



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5432

Introduced 2/13/2026, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

105 ILCS 5/12-11.5	from Ch. 122, par. 12-11.5
105 ILCS 5/29-3	from Ch. 122, par. 29-3
105 ILCS 5/29-5	from Ch. 122, par. 29-5

Amends the Transportation Article of the School Code. With respect to the provision of free transportation for pupils, allows a school district to pay the public transit fees of pupils instead (rather than providing an exception for pupils for whom the school board certifies to the State Board of Education that adequate transportation for the public is available). Provides that the school board of a school district in cities of over 500,000 inhabitants shall pay the public transit fees of pupils in grades 9 through 12 residing at a distance of one and one-half miles or more from any school to which they are assigned for attendance maintained within the school district. In provisions allowing for free transportation if conditions are such that walking constitutes a serious hazard, removes the provision specifying that such transportation shall not be provided if adequate transportation for the public is available. Makes related changes.

LRB104 20605 LNS 34096 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 12-11.5, 29-3, and 29-5 as follows:

6 (105 ILCS 5/12-11.5) (from Ch. 122, par. 12-11.5)

7 Sec. 12-11.5. Transportation of pupils. If in the
8 discretion of the board of education sufficient moneys of the
9 district are available after payment of the other expenses of
10 the district, including tuition, may provide free
11 transportation for or pay the public transit fees of the
12 pupils of the ~~their~~ district not living within one and
13 one-half miles of a high school which they may lawfully attend
14 to the most convenient high school which such pupils may
15 lawfully attend under the provisions of this Code ~~Act~~, or
16 reimburse pupils living in a portion of such district which
17 cannot be reached by bus or train for the reasonable cost of
18 their transportation, or for the amount necessarily expended
19 by them for transportation in attending a high school approved
20 by such board.

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

22 (105 ILCS 5/29-3) (from Ch. 122, par. 29-3)

1 Sec. 29-3. Transportation in school districts. School
2 boards of community consolidated districts, community unit
3 districts, consolidated districts, consolidated high school
4 districts, optional elementary unit districts, combined high
5 school - unit districts, combined school districts if the
6 combined district includes any district which was previously
7 required to provide transportation, and any newly created
8 elementary or high school districts resulting from a high
9 school - unit conversion, a unit to dual conversion, or a
10 multi-unit conversion if the newly created district includes
11 any area that was previously required to provide
12 transportation shall provide free transportation for or pay
13 the public transit fees of pupils residing at a distance of one
14 and one-half miles or more from any school to which they are
15 assigned for attendance maintained within the district, ~~except~~
16 ~~for those pupils for whom the school board shall certify to the~~
17 ~~State Board of Education that adequate transportation for the~~
18 ~~public is available.~~

19 The school board of a school district organized under
20 Article 34 shall pay the public transit fees of pupils in
21 grades 9 through 12 residing at a distance of one and one-half
22 miles or more from any school to which they are assigned for
23 attendance maintained within the school district.

24 For the purpose of this Act 1 1/2 miles distance shall be
25 from the exit of the property where the pupil resides to the
26 point where pupils are normally unloaded at the school

1 attended; such distance shall be measured by determining the
2 shortest distance on normally traveled roads or streets.

3 Such school board may comply with the provisions of this
4 Section by providing free transportation for pupils to and
5 from an assigned school and a pick-up point located not more
6 than one and one-half miles from the home of each pupil
7 assigned to such point.

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

13 In addition to the other requirements of this Section,
14 each school board may provide free transportation for any
15 pupil residing within 1 1/2 miles from the school attended
16 where conditions are such that walking, either to or from the
17 school to which a pupil is assigned for attendance or to or
18 from a pick-up point or bus stop, constitutes a serious hazard
19 to the safety of the pupil due to either (i) vehicular traffic
20 or rail crossings or (ii) a course or pattern of criminal
21 activity, as defined in Section 10 of the Illinois Streetgang
22 Terrorism Omnibus Prevention Act. ~~Such transportation shall~~
23 ~~not be provided if adequate transportation for the public is~~
24 ~~available.~~

25 The determination as to what constitutes a serious safety
26 hazard shall be made by the school board, in accordance with

1 guidelines promulgated by the Illinois Department of
2 Transportation regarding vehicular traffic or rail crossings
3 or in accordance with guidelines regarding a course or pattern
4 of criminal activity, as determined by the local law
5 enforcement agency, in consultation with the State
6 Superintendent of Education. A school board, on written
7 petition of the parent or guardian of a pupil for whom adequate
8 transportation for the public is alleged not to exist because
9 the pupil is required to walk along normally traveled roads or
10 streets where walking is alleged to constitute a serious
11 safety hazard due to either (i) vehicular traffic or rail
12 crossings or (ii) a course or pattern of criminal activity, or
13 who is required to walk between the pupil's home and assigned
14 school or between the pupil's home or assigned school and a
15 pick-up point or bus stop along roads or streets where walking
16 is alleged to constitute a serious safety hazard due to either
17 (i) vehicular traffic or rail crossings or (ii) a course or
18 pattern of criminal activity, shall conduct a study and make
19 findings, which the Department of Transportation, with respect
20 to vehicular traffic or rail crossings, or the State Board of
21 Education, in consultation with the local law enforcement
22 agency, with respect to a course or pattern of criminal
23 activity, shall review and approve or disapprove as provided
24 in this Section, to determine whether a serious safety hazard
25 exists as alleged in the petition. The Department of
26 Transportation shall review the findings of the school board

1 concerning vehicular traffic or rail crossings and shall
2 approve or disapprove the school board's determination that a
3 serious safety hazard exists within 30 days after the school
4 board submits its findings to the Department of
5 Transportation. The State Board of Education, in consultation
6 with the local law enforcement agency, shall review the
7 findings of the school board concerning a course or pattern of
8 criminal activity and shall approve or disapprove the school
9 board's determination that a serious safety hazard exists
10 within 30 days after the school board submits its findings to
11 the State Board. The school board shall annually review the
12 conditions and determine whether or not the hazardous
13 conditions remain unchanged. The State Superintendent of
14 Education may request that the Illinois Department of
15 Transportation or the local law enforcement agency verify that
16 the conditions have not changed. No action shall lie against
17 the school board, the State Superintendent of Education, the
18 Illinois Department of Transportation, the State Board of
19 Education, or a local law enforcement agency for decisions
20 made in accordance with this Section. The provisions of the
21 Administrative Review Law and all amendments and modifications
22 thereof and the rules adopted pursuant thereto shall apply to
23 and govern all proceedings instituted for the judicial review
24 of final administrative decisions of the Department of
25 Transportation, the State Board of Education, or a local law
26 enforcement agency under this Section. At all points, except

1 when otherwise mentioned in this Section, the local
2 enforcement agency is authorized to determine what constitutes
3 a course or pattern of criminal activity.

4 The changes made to this Section by this amendatory Act of
5 the 100th General Assembly do not apply to a school district
6 organized under Article 34 of this Code.

7 (Source: P.A. 100-1142, eff. 11-28-18.)

8 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

9 (Text of Section before amendment by P.A. 104-457)

10 Sec. 29-5. Reimbursement by State for transportation. Any
11 school district or State-authorized charter school,
12 maintaining a school, transporting resident pupils to another
13 school district's vocational program, offered through a joint
14 agreement approved by the State Board of Education, as
15 provided in Section 10-22.22 or transporting its resident
16 pupils to a school which meets the standards for recognition
17 as established by the State Board of Education which provides
18 transportation meeting the standards of safety, comfort,
19 convenience, efficiency and operation prescribed by the State
20 Board of Education for resident pupils in kindergarten or any
21 of grades 1 through 12 who: (a) reside at least 1 1/2 miles as
22 measured by the customary route of travel, from the school
23 attended; or (b) reside in areas where conditions are such
24 that walking constitutes a hazard to the safety of the child
25 when determined under Section 29-3; and (c) are transported to

1 the school attended from pick-up points at the beginning of
2 the school day and back again at the close of the school day or
3 transported to and from their assigned attendance centers
4 during the school day shall be reimbursed by the State as
5 hereinafter provided in this Section.

6 The State will pay the prorated allowable cost of
7 transporting eligible pupils less the real equalized assessed
8 valuation as computed under paragraph (3) of subsection (d) of
9 Section 18-8.15 in a dual school district maintaining
10 secondary grades 9 to 12 inclusive times a qualifying rate of
11 .05%; in elementary school districts maintaining grades K to 8
12 times a qualifying rate of .06%; and in unit districts
13 maintaining grades K to 12, including partial elementary unit
14 districts formed pursuant to Article 11E, times a qualifying
15 rate of .07%. For a State-authorized charter school, the State
16 shall pay the prorated allowable cost of transporting eligible
17 pupils less a real equalized assessed valuation calculated
18 pursuant to this Section times a qualifying rate. For purposes
19 of calculating the real equalized assessed valuation for a
20 State-authorized charter school whose resident district is not
21 a school district organized under Article 34 of this Code, the
22 State Board of Education shall calculate the average of the
23 number of students in grades kindergarten through 12 reported
24 as enrolled in the charter school in the State Board's Student
25 Information System on October 1 and March 1 of the immediately
26 preceding school year. That value shall be divided by the

1 average of the number of students in grades kindergarten
2 through 12 reported as enrolled in the charter school's
3 resident district on October 1 and March 1 of the immediately
4 preceding school year. That proportion shall be multiplied by
5 the real equalized assessed valuation as computed under
6 paragraph (3) of subsection (d) of Section 18-8.15 for each
7 State-authorized charter school's applicable resident
8 district. A State-authorized charter school whose resident
9 district is organized under Article 34 of this Code shall have
10 a real equalized assessed valuation equal to the real
11 equalized assessed valuation of its resident district as
12 computed under paragraph (3) of subsection (d) of Section
13 18-8.15. A State-authorized charter school's qualifying rate
14 shall be the same as the rate that applies to the charter
15 school's resident district.

16 To be eligible to receive reimbursement in excess of 4/5
17 of the cost to transport eligible pupils, a school district or
18 partial elementary unit district formed pursuant to Article
19 11E shall have a Transportation Fund tax rate of at least .12%.
20 The Transportation Fund tax rate for a partial elementary unit
21 district formed pursuant Article 11E shall be the combined
22 elementary and high school rates pursuant to paragraph (4) of
23 subsection (a) of Section 18-8.15.

24 If a school district or partial elementary unit district
25 formed pursuant to Article 11E does not have a .12%
26 Transportation Fund tax rate, the amount of its claim in

1 excess of 4/5 of the cost of transporting pupils shall be
2 reduced by the sum arrived at by subtracting the
3 Transportation Fund tax rate from .12% and multiplying that
4 amount by the district's real equalized assessed valuation as
5 computed under paragraph (3) of subsection (d) of Section
6 18-8.15, provided that in no case shall said reduction result
7 in reimbursement of less than 4/5 of the cost to transport
8 eligible pupils. No such adjustment may be applied to a claim
9 filed by a State-authorized charter school.

10 Subject to the calculation of equalized assessed
11 valuation, an adjustment for an insufficient tax rate, and the
12 use of a qualifying rate as provided in this Section, a
13 State-authorized charter school may make a claim for
14 reimbursement by the State that is calculated in the same
15 manner as a school district.

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

18 When calculating the reimbursement for transportation
19 costs, the State Board of Education may not deduct the number
20 of pupils enrolled in early education programs from the number
21 of pupils eligible for reimbursement if the pupils enrolled in
22 the early education programs are transported at the same time
23 as other eligible pupils.

24 Any such district transporting resident pupils during the
25 school day to an area vocational school or another school
26 district's vocational program more than 1 1/2 miles from the

1 school attended, as provided in Sections 10-22.20a and
2 10-22.22, shall be reimbursed by the State for 4/5 of the cost
3 of transporting eligible pupils.

4 School day means that period of time during which the
5 pupil is required to be in attendance for instructional
6 purposes.

7 If a pupil is at a location within the school district
8 other than his residence for child care purposes at the time
9 for transportation to school, that location may be considered
10 for purposes of determining the 1 1/2 miles from the school
11 attended.

12 Claims for reimbursement that include children who attend
13 any school other than a public school shall show the number of
14 such children transported.

15 Claims for reimbursement under this Section shall not be
16 paid for the transportation of pupils for whom transportation
17 costs are claimed for payment under other Sections of this
18 Act.

19 The allowable direct cost of transporting pupils for
20 regular, vocational, and special education pupil
21 transportation shall be limited to the sum of the cost of
22 physical examinations required for employment as a school bus
23 driver; the salaries of full-time or part-time drivers and
24 school bus maintenance personnel; employee benefits excluding
25 Illinois municipal retirement payments, social security
26 payments, unemployment insurance payments and workers'

1 compensation insurance premiums; expenditures to independent
2 carriers who operate school buses; payments to other school
3 districts for pupil transportation services; pre-approved
4 contractual expenditures for computerized bus scheduling;
5 expenditures for housing assistance and homeless prevention
6 under Sections 1-17 and 1-18 of the Education for Homeless
7 Children Act that are not in excess of the school district's
8 actual costs for providing transportation services and are not
9 otherwise claimed in another State or federal grant that
10 permits those costs to a parent, a legal guardian, any other
11 person who enrolled a pupil, or a homeless assistance agency
12 that is part of the federal McKinney-Vento Homeless Assistance
13 Act's continuum of care for the area in which the district is
14 located; the cost of gasoline, oil, tires, and other supplies
15 necessary for the operation of school buses; the cost of
16 converting buses' gasoline engines to more fuel efficient
17 engines or to engines which use alternative energy sources;
18 the cost of travel to meetings and workshops conducted by the
19 regional superintendent or the State Superintendent of
20 Education pursuant to the standards established by the
21 Secretary of State under Section 6-106 of the Illinois Vehicle
22 Code to improve the driving skills of school bus drivers; the
23 cost of maintenance of school buses including parts and
24 materials used; expenditures for leasing transportation
25 vehicles, except interest and service charges; the cost of
26 insurance and licenses for transportation vehicles;

1 expenditures for the rental of transportation equipment; plus
2 a depreciation allowance of 20% for 5 years for school buses
3 and vehicles approved for transporting pupils to and from
4 school and a depreciation allowance of 10% for 10 years for
5 other transportation equipment so used. Each school year, if a
6 school district has made expenditures to the Regional
7 Transportation Authority or any of its service boards, a mass
8 transit 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
14 for 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
17 to the above allowable costs, school districts shall also
18 claim all transportation supervisory salary costs, including
19 Illinois municipal retirement payments, and all transportation
20 related building and building maintenance costs without
21 limitation.

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

1 the State Superintendent of Education.

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

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

25 On or before August 15, annually, the chief school
26 administrator for the district shall certify to the State

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

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

16 For purposes of calculating claims for reimbursement under
17 this Section for any school year beginning July 1, 2016, the
18 equalized assessed valuation for a school district or partial
19 elementary unit district formed pursuant to Article 11E used
20 to compute reimbursement shall be the real equalized assessed
21 valuation as computed under paragraph (3) of subsection (d) of
22 Section 18-8.15.

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

26 Notwithstanding any other provision of law, any school

1 district receiving a payment under this Section or under
2 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
3 classify all or a portion of the funds that it receives in a
4 particular fiscal year or from State aid pursuant to Section
5 18-8.15 of this Code as funds received in connection with any
6 funding program for which it is entitled to receive funds from
7 the State in that fiscal year (including, without limitation,
8 any funding program referenced in this Section), regardless of
9 the source or timing of the receipt. The district may not
10 classify more funds as funds received in connection with the
11 funding program than the district is entitled to receive in
12 that fiscal year for that program. Any classification by a
13 district must be made by a resolution of its board of
14 education. The resolution must identify the amount of any
15 payments or general State aid to be classified under this
16 paragraph and must specify the funding program to which the
17 funds are to be treated as received in connection therewith.
18 This resolution is controlling as to the classification of
19 funds referenced therein. A certified copy of the resolution
20 must be sent to the State Superintendent of Education. The
21 resolution shall still take effect even though a copy of the
22 resolution has not been sent to the State Superintendent of
23 Education in a timely manner. No classification under this
24 paragraph by a district shall affect the total amount or
25 timing of money the district is entitled to receive under this
26 Code. No classification under this paragraph by a district

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

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

10 (Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22;
11 103-588, eff. 1-1-25.)

12 (Text of Section after amendment by P.A. 104-457)

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

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

9 The State will pay the prorated allowable cost of
10 transporting eligible pupils less the real equalized assessed
11 valuation as computed under paragraph (3) of subsection (d) of
12 Section 18-8.15 in a dual school district maintaining
13 secondary grades 9 to 12 inclusive times a qualifying rate of
14 .05%; in elementary school districts maintaining grades K to 8
15 times a qualifying rate of .06%; and in unit districts
16 maintaining grades K to 12, including partial elementary unit
17 districts formed pursuant to Article 11E, times a qualifying
18 rate of .07%. For a State-authorized charter school, the State
19 shall pay the prorated allowable cost of transporting eligible
20 pupils less a real equalized assessed valuation calculated
21 pursuant to this Section times a qualifying rate. For purposes
22 of calculating the real equalized assessed valuation for a
23 State-authorized charter school whose resident district is not
24 a school district organized under Article 34 of this Code, the
25 State Board of Education shall calculate the average of the
26 number of students in grades kindergarten through 12 reported

1 as enrolled in the charter school in the State Board's Student
2 Information System on October 1 and March 1 of the immediately
3 preceding school year. That value shall be divided by the
4 average of the number of students in grades kindergarten
5 through 12 reported as enrolled in the charter school's
6 resident district on October 1 and March 1 of the immediately
7 preceding school year. That proportion shall be multiplied by
8 the real equalized assessed valuation as computed under
9 paragraph (3) of subsection (d) of Section 18-8.15 for each
10 State-authorized charter school's applicable resident
11 district. A State-authorized charter school whose resident
12 district is organized under Article 34 of this Code shall have
13 a real equalized assessed valuation equal to the real
14 equalized assessed valuation of its resident district as
15 computed under paragraph (3) of subsection (d) of Section
16 18-8.15. A State-authorized charter school's qualifying rate
17 shall be the same as the rate that applies to the charter
18 school's resident district.

19 To be eligible to receive reimbursement in excess of 4/5
20 of the cost to transport eligible pupils, a school district or
21 partial elementary unit district formed pursuant to Article
22 11E shall have a Transportation Fund tax rate of at least .12%.
23 The Transportation Fund tax rate for a partial elementary unit
24 district formed pursuant Article 11E shall be the combined
25 elementary and high school rates pursuant to paragraph (4) of
26 subsection (a) of Section 18-8.15.

1 If a school district or partial elementary unit district
2 formed pursuant to Article 11E does not have a .12%
3 Transportation Fund tax rate, the amount of its claim in
4 excess of $\frac{4}{5}$ of the cost of transporting pupils shall be
5 reduced by the sum arrived at by subtracting the
6 Transportation Fund tax rate from .12% and multiplying that
7 amount by the district's real equalized assessed valuation as
8 computed under paragraph (3) of subsection (d) of Section
9 18-8.15, provided that in no case shall said reduction result
10 in reimbursement of less than $\frac{4}{5}$ of the cost to transport
11 eligible pupils. No such adjustment may be applied to a claim
12 filed by a State-authorized charter school.

13 Subject to the calculation of equalized assessed
14 valuation, an adjustment for an insufficient tax rate, and the
15 use of a qualifying rate as provided in this Section, a
16 State-authorized charter school may make a claim for
17 reimbursement by the State that is calculated in the same
18 manner as a school district.

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

21 When calculating the reimbursement for transportation
22 costs, the State Board of Education may not deduct the number
23 of pupils enrolled in early education programs from the number
24 of pupils eligible for reimbursement if the pupils enrolled in
25 the early education programs are transported at the same time
26 as other eligible pupils.

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

7 School day means that period of time during which the
8 pupil is required to be in attendance for instructional
9 purposes.

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

15 Claims for reimbursement that include children who attend
16 any school other than a public school shall show the number of
17 such children transported.

18 Claims for reimbursement under this Section shall not be
19 paid for the transportation of pupils for whom transportation
20 costs are claimed for payment under other Sections of this
21 Act.

22 The allowable direct cost of transporting pupils for
23 regular, vocational, and special education pupil
24 transportation shall be limited to the sum of the cost of
25 physical examinations required for employment as a school bus
26 driver; the salaries of full-time or part-time drivers and

1 school bus maintenance personnel; employee benefits excluding
2 Illinois municipal retirement payments, social security
3 payments, unemployment insurance payments and workers'
4 compensation insurance premiums; expenditures to independent
5 carriers who operate school buses; payments to other school
6 districts for pupil transportation services; pre-approved
7 contractual expenditures for computerized bus scheduling;
8 expenditures for housing assistance and homeless prevention
9 under Sections 1-17 and 1-18 of the Education for Homeless
10 Children Act that are not in excess of the school district's
11 actual costs for providing transportation services and are not
12 otherwise claimed in another State or federal grant that
13 permits those costs to a parent, a legal guardian, any other
14 person who enrolled a pupil, or a homeless assistance agency
15 that is part of the federal McKinney-Vento Homeless Assistance
16 Act's continuum of care for the area in which the district is
17 located; the cost of gasoline, oil, tires, and other supplies
18 necessary for the operation of school buses; the cost of
19 converting buses' gasoline engines to more fuel efficient
20 engines or to engines which use alternative energy sources;
21 the cost of travel to meetings and workshops conducted by the
22 regional superintendent or the State Superintendent of
23 Education pursuant to the standards established by the
24 Secretary of State under Section 6-106 of the Illinois Vehicle
25 Code to improve the driving skills of school bus drivers; the
26 cost of maintenance of school buses including parts and

1 materials used; expenditures for leasing transportation
2 vehicles, except interest and service charges; the cost of
3 insurance and licenses for transportation vehicles;
4 expenditures for the rental of transportation equipment; plus
5 a depreciation allowance of 20% for 5 years for school buses
6 and vehicles approved for transporting pupils to and from
7 school and a depreciation allowance of 10% for 10 years for
8 other transportation equipment so used. Each school year, if a
9 school district has made expenditures to the Northern Illinois
10 Transit Authority or any of its service boards, a mass transit
11 district, or an urban transportation district under an
12 intergovernmental agreement with the district to provide for
13 the transportation of pupils and if the public transit carrier
14 received direct payment for services or passes from a school
15 district within its service area during the 2000-2001 school
16 year, then the allowable direct cost of transporting pupils
17 for regular, vocational, and special education pupil
18 transportation shall also include the expenditures that the
19 district has made to the public transit carrier. Each school
20 year, if a school district has made expenditures to pay the
21 public transit fees of pupils under Section 29-3, then the
22 allowable direct cost of transporting pupils shall also
23 include the expenditures that the district has made to pay
24 those public transit fees. In addition to the above allowable
25 costs, school districts shall also claim all transportation
26 supervisory salary costs, including Illinois municipal

1 retirement payments, and all transportation-related building
2 and building maintenance costs without limitation.

3 Special education allowable costs shall also include
4 expenditures for the salaries of attendants or aides for that
5 portion of the time they assist special education pupils while
6 in transit and expenditures for parents and public carriers
7 for transporting special education pupils when pre-approved by
8 the State Superintendent of Education.

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

18 The State Board of Education shall prescribe uniform
19 regulations for determining the above standards and shall
20 prescribe forms of cost accounting and standards of
21 determining reasonable depreciation. Such depreciation shall
22 include the cost of equipping school buses with the safety
23 features required by law or by the rules, regulations and
24 standards promulgated by the State Board of Education, and the
25 Department of Transportation for the safety and construction
26 of school buses provided, however, any equipment cost

1 reimbursed by the Department of Transportation for equipping
2 school buses with such safety equipment shall be deducted from
3 the allowable cost in the computation of reimbursement under
4 this Section in the same percentage as the cost of the
5 equipment is depreciated.

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

17 If the amount appropriated for transportation
18 reimbursement is insufficient to fund total claims for any
19 fiscal year, the State Board of Education shall reduce each
20 school district's allowable costs and flat grant amount
21 proportionately to make total adjusted claims equal the total
22 amount appropriated.

23 For purposes of calculating claims for reimbursement under
24 this Section for any school year beginning July 1, 2016, the
25 equalized assessed valuation for a school district or partial
26 elementary unit district formed pursuant to Article 11E used

1 to compute reimbursement shall be the real equalized assessed
2 valuation as computed under paragraph (3) of subsection (d) of
3 Section 18-8.15.

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

7 Notwithstanding any other provision of law, any school
8 district receiving a payment under this Section or under
9 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
10 classify all or a portion of the funds that it receives in a
11 particular fiscal year or from State aid pursuant to Section
12 18-8.15 of this Code as funds received in connection with any
13 funding program for which it is entitled to receive funds from
14 the State in that fiscal year (including, without limitation,
15 any funding program referenced in this Section), regardless of
16 the source or timing of the receipt. The district may not
17 classify more funds as funds received in connection with the
18 funding program than the district is entitled to receive in
19 that fiscal year for that program. Any classification by a
20 district must be made by a resolution of its board of
21 education. The resolution must identify the amount of any
22 payments or general State aid to be classified under this
23 paragraph and must specify the funding program to which the
24 funds are to be treated as received in connection therewith.
25 This resolution is controlling as to the classification of
26 funds referenced therein. A certified copy of the resolution

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

13 Any school district with a population of not more than
14 500,000 must deposit all funds received under this Article
15 into the transportation fund and use those funds for the
16 provision of transportation services.

17 (Source: P.A. 103-588, eff. 1-1-25; 104-457, eff. 6-1-26.)

18 Section 95. No acceleration or delay. Where this Act makes
19 changes in a statute that is represented in this Act by text
20 that is not yet or no longer in effect (for example, a Section
21 represented by multiple versions), the use of that text does
22 not accelerate or delay the taking effect of (i) the changes
23 made by this Act or (ii) provisions derived from any other
24 Public Act.