



Sen. Ram Villivalam

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1 AMENDMENT TO SENATE BILL 459

2 AMENDMENT NO. _____. Amend Senate Bill 459 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 27-24.2, 27-24.4, and 27-24.5 as follows:

6 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

7 Sec. 27-24.2. Safety education; driver education course.
8 Instruction shall be given in safety education in each of
9 grades one through 8, equivalent to one class period each
10 week, and any school district which maintains grades 9 through
11 12 shall offer a driver education course in any such school
12 which it operates. Its curriculum shall include content
13 dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois
14 Vehicle Code, the rules adopted pursuant to those Chapters
15 insofar as they pertain to the operation of motor vehicles,
16 and the portions of the Litter Control Act relating to the

1 operation of motor vehicles. The course of instruction given
2 in grades 10 through 12 shall include an emphasis on the
3 development of knowledge, attitudes, habits, and skills
4 necessary for the safe operation of motor vehicles, including
5 motorcycles insofar as they can be taught in the classroom,
6 and instruction on distracted driving as a major traffic
7 safety issue. In addition, the course shall include
8 instruction on special hazards existing at and required safety
9 and driving precautions that must be observed at emergency
10 situations, highway construction and maintenance zones, and
11 railroad crossings and the approaches thereto. Beginning with
12 the 2017-2018 school year, the course shall also include
13 instruction concerning law enforcement procedures for traffic
14 stops, including a demonstration of the proper actions to be
15 taken during a traffic stop and appropriate interactions with
16 law enforcement. The course of instruction required of each
17 eligible student at the high school level shall consist of a
18 minimum of 30 clock hours of classroom instruction and a
19 minimum of 6 clock hours of individual behind-the-wheel
20 instruction in a dual control car on public roadways taught by
21 a driver education instructor endorsed by the State Board of
22 Education. A school district's decision to allow a student to
23 take a portion of the driver education course through a
24 distance learning program must be determined on a case-by-case
25 basis and must be approved by the school's administration,
26 including the student's driver education teacher, and the

1 student's parent or guardian. Under no circumstances may the
2 student take the entire driver education course through a
3 distance learning program. Both the classroom instruction part
4 and the practice driving part of a driver education course
5 shall be open to a resident or non-resident student attending
6 a non-public school in the district wherein the course is
7 offered. Each student attending any public or non-public high
8 school in the district must receive a passing grade in at least
9 8 courses during the previous 2 semesters prior to enrolling
10 in a driver education course, or the student shall not be
11 permitted to enroll in the course; provided that the local
12 superintendent of schools (with respect to a student attending
13 a public high school in the district) or chief school
14 administrator (with respect to a student attending a
15 non-public high school in the district) may waive the
16 requirement if the superintendent or chief school
17 administrator, as the case may be, deems it to be in the best
18 interest of the student. A student may be allowed to commence
19 the classroom instruction part of such driver education course
20 prior to reaching age 15 if such student then will be eligible
21 to complete the entire course within 12 months after being
22 allowed to commence such classroom instruction.

23 A school district may offer a driver education course in a
24 school by contracting with a commercial driver training school
25 to provide both the classroom instruction part and the
26 practice driving part or either one without having to request

1 a modification or waiver of administrative rules of the State
2 Board of Education if the school district approves the action
3 during a public hearing on whether to enter into a contract
4 with a commercial driver training school. The public hearing
5 shall be held at a regular or special school board meeting
6 prior to entering into such a contract. If a school district
7 chooses to approve a contract with a commercial driver
8 training school, then the district must provide evidence to
9 the State Board of Education that the commercial driver
10 training school with which it will contract holds a license
11 issued by the Secretary of State under Article IV of Chapter 6
12 of the Illinois Vehicle Code and that each instructor employed
13 by the commercial driver training school to provide
14 instruction to students served by the school district holds a
15 valid teaching license issued under the requirements of this
16 Code and rules of the State Board of Education. Such evidence
17 must include, but need not be limited to, a list of each
18 instructor assigned to teach students served by the school
19 district, which list shall include the instructor's name,
20 personal identification number as required by the State Board
21 of Education, birth date, and driver's license number. Once
22 the contract is entered into, the school district shall notify
23 the State Board of Education of any changes in the personnel
24 providing instruction either (i) within 15 calendar days after
25 an instructor leaves the program or (ii) before a new
26 instructor is hired. Such notification shall include the

1 instructor's name, personal identification number as required
2 by the State Board of Education, birth date, and driver's
3 license number. If the school district maintains an Internet
4 website, then the district shall post a copy of the final
5 contract between the district and the commercial driver
6 training school on the district's Internet website. If no
7 Internet website exists, then the school district shall make
8 available the contract upon request. A record of all materials
9 in relation to the contract must be maintained by the school
10 district and made available to parents and guardians upon
11 request. The instructor's date of birth and driver's license
12 number and any other personally identifying information as
13 deemed by the federal Driver's Privacy Protection Act of 1994
14 must be redacted from any public materials.

15 Beginning with the 2024-2025 school year, a school
16 district that contracts with a commercial driver training
17 school to teach a driver education course under this Section
18 may not charge students fees associated with driver education.
19 All fees associated with driver education shall instead be
20 collected by the commercial driver training school.

21 Such a course may be commenced immediately after the
22 completion of a prior course. Teachers of such courses shall
23 meet the licensure requirements of this Code and regulations
24 of the State Board as to qualifications. Except for a contract
25 with a Certified Driver Rehabilitation Specialist, a school
26 district that contracts with a third party to teach a driver

1 education course under this Section must ensure the teacher
2 meets the educator licensure and endorsement requirements
3 under Article 21B and must follow the same evaluation and
4 observation requirements that apply to non-tenured teachers
5 under Article 24A. The teacher evaluation must be conducted by
6 a school administrator employed by the school district and
7 must be submitted annually to the district superintendent and
8 all school board members for oversight purposes.

9 Subject to rules of the State Board of Education, the
10 school district may charge a reasonable fee, not to exceed
11 \$50, to students who participate in the course, unless a
12 student is unable to pay for such a course, in which event the
13 fee for such a student must be waived. However, the district
14 may increase this fee to an amount not to exceed \$250 by school
15 board resolution following a public hearing on the increase,
16 which increased fee must be waived for students who
17 participate in the course and are unable to pay for the course.
18 The total amount from driver education fees and reimbursement
19 from the State for driver education must not exceed the total
20 cost of the driver education program in any year and must be
21 deposited into the school district's driver education fund as
22 a separate line item budget entry. All moneys deposited into
23 the school district's driver education fund must be used
24 solely for the funding of a high school driver education
25 program approved by the State Board of Education that uses
26 driver education instructors endorsed by the State Board of

1 Education.

2 (Source: P.A. 101-183, eff. 8-2-19; 101-450, eff. 8-23-19;
3 102-558, eff. 8-20-21.)

4 (105 ILCS 5/27-24.4) (from Ch. 122, par. 27-24.4)
5 Sec. 27-24.4. Reimbursement amount.

6 (a) Except as otherwise provided in Section 27-24.5, each
7 ~~Each~~ school district shall be entitled to reimbursement for
8 each student who finishes either the classroom instruction
9 part or the practice driving part of a driver education course
10 that meets the minimum requirements of this Act. Reimbursement
11 under this Act is payable from the Drivers Education Fund in
12 the State treasury.

13 Each year all funds appropriated from the Drivers
14 Education Fund to the State Board of Education, with the
15 exception of those funds necessary for administrative purposes
16 of the State Board of Education, shall be distributed in the
17 manner provided in this paragraph to school districts by the
18 State Board of Education for reimbursement of claims from the
19 previous school year. As soon as may be after each quarter of
20 the year, if moneys are available in the Drivers Education
21 Fund in the State treasury for payments under this Section,
22 the State Comptroller shall draw his or her warrants upon the
23 State Treasurer as directed by the State Board of Education.
24 The warrant for each quarter shall be in an amount equal to
25 one-fourth of the total amount to be distributed to school

1 districts for the year. Payments shall be made to school
2 districts as soon as may be after receipt of the warrants.

3 The base reimbursement amount shall be calculated by the
4 State Board by dividing the total amount appropriated for
5 distribution by the total of: (a) the number of students who
6 have completed the classroom instruction part for whom valid
7 claims have been made times 0.2; plus (b) the number of
8 students who have completed the practice driving instruction
9 part for whom valid claims have been made times 0.8.

10 The amount of reimbursement to be distributed on each
11 claim shall be 0.2 times the base reimbursement amount for
12 each validly claimed student who has completed the classroom
13 instruction part, plus 0.8 times the base reimbursement amount
14 for each validly claimed student who has completed the
15 practice driving instruction part.

16 (b) The school district which is the residence of a
17 student who attends a nonpublic school in another district
18 that has furnished the driver education course shall reimburse
19 the district offering the course, the difference between the
20 actual per capita cost of giving the course the previous
21 school year and the amount reimbursed by the State, which, for
22 purposes of this subsection (b), shall be referred to as
23 "course cost". If the course cost offered by the student's
24 resident district is less than the course cost of the course in
25 the district where the nonpublic school is located, then the
26 student is responsible for paying the district that furnished

1 the course the difference between the 2 amounts. If a
2 nonpublic school student chooses to attend a driver's
3 education course in a school district besides the district
4 where the nonpublic school is located, then the student is
5 wholly responsible for the course cost; however, the nonpublic
6 school student may take the course in his or her resident
7 district on the same basis as public school students who are
8 enrolled in that district.

9 By April 1 the nonpublic school shall notify the district
10 offering the course of the names and district numbers of the
11 nonresident students desiring to take such course the next
12 school year. The district offering such course shall notify
13 the district of residence of those students affected by April
14 15. The school district furnishing the course may claim the
15 nonresident student for the purpose of making a claim for
16 State reimbursement under this Act.

17 (Source: P.A. 96-734, eff. 8-25-09; 97-1025, eff. 1-1-13.)

18 (105 ILCS 5/27-24.5) (from Ch. 122, par. 27-24.5)

19 Sec. 27-24.5. Submission of claims.

20 (a) The district shall report on forms prescribed by the
21 State Board, on an ongoing basis, a list of students by name,
22 birth date and sex, with the date the behind-the-wheel
23 instruction or the classroom instruction or both were
24 completed and with the status of the course completion.

25 (b) The State shall not reimburse any district for any

1 student who has repeated any part of the course more than once
2 or who did not meet the age requirements of this Act during the
3 period that the student was instructed in any part of the
4 drivers education course.

5 (c) A school district offering a driver education course
6 by contracting with a commercial driver training school under
7 Section 27-24.2 is not eligible to submit a claim for State
8 reimbursement under this Act.

9 (Source: P.A. 96-734, eff. 8-25-09.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."