

1 AN ACT concerning education.

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 3-14.23 as follows:

6 (105 ILCS 5/3-14.23) (from Ch. 122, par. 3-14.23)

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

8 (a) To conduct courses of instruction for school bus
9 drivers pursuant to the standards established by the
10 Secretary of State under Section 6-106.1 of the Illinois
11 Vehicle Code and to charge a fee based upon the cost of
12 providing those such courses of up to \$4 per person for the
13 initial classroom course in school bus driver safety and of
14 up to \$4 per person for the annual refresher course. The
15 State Board of Education shall annually request such
16 additional appropriation as may be necessary to ensure that
17 adequate and sufficient training is provided to all school
18 bus drivers in Illinois. This appropriation shall be used to
19 supplement, not supplant, programs conducted using fees
20 received from applicants for school bus driver permits.

21 (b) To conduct such investigations as may be necessary
22 to insure that all persons hired to operate school buses have
23 valid school bus driver permits as required under Sections
24 6-104 and 6-106.1 of "The Illinois Vehicle Code". If a
25 regional superintendent finds evidence of non-compliance with
26 this requirement, he shall submit such evidence together
27 with his recommendations in writing to the school board.

28 If the regional superintendent finds evidence of
29 noncompliance with the requirement that all persons employed
30 directly by the school board to operate school buses have
31 valid school bus driver permits as required under Sections

1 6-104 and 6-106.1 of "The Illinois Vehicle Code", the
2 regional superintendent shall schedule a hearing on a date
3 not less than 5 days nor more than 10 days after notifying
4 the district of his findings. If based on the evidence
5 presented at the hearing the regional superintendent finds
6 that persons employed directly by the school board to operate
7 school buses do not have valid school bus driver permits as
8 required under Sections 6-104 and 6-106.1 of "The Illinois
9 Vehicle Code", the regional superintendent shall submit such
10 evidence and his findings together with his recommendations
11 to the State Superintendent of Education. The State
12 Superintendent of Education may reduce the district's claim
13 for reimbursement under Sections 29-5 and 14-13.01 for
14 transportation by 1.136% for each day of noncompliance.

15 If a school board finds evidence of noncompliance with
16 the requirement that all persons employed by a contractor to
17 operate school buses have valid school bus driver permits as
18 required under Sections 6-104 and 6-106.1 of "The Illinois
19 Vehicle Code", the school board shall request a hearing
20 before the regional superintendent. The regional
21 superintendent shall schedule a hearing on a date not less
22 than 5 days nor more than 10 days after receiving the
23 request. If based on the evidence presented at the hearing
24 the regional superintendent finds that persons employed by a
25 contractor to operate school buses do not have valid school
26 bus driver permits as required under Sections 6-104 and
27 6-106.1 of "The Illinois Vehicle Code", the school board's
28 financial obligations under the contract shall be reduced by
29 an amount equal to 1.136% for each day of noncompliance. The
30 findings of the regional superintendent and the relief
31 provided herein shall not impair the obligations of the
32 contractor to continue to provide transportation services in
33 accordance with the terms of the contract.

34 The provisions of the Administrative Review Law, and all

1 amendments and modifications thereof and the rules adopted
2 pursuant thereto shall apply to and govern all proceedings
3 instituted for judicial review of final administrative
4 decisions of the regional superintendent under this Section.
5 (Source: P.A. 90-811, eff. 1-26-99.)