimbursement is made for a director of the joint agreement
19 program.

20 (e) (Blank).

21 (f) (Blank).

22 (g) For readers, working with blind or partially seeing
23 children 1/2 of their salary but not more than \$400 annually
24 per child. Readers may be employed to assist such children and
25 shall not be required to be certified but prior to employment
26 shall meet standards set up by the State Board of Education.

1 (h) For non-certified employees, as defined by rules
2 promulgated by the State Board of Education, who deliver
3 services to students with IEPs, 1/2 of the salary paid or
4 \$3,500 per employee, whichever is less.

5 The State Board of Education shall set standards and
6 prescribe rules for determining the allocation of
7 reimbursement under this section on less than a full time basis
8 and for less than a school year.

9 When any school district eligible for reimbursement under
10 this Section operates a school or program approved by the State
11 Superintendent of Education for a number of days in excess of
12 the adopted school calendar but not to exceed 235 school days,
13 such reimbursement shall be increased by 1/180 of the amount or
14 rate paid hereunder for each day such school is operated in
15 excess of 180 days per calendar year.

16 Notwithstanding any other provision of law, any school
17 district receiving a payment under this Section or under
18 Section 14-7.02, 14-7.02b, or 29-0.01 ~~29-5~~ of this Code may
19 classify all or a portion of the funds that it receives in a
20 particular fiscal year or from general State aid pursuant to
21 Section 18-8.05 of this Code as funds received in connection
22 with any funding program for which it is entitled to receive
23 funds from the State in that fiscal year (including, without
24 limitation, any funding program referenced in this Section),
25 regardless of the source or timing of the receipt. The district
26 may not classify more funds as funds received in connection

1 with the funding program than the district is entitled to
2 receive in that fiscal year for that program. Any
3 classification by a district must be made by a resolution of
4 its board of education. The resolution must identify the amount
5 of any payments or general State aid to be classified under
6 this paragraph and must specify the funding program to which
7 the funds are to be treated as received in connection
8 therewith. This resolution is controlling as to the
9 classification of funds referenced therein. A certified copy of
10 the resolution must be sent to the State Superintendent of
11 Education. The resolution shall still take effect even though a
12 copy of the resolution has not been sent to the State
13 Superintendent of Education in a timely manner. No
14 classification under this paragraph by a district shall affect
15 the total amount or timing of money the district is entitled to
16 receive under this Code. No classification under this paragraph
17 by a district shall in any way relieve the district from or
18 affect any requirements that otherwise would apply with respect
19 to that funding program, including any accounting of funds by
20 source, reporting expenditures by original source and purpose,
21 reporting requirements, or requirements of providing services.
22 (Source: P.A. 96-257, eff. 8-11-09; 97-123, eff. 7-14-11.)

23 (105 ILCS 5/17-2) (from Ch. 122, par. 17-2)

24 Sec. 17-2. Tax levies; purposes; rates. Except as otherwise
25 provided in Articles 12 and 13 of this Act, the following

1 maximum rates shall apply to all taxes levied after August 10,
2 1965, in districts having a population of less than 500,000
3 inhabitants, including those districts organized under Article
4 11 of the School Code. The school board of any district having
5 a population of less than 500,000 inhabitants may levy a tax
6 annually, at not to exceed the maximum rates and for the
7 specified purposes, upon all the taxable property of the
8 district at the value, as equalized or assessed by the
9 Department of Revenue as follows:

10 (1) districts maintaining only grades 1 through 8, .92%
11 for educational purposes and .25% for operations and
12 maintenance purposes;

13 (2) districts maintaining only grades 9 through 12,
14 .92% for educational purposes and .25% for operations and
15 maintenance purposes;

16 (3) districts maintaining grades 1 through 12, 1.63%
17 for the 1985-86 school year, 1.68% for the 1986-87 school
18 year, 1.75% for the 1987-88 school year and 1.84% for the
19 1988-89 school year and thereafter for educational
20 purposes and .405% for the 1989-90 school year, .435% for
21 the 1990-91 school year, .465% for the 1991-92 school year,
22 and .50% for the 1992-93 school year and thereafter for
23 operations and maintenance purposes;

24 (4) all districts, 0.75% for capital improvement
25 purposes (which is in addition to the levy for operations
26 and maintenance purposes), which tax is to be levied,

1 accumulated for not more than 6 years, and spent for
2 capital improvement purposes (including but not limited to
3 the construction of a new school building or buildings or
4 the purchase of school grounds on which any new school
5 building is to be constructed or located, or both) only in
6 accordance with Section 17-2.3 of this Act;

7 (5) districts maintaining only grades 1 through 8, .12%
8 for transportation purposes, provided that districts
9 maintaining only grades kindergarten through 8 which have
10 an enrollment of at least 2600 students may levy, subject
11 to Section 17-2.2, at not to exceed a maximum rate of .20%
12 for transportation purposes for any school year in which
13 the number of students transported ~~requiring~~
14 ~~transportation~~ in the district exceeds by at least 2% the
15 number of students transported ~~requiring transportation~~ in
16 the district during the preceding school year, as verified
17 in the district's claim for pupil transportation and
18 reimbursement ~~and as certified by the State Board of~~
19 ~~Education to the county clerk of the county in which such~~
20 ~~district is located not later than November 15 following~~
21 ~~the submission of such claim;~~ districts maintaining only
22 grades 9 through 12, .12% for transportation purposes; and
23 districts maintaining grades 1 through 12, 0.24% for the
24 2013-2014 ~~.14% for the 1985-86 school year, .16% for the~~
25 ~~1986-87 school year, .18% for the 1987-88 school year and~~
26 ~~.20% for the 1988-89 school year and thereafter, for~~

1 transportation purposes;

2 (6) districts providing summer classes, .15% for
3 educational purposes, subject to Section 17-2.1 of this
4 Act.

5 Whenever any special charter school district operating
6 grades 1 through 12, has organized or shall organize under the
7 general school law, the district so organized may continue to
8 levy taxes at not to exceed the rate at which taxes were last
9 actually extended by the special charter district, except that
10 if such rate at which taxes were last actually extended by such
11 special charter district was less than the maximum rate for
12 districts maintaining grades 1 through 12 authorized under this
13 Section, such special charter district nevertheless may levy
14 taxes at a rate not to exceed the maximum rate for districts
15 maintaining grades 1 through 12 authorized under this Section,
16 and except that if any such district maintains only grades 1
17 through 8, the board may levy, for educational purposes, at a
18 rate not to exceed the maximum rate for elementary districts
19 authorized under this Section.

20 Maximum rates before or after established in excess of
21 those prescribed shall not be affected by the amendatory Act of
22 1965.

23 (Source: P.A. 87-984; 87-1023; 88-45.)

24 (105 ILCS 5/17-8) (from Ch. 122, par. 17-8)

25 Sec. 17-8. Transportation costs paid from transportation

1 fund. Any transportation operating costs incurred for
2 transporting pupils to and from school and school sponsored
3 activities and the costs of acquiring equipment shall be paid
4 from a transportation fund to consist of moneys received from
5 any tax levy for such purpose, state reimbursement for
6 transportation, except as provided in Section 29-0.01 of this
7 Code ~~29-5~~, all funds received from other districts for
8 transporting pupils and any charges for transportation
9 services rendered to individuals or auxiliary enterprises of
10 the school.

11 For the purpose of this Act "transportation operating cost"
12 shall include all costs of transportation except interest and
13 rental of building facilities.

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

15 (105 ILCS 5/29-0.01 new)

16 Sec. 29-0.01. Transportation by and reimbursement for
17 school districts, area vocational schools, and
18 State-authorized charter schools.

19 (a) This Section applies beginning on July 1, 2013.

20 (b) As used in this Section:

21 "District Average Per Student Transported" means the
22 average number of eligible public and non-public students
23 transported for regular transportation per year, which is
24 calculated by dividing the total number of days students
25 eligible for reimbursable transportation pursuant to

1 subsection (d) of this Section are enrolled in the school
2 district by the number of days of student attendance in the
3 school district's final district school year calendar.

4 "Statewide Average Per Student Amount" means the total
5 average number of eligible public and non-public students
6 transported for regular transportation per year across all
7 school districts divided by the cumulative amount of allowable
8 regular transportation costs across all school districts as
9 calculated pursuant to Section 29-0.10 of this Code and
10 applicable rules across all school districts.

11 "District Per Student Transported Amount" means the
12 product of (i) the District Average Per Student Transported and
13 (ii) the Statewide Average Per Student Transported Amount less
14 the District Qualifying Amount.

15 "District Qualifying Amount" means the product of the
16 school district equalized assessed valuation and the
17 qualifying rate as determined by district type. The qualifying
18 rate by district type is (i) 0.05% for a dual district
19 maintaining grades 9 through 12, 0.06% for an elementary school
20 district maintaining grades kindergarten through 8, and 0.07%
21 for unit districts maintaining grades kindergarten through 12,
22 including optional elementary unit districts and combined high
23 school - unit districts; provided that for optional elementary
24 unit districts and combined high school - unit districts,
25 assessed valuation for high school purposes, as defined in
26 Article 11E of this Code, must be used. For purposes of the

1 calculation in this paragraph, State-authorized charter
2 schools shall use the equalized assessed valuation of the
3 school district in which the State-authorized charter school is
4 physically located. For purposes of calculating claims for
5 reimbursement under this Section, the equalized assessed
6 valuation shall be computed in the same manner as it is
7 computed under paragraph (2) of subsection (G) of Section
8 18-8.05 of this Code.

9 "District Regular Transportation Miles" means the total
10 regular route and curricular-related field trip miles for
11 regular transportation per school year. Regular route miles
12 include, but are not limited to, all home-to-school and
13 school-to-home transportation, transportation to the school
14 attended from pick-up points at the beginning of the school day
15 and back again at the close of the school day or to and from
16 students' assigned school during the school day, and
17 transportation for the maintenance and inspection of school
18 buses.

19 "Statewide Average Per Mile Amount" means the total number
20 of eligible miles across all school districts divided by the
21 cumulative amount of allowable regular transportation costs as
22 calculated pursuant to Section 29-0.15 of this Code and
23 applicable rules across all school districts.

24 "District Per Mile Amount" means the product of (i) the
25 District Regular Transportation Miles and (ii) the Statewide
26 Average Per Mile Amount less the District Qualifying Amount.

1 (c) School districts, area vocational schools, and
2 State-authorized charter schools may provide transportation
3 for students in prekindergarten through grade 12.
4 Reimbursement and the ability to charge for such transportation
5 shall be governed by this Section and any rules adopted by the
6 State Board of Education in accordance with this Section and is
7 subject to appropriation by the General Assembly.

8 (d) If a school district, area vocational school, or
9 State-authorized charter school provides transportation, it
10 may submit claims for reimbursement and on such claims include
11 the following:

12 (1) resident prekindergarten through grade 12 students
13 residing at least one and one-half miles from the school
14 attended; and

15 (2) resident prekindergarten through grade 12 students
16 residing in an area less than one and one-half miles from
17 the school assigned where conditions are such that walking
18 constitutes a hazard to the safety of the student due to
19 vehicular traffic or rail crossings. The determination as
20 to what constitutes a hazard to the safety of the student
21 for purposes of this subsection (d) shall be made by the
22 school board, in accordance with guidelines promulgated by
23 the Department of Transportation, in consultation with the
24 State Superintendent of Education.

25 A school board, on written petition of the parent or
26 guardian of a student residing in an area less than one and

1 one-half miles from the school assigned for whom walking either
2 to or from the school to which a student is assigned or to or
3 from a pick-up point or bus stop constitutes a hazard to the
4 safety of the student in accordance with guidelines promulgated
5 by the Department of Transportation, shall conduct a study and
6 make findings, which the Department of Transportation shall
7 review and approve or disapprove as provided in this Section,
8 to determine whether a safety hazard exists as alleged in the
9 petition. The Department of Transportation shall review the
10 findings of the school board and shall approve or disapprove
11 the school board's determination that a safety hazard exists
12 within 30 days after the school board submits its findings to
13 the Department. The school board shall annually review the
14 conditions and determine whether or not the hazardous
15 conditions remain unchanged. The State Superintendent of
16 Education may request that the Department of Transportation
17 verify that the conditions have not changed. No action shall
18 lie against the school board, the State Superintendent of
19 Education, or the Department of Transportation for decisions
20 made in accordance with this Section. The provisions of the
21 Administrative Review Law and the rules adopted pursuant to the
22 Administrative Review Law shall apply to and govern all
23 proceedings instituted for the judicial review of final
24 administrative decisions of the Department of Transportation
25 under this Section.

26 For the purpose of this subsection (d), one and one-half

1 miles shall be measured from the exit of the property where the
2 student resides to the point where students are normally
3 unloaded at the school attended; such distance shall be
4 measured by determining the shortest distance on normally
5 traveled roads, streets, sidewalks, or walking paths. A walking
6 path is considered to be normally traveled if it is open to and
7 used by the general public for pedestrian travel throughout the
8 school year so that students can use the path when walking to
9 and from school. If a student is at a location within the
10 school district other than his or her residence for child care
11 purposes at the time for transportation to school, that
12 location may be considered for purposes of determining the one
13 and one-half miles from the school attended.

14 (e) Beginning with regular transportation claims submitted
15 for the 2012-2013 school year, the State shall reimburse each
16 school district and State-authorized charter school, subject
17 to this Section, the greater of either the "District Per
18 Student Transported Amount" or "District Per Mile Amount".

19 (f) Any school district or State-authorized charter school
20 transporting resident students during the school day to an area
21 vocational school or another school district's vocational
22 program more than one and one-half miles from the school
23 attended, as provided in Sections 10-22.20a and 10-22.22 of
24 this Code, shall be reimbursed by the State for 80% of the cost
25 of transporting eligible students.

26 (g) If an elementary or high school district does not have

1 at least a 0.12% transportation fund tax rate or if a unit
2 district does not have at least a 0.24% transportation fund tax
3 rate, the amount of the school district's claim as calculated
4 in this Section shall be reduced by the sum arrived at by
5 subtracting the transportation fund tax rate from 0.12% for
6 elementary and high school districts or 0.24% for unit
7 districts and multiplying that amount by the district's
8 equalized assessed valuation.

9 (h) In Fiscal Year 2014, school districts, area vocational
10 schools, and State-authorized charter schools shall not
11 receive transportation reimbursement under this Section for
12 the prior fiscal year totaling less than 50% of the gross
13 regular and vocational transportation amount reimbursed by the
14 State for transportation in Fiscal Year 2013. In this
15 subsection (h), Fiscal Year 2013 shall be referred to as the
16 base year. In Fiscal Year 2015, all school districts, area
17 vocational schools, and State-authorized charter schools shall
18 receive reimbursement no less than 25% of the base year. This
19 level of funding each fiscal year must be computed first. Any
20 remaining funds must be determined pursuant to the formula set
21 forth in this Section. Beginning in Fiscal Year 2016, school
22 districts, area vocational schools, and State-authorized
23 charter schools shall have all transportation reimbursement
24 claims determined pursuant to the formula set forth in this
25 Section. If the total amount calculated pursuant to this
26 Section is less than the available appropriation, the State

1 Board of Education shall proportionally reduce each claim to
2 make total adjusted claims equal the total amount appropriated.

3 (i) A school district, area vocational school, or
4 State-authorized charter school may assess a charge for the
5 provision of transportation, which shall not exceed the actual
6 cost thereof, including a reasonable allowance for depreciation
7 of the vehicles used; provided that any revenue obtained from
8 such charges are included on any claim submitted to the State
9 for reimbursement as an offset to allowable direct costs, and
10 any transportation charges for students living in households
11 that meet the free lunch or breakfast eligibility guidelines
12 established by the federal government pursuant to Section 1758
13 of the federal Richard B. Russell National School Lunch Act (42
14 U.S.C. 1758; 7 CFR 245 et seq.) must be waived.

15 Any school district, area vocational school, or
16 State-authorized charter school that participates in a
17 federally funded, school-based, child nutrition program and
18 uses a student's application for, eligibility for, or
19 participation in the federally funded, school-based, child
20 nutrition program (42 U.S.C. 1758; 7 CFR 245 et seq.) as the
21 basis for waiving transportation charges assessed by the school
22 district must follow the verification requirements of the
23 federally funded, school-based, child nutrition program (42
24 U.S.C. 1758; 7 CFR 245.6a).

25 A school district, area vocational school, or
26 State-authorized charter school that establishes a process for

1 the determination of eligibility for waiver of transportation
2 charges assessed by the school district that is completely
3 independent of a student's application for, eligibility for, or
4 participation in a federally funded, school-based, child
5 nutrition program may provide for transportation charge waiver
6 verification no more often than every 60 calendar days.
7 Information obtained during the independent, transportation
8 charge waiver verification process indicating that the student
9 does not meet free lunch or breakfast eligibility guidelines
10 may be used to deny the waiver of the student's transportation
11 charges, provided that any information obtained through this
12 independent process for determining or verifying eligibility
13 for transportation charge waivers must not be used to determine
14 or verify eligibility for any federally funded, school-based,
15 child nutrition program.

16 (105 ILCS 5/29-0.05 new)

17 Sec. 29-0.05. Transportation for special education
18 students.

19 (a) This Section applies beginning on July 1, 2013.

20 (b) Any school district, State-authorized charter school,
21 or special education cooperative transporting students
22 described in Section 14-1.02 of this Code who require special
23 transportation approved as a related service per the student's
24 individualized education program during the school day shall be
25 reimbursed by the State, subject to appropriation, for 80% of

1 the cost of transporting eligible students as provided in
2 Section 29-0.10 of this Code. Special education allowable costs
3 shall include expenditures for the salaries of attendants or
4 aides for that portion of the time they assist special
5 education students while in transit and expenditures for
6 parents and public carriers for transporting special education
7 students when pre-approved by the State Superintendent of
8 Education.

9 (105 ILCS 5/29-0.10 new)

10 Sec. 29-0.10. Allowable costs for transporting all
11 students.

12 (a) This Section applies beginning on July 1, 2013.

13 (b) The allowable cost of transporting all students is
14 limited to the sum of the direct costs set forth in this
15 Section and any applicable rules, less any
16 transportation-related revenue received, including without
17 limitation fees charged, but not including local tax revenue.
18 Such direct costs are physical examinations required for
19 employment as a school bus driver; the salaries of full or
20 part-time drivers and school bus maintenance personnel;
21 employee benefits, excluding Illinois municipal retirement
22 payments, social security payments, unemployment insurance
23 payments, and workers' compensation insurance premiums;
24 expenditures to independent carriers who operate school buses;
25 payments to other school districts for student transportation

1 services; pre-approved contractual expenditures for
2 computerized bus scheduling; the cost of gasoline, oil, tires,
3 and other supplies necessary for the operation of school buses;
4 the cost of converting buses' gasoline engines to more fuel
5 efficient engines or to engines that use alternative energy
6 sources; the cost of travel to meetings and workshops conducted
7 by the regional superintendent of schools or the State
8 Superintendent of Education pursuant to the standards
9 established by the Secretary of State under Section 6-106.1 of
10 the Illinois Vehicle Code to improve the driving skills of
11 school bus drivers; the cost of maintenance of school buses,
12 including parts and materials used; expenditures for leasing
13 transportation vehicles, except interest and service charges;
14 the cost of insurance and licenses for transportation vehicles;
15 expenditures for the rental of transportation equipment; and a
16 depreciation allowance of 20% for 5 years for school buses
17 transporting students to and from school and a depreciation
18 allowance of 10% for 10 years for other transportation
19 equipment so used.

20 (c) Each school year, if a school district has made
21 expenditures to the Regional Transportation Authority or any of
22 its service boards, a mass transit district, or an urban
23 transportation district under an intergovernmental agreement
24 with the school district to provide for the transportation of
25 students and if the public transit carrier received direct
26 payment for services or passes from the school district within

1 its service area during the 2000-2001 school year, then the
2 allowable direct cost of transporting students for regular,
3 vocational, and special education transportation shall also
4 include the expenditures that the school district has made to
5 the public transit carrier. In addition to these allowable
6 costs, school districts shall also claim all transportation
7 supervisory salary costs, including Illinois municipal
8 retirement payments, and all transportation-related building
9 and building maintenance costs without limitation.

10 (d) Indirect costs must be included in the reimbursement
11 claim for school districts that own and operate their own
12 school buses. Such indirect costs shall include administrative
13 costs or any costs attributable to transporting students from
14 their schools to another school building for instructional
15 purposes. No school district that owns and operates its own
16 school buses may claim reimbursement for indirect costs that
17 exceed 5% of the total allowable direct costs for
18 transportation.

19 (e) The State Board of Education shall prescribe rules
20 related to the provision of and reimbursement for student
21 transportation.

22 (105 ILCS 5/29-0.15 new)

23 Sec. 29-0.15. Submission of claims and receipt of funds.

24 (a) This Section applies beginning on July 1, 2013.

25 (b) On or before August 15, annually, the chief school

1 administrator for the school district, area vocational school,
2 special education cooperative, or State-authorized charter
3 school shall certify to the State Superintendent of Education
4 the entity's claim for reimbursement for the school year ending
5 on June 30 preceding. The State Superintendent of Education
6 shall check and approve the claims and prepare the vouchers
7 showing the amounts due. Each fiscal year, the State
8 Superintendent of Education shall prepare and transmit the
9 first 3 vouchers to the Comptroller on the 30th day of
10 September, December, and March, respectively, and the final
11 voucher no later than June 20.

12 (c) All reimbursements received from the State shall be
13 deposited into the transportation fund or into the fund from
14 which the allowable expenditures were made. Notwithstanding
15 any other provision of law, any school district receiving a
16 payment under this Section or under Section 14-7.02, 14-7.02b,
17 or 14-13.01 of this Code may classify all or a portion of the
18 funds that it receives in a particular fiscal year or from
19 general State aid pursuant to Section 18-8.05 of this Code as
20 funds received in connection with any funding program for which
21 it is entitled to receive funds from the State in that fiscal
22 year (including without limitation any funding program
23 referenced in this Section), regardless of the source or timing
24 of the receipt. The district may not classify more funds as
25 funds received in connection with the funding program than the
26 district is entitled to receive in that fiscal year for that

1 program. Any classification by a district must be made by a
2 resolution of its school board. The resolution must identify
3 the amount of any payments or general State aid to be
4 classified under this subsection (c) and must specify the
5 funding program to which the funds are to be treated as
6 received in connection therewith. This resolution is
7 controlling as to the classification of funds referenced
8 therein. A certified copy of the resolution must be sent to the
9 State Superintendent of Education. The resolution shall still
10 take effect even though a copy of the resolution has not been
11 sent to the State Superintendent of Education in a timely
12 manner. No classification under this subsection (c) by a
13 district shall affect the total amount or timing of money the
14 district is entitled to receive under this Code. No
15 classification under this subsection (c) by a district shall in
16 any way relieve the district from or affect any requirements
17 that otherwise would apply with respect to that funding
18 program, including any accounting of funds by source, reporting
19 expenditures by original source and purpose, reporting
20 requirements, or requirements of providing services. Any
21 school district with a population of not more than 500,000 must
22 deposit all funds received under this Article into the
23 transportation fund and use those funds for the provision of
24 transportation services.

1 Sec. 29-1. Free transportation of pupils.

2 School boards may provide free transportation for pupils,
3 as prescribed in Section 10--22.22.

4 This Section is repealed on July 1, 2013.

5 (Source: Laws 1961, p. 31.)

6 (105 ILCS 5/29-2) (from Ch. 122, par. 29-2)

7 Sec. 29-2. Transportation of pupils less than one and
8 one-half miles from school.

9 School boards may provide transportation for pupils living
10 less than one and one-half miles as measured by the customary
11 route of travel from the school attended and may make a charge
12 for such transportation in an amount of not to exceed the cost
13 thereof, which shall include a reasonable allowance for
14 depreciation of the vehicles so used.

15 This Section is repealed on July 1, 2013.

16 (Source: Laws 1961, p. 31.)

17 (105 ILCS 5/29-3) (from Ch. 122, par. 29-3)

18 Sec. 29-3. Transportation in school districts. School
19 boards of community consolidated districts, community unit
20 districts, consolidated districts, consolidated high school
21 districts, optional elementary unit districts, combined high
22 school - unit districts, combined school districts if the
23 combined district includes any district which was previously
24 required to provide transportation, and any newly created

1 elementary or high school districts resulting from a high
2 school - unit conversion, a unit to dual conversion, or a
3 multi-unit conversion if the newly created district includes
4 any area that was previously required to provide transportation
5 shall provide free transportation for pupils residing at a
6 distance of one and one-half miles or more from any school to
7 which they are assigned for attendance maintained within the
8 district, except for those pupils for whom the school board
9 shall certify to the State Board of Education that adequate
10 transportation for the public is available.

11 For the purpose of this Act 1 1/2 miles distance shall be
12 from the exit of the property where the pupil resides to the
13 point where pupils are normally unloaded at the school
14 attended; such distance shall be measured by determining the
15 shortest distance on normally traveled roads or streets.

16 Such school board may comply with the provisions of this
17 Section by providing free transportation for pupils to and from
18 an assigned school and a pick-up point located not more than
19 one and one-half miles from the home of each pupil assigned to
20 such point.

21 For the purposes of this Act "adequate transportation for
22 the public" shall be assumed to exist for such pupils as can
23 reach school by walking, one way, along normally traveled roads
24 or streets less than 1 1/2 miles irrespective of the distance
25 the pupil is transported by public transportation.

26 In addition to the other requirements of this Section, each

1 school board may provide free transportation for any pupil
2 residing within 1 1/2 miles from the school attended where
3 conditions are such that walking, either to or from the school
4 to which a pupil is assigned for attendance or to or from a
5 pick-up point or bus stop, constitutes a serious hazard to the
6 safety of the pupil due to vehicular traffic or rail crossings.
7 Such transportation shall not be provided if adequate
8 transportation for the public is available.

9 The determination as to what constitutes a serious safety
10 hazard shall be made by the school board, in accordance with
11 guidelines promulgated by the Illinois Department of
12 Transportation, in consultation with the State Superintendent
13 of Education. A school board, on written petition of the parent
14 or guardian of a pupil for whom adequate transportation for the
15 public is alleged not to exist because the pupil is required to
16 walk along normally traveled roads or streets where walking is
17 alleged to constitute a serious safety hazard due to vehicular
18 traffic or rail crossings, or who is required to walk between
19 the pupil's home and assigned school or between the pupil's
20 home or assigned school and a pick-up point or bus stop along
21 roads or streets where walking is alleged to constitute a
22 serious safety hazard due to vehicular traffic or rail
23 crossings, shall conduct a study and make findings, which the
24 Department of Transportation shall review and approve or
25 disapprove as provided in this Section, to determine whether a
26 serious safety hazard exists as alleged in the petition. The

1 Department of Transportation shall review the findings of the
2 school board and shall approve or disapprove the school board's
3 determination that a serious safety hazard exists within 30
4 days after the school board submits its findings to the
5 Department. The school board shall annually review the
6 conditions and determine whether or not the hazardous
7 conditions remain unchanged. The State Superintendent of
8 Education may request that the Illinois Department of
9 Transportation verify that the conditions have not changed. No
10 action shall lie against the school board, the State
11 Superintendent of Education or the Illinois Department of
12 Transportation for decisions made in accordance with this
13 Section. The provisions of the Administrative Review Law and
14 all amendments and modifications thereof and the rules adopted
15 pursuant thereto shall apply to and govern all proceedings
16 instituted for the judicial review of final administrative
17 decisions of the Department of Transportation under this
18 Section.

19 This Section is repealed on July 1, 2013.

20 (Source: P.A. 94-439, eff. 8-4-05; 95-903, eff. 8-25-08.)

21 (105 ILCS 5/29-3.2a) (from Ch. 122, par. 29-3.2a)

22 Sec. 29-3.2a. Transportation to and from summer school
23 sessions.→ The school board of any school district that
24 provides transportation for pupils to and from the school
25 attended may provide transportation for pupils to and from

1 school during that period of the calendar year not embraced
2 with the regular school term in which courses are taught for
3 any pupils of the district who might participate, and may make
4 a charge for such transportation in an amount not to exceed the
5 cost thereof, which may include a reasonable allowance for
6 depreciation of the vehicles so used; provided no charge shall
7 be made for transportation of the types of children defined in
8 Sections 14-1.02 through 14-1.03a ~~14-1.07~~ of this Code Act and
9 school boards providing such transportation shall be
10 reimbursed pursuant to Section 29-0.05 ~~14-13.01~~ of this Code
11 Act.

12 (Source: P.A. 79-203.)

13 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

14 Sec. 29-5. Reimbursement by State for transportation. Any
15 school district, maintaining a school, transporting resident
16 pupils to another school district's vocational program,
17 offered through a joint agreement approved by the State Board
18 of Education, as provided in Section 10-22.22 or transporting
19 its resident pupils to a school which meets the standards for
20 recognition as established by the State Board of Education
21 which provides transportation meeting the standards of safety,
22 comfort, convenience, efficiency and operation prescribed by
23 the State Board of Education for resident pupils in
24 kindergarten or any of grades 1 through 12 who: (a) reside at
25 least 1 1/2 miles as measured by the customary route of travel,

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

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

1 multiplying that amount by the districts equalized or assessed
2 valuation, provided, that in no case shall said reduction
3 result in reimbursement of less than 4/5 of the cost to
4 transport eligible pupils.

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

7 When calculating the reimbursement for transportation
8 costs, the State Board of Education may not deduct the number
9 of pupils enrolled in early education programs from the number
10 of pupils eligible for reimbursement if the pupils enrolled in
11 the early education programs are transported at the same time
12 as other eligible pupils.

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

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

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

26 Claims for reimbursement that include children who attend

1 any school other than a public school shall show the number of
2 such children transported.

3 Claims for reimbursement under this Section shall not be
4 paid for the transportation of pupils for whom transportation
5 costs are claimed for payment under other Sections of this Act.

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

1 of school buses including parts and materials used;
2 expenditures for leasing transportation vehicles, except
3 interest and service charges; the cost of insurance and
4 licenses for transportation vehicles; expenditures for the
5 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. Each school year, if a school
10 district has made expenditures to the Regional Transportation
11 Authority or any of its service boards, a mass transit
12 district, or an urban transportation district under an
13 intergovernmental agreement with the district to provide for
14 the transportation of pupils and if the public transit carrier
15 received direct payment for services or passes from a school
16 district within its service area during the 2000-2001 school
17 year, then the allowable direct cost of transporting pupils for
18 regular, vocational, and special education pupil
19 transportation shall also include the expenditures that the
20 district has made to the public transit carrier. In addition to
21 the above allowable costs school districts shall also claim all
22 transportation supervisory salary costs, including Illinois
23 municipal retirement payments, and all transportation related
24 building and building maintenance costs without limitation.

25 Special education allowable costs shall also include
26 expenditures for the salaries of attendants or aides for that

1 portion of the time they assist special education pupils while
2 in transit and expenditures for parents and public carriers for
3 transporting special education pupils when pre-approved by the
4 State Superintendent of Education.

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

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

1 On or before August 15, annually, the chief school
2 administrator for the district shall certify to the State
3 Superintendent of Education the district's claim for
4 reimbursement for the school year ending on June 30 next
5 preceding. The State Superintendent of Education shall check
6 and approve the claims and prepare the vouchers showing the
7 amounts due for district reimbursement claims. Each fiscal
8 year, the State Superintendent of Education shall prepare and
9 transmit the first 3 vouchers to the Comptroller on the 30th
10 day of September, December and March, respectively, and the
11 final voucher, no later than June 20.

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

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

24 All reimbursements received from the State shall be
25 deposited into the district's transportation fund or into the
26 fund from which the allowable expenditures were made.

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

1 receive under this Code. No classification under this paragraph
2 by a district shall in any way relieve the district from or
3 affect any requirements that otherwise would apply with respect
4 to that funding program, including any accounting of funds by
5 source, reporting expenditures by original source and purpose,
6 reporting requirements, or 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 into
9 the transportation fund and use those funds for the provision
10 of transportation services.

11 This Section is repealed on July 1, 2013.

12 (Source: P.A. 95-903, eff. 8-25-08; 96-1264, eff. 1-1-11.)

13 (105 ILCS 5/29-5.2) (from Ch. 122, par. 29-5.2)

14 Sec. 29-5.2. Reimbursement of transportation.

15 (a) Reimbursement. A custodian of a qualifying pupil shall
16 be entitled to reimbursement in accordance with procedures
17 established by the State Board of Education for qualified
18 transportation expenses paid by such custodian during the
19 school year.

20 (b) Definitions. As used in this Section:

21 (1) "Qualifying pupil" means an individual referred to in
22 subsection (c), as well as an individual who:

23 (A) is a resident of the State of Illinois; and

24 (B) is under the age of 21 at the close of the school year
25 for which reimbursement is sought; and

1 (C) during the school year for which reimbursement is
2 sought was a full-time pupil enrolled in a kindergarten through
3 12th grade educational program at a school which was a distance
4 of 1 1/2 miles or more from the residence of such pupil; and

5 (D) did not live within 1 1/2 miles from the school in
6 which the pupil was enrolled or have access to transportation
7 provided entirely at public expense to and from that school and
8 a point within 1 1/2 miles of the pupil's residence, measured
9 in a manner consistent with Section 29-0.01 of this Code ~~29-3~~.

10 (2) "Qualified transportation expenses" means costs
11 reasonably incurred by the custodian to transport, for the
12 purposes of attending regularly scheduled day-time classes, a
13 qualifying pupil between such qualifying pupil's residence and
14 the school at which such qualifying pupil is enrolled, as
15 limited in subsection (e) of this Section, and shall include
16 automobile expenses at the standard mileage rate allowed by the
17 United States Internal Revenue Service as reimbursement for
18 business transportation expense, as well as payments to mass
19 transit carriers, private carriers, and contractual fees for
20 transportation.

21 (3) "School" means a public or nonpublic elementary or
22 secondary school in Illinois, attendance at which satisfies the
23 requirements of Section 26-1.

24 (4) One and one-half miles distance. For the purposes of
25 this Section, 1 1/2 miles distance shall be measured in a
26 manner consistent with Section 29-0.01 of this Code ~~29-3~~.

1 (5) Custodian. The term "custodian" shall mean, with
2 respect to a qualifying pupil, an Illinois resident who is the
3 parent, or parents, or legal guardian of such qualifying pupil.

4 (c) An individual, resident of the State of Illinois, who
5 is under the age of 21 at the close of the school year for which
6 reimbursement is sought and who, during that school year, was a
7 full time pupil enrolled in a kindergarten through 12th grade
8 educational program at a school which was within 1 1/2 miles of
9 the pupil's residence, measured in a manner consistent with
10 Section 29-0.01 of this Code ~~29-3~~, is a "qualifying pupil"
11 within the meaning of this Section if: (i) such pupil did not
12 have access to transportation provided entirely at public
13 expense to and from that school and the pupil's residence, and
14 (ii) conditions were such that walking would have constituted a
15 serious hazard to the safety of the pupil due to vehicular
16 traffic. The determination of what constitutes a serious safety
17 hazard within the meaning of this subsection shall in each case
18 be made by the Department of Transportation in accordance with
19 guidelines which the Department, in consultation with the State
20 Superintendent of Education, shall promulgate. Each custodian
21 intending to file an application for reimbursement under
22 subsection (d) for expenditures incurred or to be incurred with
23 respect to a pupil asserted to be a qualified pupil as an
24 individual referred to in this subsection shall first file with
25 the appropriate regional superintendent, on forms provided by
26 the State Board of Education, a request for a determination

1 that a serious safety hazard within the meaning of this
2 subsection (c) exists with respect to such pupil. Custodians
3 shall file such forms with the appropriate regional
4 superintendents not later than February 1 of the school year
5 for which reimbursement will be sought for transmittal by the
6 regional superintendents to the Department of Transportation
7 not later than February 15; except that any custodian who
8 previously received a determination that a serious safety
9 hazard exists need not resubmit such a request for 4 years but
10 instead may certify on their application for reimbursement to
11 the State Board of Education referred to in subsection (d),
12 that the conditions found to be hazardous, as previously
13 determined by the Department, remain unchanged. The Department
14 shall make its determination on all requests so transmitted to
15 it within 30 days, and shall thereupon forward notice of each
16 determination which it has made to the appropriate regional
17 superintendent for immediate transmittal to the custodian
18 affected thereby. The determination of the Department relative
19 to what constitutes a serious safety hazard within the meaning
20 of subsection (c) with respect to any pupil shall be deemed an
21 "administrative decision" as defined in Section 3-101 of the
22 Administrative Review Law; and the Administrative Review Law
23 and all amendments and modifications thereof and rules adopted
24 pursuant thereto shall apply to and govern all proceedings
25 instituted for the judicial review of final administrative
26 decisions of the Department of Transportation under this

1 subsection.

2 (d) Request for reimbursement. A custodian, including a
3 custodian for a pupil asserted to be a qualified pupil as an
4 individual referred to in subsection (c), who applies in
5 accordance with procedures established by the State Board of
6 Education shall be reimbursed in accordance with the dollar
7 limits set out in this Section. Such procedures shall require
8 application no later than June 30 of each year, documentation
9 as to eligibility, and adequate evidence of expenditures;
10 except that for reimbursement sought pursuant to subsection (c)
11 for the 1985-1986 school year, such procedures shall require
12 application within 21 days after the determination of the
13 Department of Transportation with respect to that school year
14 is transmitted by the regional superintendent to the affected
15 custodian. In the absence of contemporaneous records, an
16 affidavit by the custodian may be accepted as evidence of an
17 expenditure. If the amount appropriated for such reimbursement
18 for any year is less than the amount due each custodian, it
19 shall be apportioned on the basis of the requests approved.
20 Regional Superintendents shall be reimbursed for such costs of
21 administering the program, including costs incurred in
22 administering the provisions of subsection (c), as the State
23 Board of Education determines are reasonable and necessary.

24 (e) Dollar limit on amount of reimbursement. Reimbursement
25 to custodians for transportation expenses incurred during the
26 1985-1986 school year, payable in fiscal year 1987, shall be

1 equal to the lesser of (1) the actual qualified transportation
2 expenses, or (2) \$50 per pupil. Reimbursement to custodians for
3 transportation expenses incurred during the 1986-1987 school
4 year, payable in fiscal year 1988, shall be equal to the lesser
5 of (1) the actual qualified transportation expenses, or (2)
6 \$100 per pupil. For reimbursements of qualified transportation
7 expenses incurred in 1987-1988 and thereafter, the amount of
8 reimbursement shall not exceed the prior year's State
9 reimbursement per pupil for transporting pupils as required by
10 Section 29-0.01 of this Code ~~29-3~~ and other provisions of this
11 Article.

12 (f) Rules and regulations. The State Board of Education
13 shall adopt rules to implement this Section.

14 (g) The provisions of this amendatory Act of 1986 shall
15 apply according to their terms to the entire 1985-1986 school
16 year, including any portion of that school year which elapses
17 prior to the effective date of this amendatory Act, and to each
18 subsequent school year.

19 (h) The chief administrative officer of each school shall
20 notify custodians of qualifying pupils that reimbursements are
21 available. Notification shall occur by the first Monday in
22 November of the school year for which reimbursement is
23 available.

24 (Source: P.A. 91-357, eff. 7-29-99.)

1 Sec. 29-6.3. Transportation to and from specified
2 interscholastic or school-sponsored activities.

3 (a) Any school district transporting students in grade
4 12 or below for an interscholastic, interscholastic athletic,
5 or school-sponsored, noncurriculum-related activity that (i)
6 does not require student participation as part of the
7 educational services of the district and (ii) is not associated
8 with the students' regular class-for-credit schedule or
9 required 5 clock hours of instruction shall transport the
10 students only in a school bus, a vehicle manufactured to
11 transport not more than 10 persons, including the driver, or a
12 multifunction school-activity bus manufactured to transport
13 not more than 15 persons, including the driver.

14 (b) Any school district furnishing transportation for
15 students under the authority of this Section shall insure
16 against any loss or liability of the district resulting from
17 the maintenance, operation, or use of the vehicle.

18 (c) ~~(Blank). Vehicles used to transport students under this~~
19 ~~Section may claim a depreciation allowance of 20% over 5 years~~
20 ~~as provided in Section 29-5 of this Code.~~

21 (Source: P.A. 96-410, eff. 7-1-10.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law, except that the changes to Sections 3-14.23,
24 13A-9, 13B-20.35, 14-7.02, 14-13.01, 17-2, 17-8, 29-3.2a,
25 29-5.2, and 29-6.3 of the School Code take effect on July 1,

1 2013."