

1 AN ACT concerning schools.

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
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
23 school attended from pick-up points at the beginning of the
24 school day and back again at the close of the school day or
25 transported to and from their assigned attendance centers
26 during the school day, shall be reimbursed by the State as
27 hereinafter provided in this Section.

28 The State will pay the cost of transporting eligible
29 pupils less the assessed valuation in a dual school district
30 maintaining secondary grades 9 to 12 inclusive times a
31 qualifying rate of .05%; in elementary school districts

1 maintaining grades K to 8 times a qualifying rate of .06%; in
2 unit districts maintaining grades K to 12 times a qualifying
3 rate of .07%. To be eligible to receive reimbursement in
4 excess of 4/5 of the cost to transport eligible pupils, a
5 school district shall have a Transportation Fund tax rate of
6 at least .12%. If a school district does not have a .12%
7 Transportation Fund tax rate, the amount of its claim in
8 excess of 4/5 of the cost of transporting pupils shall be
9 reduced by the sum arrived at by subtracting the
10 Transportation Fund tax rate from .12% and multiplying that
11 amount by the districts equalized or assessed valuation,
12 provided, that in no case shall said reduction result in
13 reimbursement of less than 4/5 of the cost to transport
14 eligible pupils.

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

17 Any such district transporting resident pupils during the
18 school day to an area vocational school or another school
19 district's vocational program more than 1 1/2 miles from the
20 school attended, as provided in Sections 10-22.20a and
21 10-22.22, shall be reimbursed by the State for 4/5 of the
22 cost of transporting eligible pupils.

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

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

30 Claims for reimbursement that include children who attend
31 any school other than a public school shall show the number
32 of such children transported.

33 Claims for reimbursement under this Section shall not be
34 paid for the transportation of pupils for whom transportation

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

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

1 municipal retirement payments, and all transportation related
2 building 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
6 while in transit and expenditures for parents and public
7 carriers for transporting special education pupils when
8 pre-approved by 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
12 costs, or any costs attributable to transporting pupils from
13 their 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
25 the Department of Transportation for the safety and
26 construction of school buses provided, however, any equipment
27 cost reimbursed by the Department of Transportation for
28 equipping school buses with such safety equipment shall be
29 deducted from the allowable cost in the computation of
30 reimbursement under this Section in the same percentage as
31 the cost of the equipment is depreciated.

32 On or before July 10, annually, the chief school
33 administrator for board--clerk--or--the--secretary--of the
34 district shall certify to the regional superintendent of

1 schools upon forms prescribed by the State Superintendent of
2 Education the district's claim for reimbursement for the
3 school year ended on June 30 next preceding. The regional
4 superintendent of schools shall check all transportation
5 claims to ascertain compliance with the prescribed standards
6 and upon his approval shall certify not later than July 25 to
7 the State Superintendent of Education the regional report of
8 claims for reimbursements. The State Superintendent of
9 Education shall check and approve the claims and prepare the
10 vouchers showing the amounts due for district reimbursement
11 claims. Beginning with the 1977 fiscal year, the State
12 Superintendent of Education shall prepare and transmit the
13 first 3 vouchers to the Comptroller on the 30th day of
14 September, December and March, respectively, and the final
15 voucher, no later than June 15.

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

22 For purposes of calculating claims for reimbursement
23 under this Section for any school year beginning July 1,
24 1998, or thereafter, the equalized assessed valuation for a
25 school district used to compute reimbursement shall be
26 computed in the same manner as it is computed under paragraph
27 (2) of subsection (G) of Section 18-8.05.

28 All reimbursements received from the State shall be
29 deposited into the district's transportation fund or into the
30 fund from which the allowable expenditures were made.

31 Notwithstanding any other provision of law, any school
32 district receiving a payment under this Section or under
33 Section 14-7.02, 14-7.02a, or 14-13.01 of this Code may
34 classify all or a portion of the funds that it receives in a

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

30 Any school district with a population of not more than
31 500,000 must deposit all funds received under this Article
32 into the transportation fund and use those funds for the
33 provision of transportation services.

34 (Source: P.A. 91-96, eff. 7-9-99; 92-568, eff. 6-26-02.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.