

1 AMENDMENT TO HOUSE BILL 763

2 AMENDMENT NO. _____. Amend House Bill 763 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Section 29-5 as follows:

6 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)
7 Sec. 29-5. Reimbursement by State for transportation.
8 Any school district, maintaining a school, transporting
9 resident pupils to another school district's vocational
10 program, offered through a joint agreement approved by the
11 State Board of Education, as provided in Section 10-22.22 or
12 transporting its resident pupils to a school which meets the
13 standards for recognition as established by the State Board
14 of Education which provides transportation meeting the
15 standards of safety, comfort, convenience, efficiency and
16 operation prescribed by the State Board of Education for
17 resident pupils in kindergarten or any of grades 1 through 12
18 who: (a) reside at least 1 1/2 miles as measured by the
19 customary route of travel, from the school attended; or (b)
20 reside in areas where conditions are such that walking
21 constitutes a hazard to the safety of the child when
22 determined under Section 29-3; and (c) are transported to the

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

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

26 Any such district transporting resident pupils during the
27 school day to an area vocational school or another school
28 district's vocational program more than 1 1/2 miles from the
29 school attended, as provided in Sections 10-22.20a and
30 10-22.22, shall be reimbursed by the State for 4/5 of the
31 cost of transporting eligible pupils.

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

34 If a pupil is at a location within the school district

1 other than his residence for child care purposes at the time
2 for transportation to school, that location may be considered
3 for purposes of determining the 1 1/2 miles from the school
4 attended.

5 Claims for reimbursement that include children who attend
6 any school other than a public school shall show the number
7 of such children transported.

8 Claims for reimbursement under this Section shall not be
9 paid for the transportation of pupils for whom transportation
10 costs are claimed for payment under other Sections of this
11 Act.

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

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

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

30 Indirect costs shall be included in the reimbursement
31 claim for districts which own and operate their own school
32 buses. Such indirect costs shall include administrative
33 costs, or any costs attributable to transporting pupils from
34 their attendance centers to another school building for

1 instructional purposes. No school district which owns and
2 operates its own school buses may claim reimbursement for
3 indirect costs which exceed 5% of the total allowable direct
4 costs for pupil transportation.

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

19 On or before July 10, annually, the chief school
20 administrator for the district shall certify to the regional
21 superintendent of schools upon forms prescribed by the State
22 Superintendent of Education the district's claim for
23 reimbursement for the school year ended on June 30 next
24 preceding. The regional superintendent of schools shall
25 check all transportation claims to ascertain compliance with
26 the prescribed standards and upon his approval shall certify
27 not later than July 25 to the State Superintendent of
28 Education the regional report of claims for reimbursements.
29 The State Superintendent of Education shall check and approve
30 the claims and prepare the vouchers showing the amounts due
31 for district reimbursement claims. Beginning with the 1977
32 fiscal year, the State Superintendent of Education shall
33 prepare and transmit the first 3 vouchers to the Comptroller
34 on the 30th day of September, December and March,

1 respectively, and the final voucher, no later than June 15.

2 If the amount appropriated for transportation
3 reimbursement is insufficient to fund total claims for any
4 fiscal year, the State Board of Education shall reduce each
5 school district's allowable costs and flat grant amount
6 proportionately to make total adjusted claims equal the total
7 amount appropriated.

8 For purposes of calculating claims for reimbursement
9 under this Section for any school year beginning July 1,
10 1998, or thereafter, the equalized assessed valuation for a
11 school district used to compute reimbursement shall be
12 computed in the same manner as it is computed under paragraph
13 (2) of subsection (G) of Section 18-8.05.

14 All reimbursements received from the State shall be
15 deposited into the district's transportation fund or into the
16 fund from which the allowable expenditures were made.

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

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

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

20 (Source: P.A. 92-568, eff. 6-26-02; 93-166, eff. 7-10-03.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."