

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 Sections 1D-1, 14-7.02, 14-7.02a, 14-13.01, and 29-5 as
6 follows:

7 (105 ILCS 5/1D-1)

8 Sec. 1D-1. Block grant funding.

9 (a) For fiscal year 1996 and each fiscal year
10 thereafter, the State Board of Education shall award to a
11 school district having a population exceeding 500,000
12 inhabitants a general education block grant and an
13 educational services block grant, determined as provided in
14 this Section, in lieu of distributing to the district
15 separate State funding for the programs described in
16 subsections (b) and (c). The provisions of this Section,
17 however, do not apply to any federal funds that the district
18 is entitled to receive. In accordance with Section 2-3.32,
19 all block grants are subject to an audit. Therefore, block
20 grant receipts and block grant expenditures shall be recorded
21 to the appropriate fund code for the designated block grant.

22 (b) The general education block grant shall include the
23 following programs: REI Initiative, Summer Bridges, Preschool
24 At Risk, K-6 Comprehensive Arts, School Improvement Support,
25 Urban Education, Scientific Literacy, Substance Abuse
26 Prevention, Second Language Planning, Staff Development,
27 Outcomes and Assessment, K-6 Reading Improvement, Truants'
28 Optional Education, Hispanic Programs, Agriculture Education,
29 Gifted Education, Parental Education, Prevention Initiative,
30 Report Cards, and Criminal Background Investigations.
31 Notwithstanding any other provision of law, all amounts paid

1 under the general education block grant from State
2 appropriations to a school district in a city having a
3 population exceeding 500,000 inhabitants shall be
4 appropriated and expended by the board of that district for
5 any of the programs included in the block grant or any of the
6 board's lawful purposes.

7 (c) The educational services block grant shall include
8 the following programs: Bilingual, Regular and Vocational
9 Transportation, State Lunch and Free Breakfast Program,
10 Special Education (Personnel, Extraordinary, Transportation,
11 Orphanage, Private Tuition), Summer School, Educational
12 Service Centers, and Administrator's Academy. This
13 subsection (c) does not relieve the district of its
14 obligation to provide the services required under a program
15 that is included within the educational services block grant.
16 It is the intention of the General Assembly in enacting the
17 provisions of this subsection (c) to relieve the district of
18 the administrative burdens that impede efficiency and
19 accompany single-program funding. The General Assembly
20 encourages the board to pursue mandate waivers pursuant to
21 Section 2-3.25g.

22 (d) For fiscal year 1996 and each fiscal year
23 thereafter, the amount of the district's block grants shall
24 be determined as follows: (i) with respect to each program
25 that is included within each block grant, the district shall
26 receive an amount equal to the same percentage of the current
27 fiscal year appropriation made for that program as the
28 percentage of the appropriation received by the district from
29 the 1995 fiscal year appropriation made for that program, and
30 (ii) the total amount that is due the district under the
31 block grant shall be the aggregate of the amounts that the
32 district is entitled to receive for the fiscal year with
33 respect to each program that is included within the block
34 grant that the State Board of Education shall award the

1 district under this Section for that fiscal year. In the
2 case of the Summer Bridges program, the amount of the
3 district's block grant shall be equal to 44% of the amount of
4 the current fiscal year appropriation made for that program.

5 (e) The district is not required to file any application
6 or other claim in order to receive the block grants to which
7 it is entitled under this Section. The State Board of
8 Education shall make payments to the district of amounts due
9 under the district's block grants on a schedule determined by
10 the State Board of Education.

11 (f) A school district to which this Section applies
12 shall report to the State Board of Education on its use of
13 the block grants in such form and detail as the State Board
14 of Education may specify.

15 (g) This paragraph provides for the treatment of block
16 grants under Article 1C for purposes of calculating the
17 amount of block grants for a district under this Section.
18 Those block grants under Article IC are, for this purpose,
19 treated as included in the amount of appropriation for the
20 various programs set forth in paragraph (b) above. The
21 appropriation in each current fiscal year for each block
22 grant under Article 1C shall be treated for these purposes as
23 appropriations for the individual program included in that
24 block grant. The proportion of each block grant so allocated
25 to each such program included in it shall be the proportion
26 which the appropriation for that program was of all
27 appropriations for such purposes now in that block grant, in
28 fiscal 1995.

29 Payments to the school district under this Section with
30 respect to each program for which payments to school
31 districts generally, as of the date of this amendatory Act of
32 the 92nd General Assembly, are on a reimbursement basis shall
33 continue to be made to the district on a reimbursement basis,
34 pursuant to the provisions of this Code governing those

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

1 original source and purpose, reporting requirements, or
2 requirements of provision of services.

3 (Source: P.A. 90-566, eff. 1-2-98; 90-653, eff. 7-29-98;
4 91-711, eff. 7-1-00.)

5 (105 ILCS 5/14-7.02) (from Ch. 122, par. 14-7.02)

6 Sec. 14-7.02. Children attending private schools, public
7 out-of-state schools, public school residential facilities or
8 private special education facilities. The General Assembly
9 recognizes that non-public schools or special education
10 facilities provide an important service in the educational
11 system in Illinois.

12 If because of his or her disability the special education
13 program of a district is unable to meet the needs of a child
14 and the child attends a non-public school or special
15 education facility, a public out-of-state school or a special
16 education facility owned and operated by a county government
17 unit that provides special educational services required by
18 the child and is in compliance with the appropriate rules and
19 regulations of the State Superintendent of Education, the
20 school district in which the child is a resident shall pay
21 the actual cost of tuition for special education and related
22 services provided during the regular school term and during
23 the summer school term if the child's educational needs so
24 require, excluding room, board and transportation costs
25 charged the child by that non-public school or special
26 education facility, public out-of-state school or county
27 special education facility, or \$4,500 per year, whichever is
28 less, and shall provide him any necessary transportation.

29 "Nonpublic special education facility" shall include a
30 residential facility, within or without the State of
31 Illinois, which provides special education and related
32 services to meet the needs of the child by utilizing private
33 schools or public schools, whether located on the site or off

1 the site of the residential facility.

2 The State Board of Education shall promulgate rules and
3 regulations for determining when placement in a private
4 special education facility is appropriate. Such rules and
5 regulations shall take into account the various types of
6 services needed by a child and the availability of such
7 services to the particular child in the public school. In
8 developing these rules and regulations the State Board of
9 Education shall consult with the Advisory Council on
10 Education of Children with Disabilities and hold public
11 hearings to secure recommendations from parents, school
12 personnel, and others concerned about this matter.

13 The State Board of Education shall also promulgate rules
14 and regulations for transportation to and from a residential
15 school. Transportation to and from home to a residential
16 school more than once each school term shall be subject to
17 prior approval by the State Superintendent in accordance with
18 the rules and regulations of the State Board.

19 A school district making tuition payments pursuant to
20 this Section is eligible for reimbursement from the State for
21 the amount of such payments actually made in excess of the
22 district per capita tuition charge for students not receiving
23 special education services. Such reimbursement shall be
24 approved in accordance with Section 14-12.01 and each
25 district shall file its claims, computed in accordance with
26 rules prescribed by the State Board of Education, on forms
27 prescribed by the State Superintendent of Education. Data
28 used as a basis of reimbursement claims shall be for the
29 preceding regular school term and summer school term. Each
30 school district shall transmit its claims to the State Board
31 of Education on or before August 15. The State Board of
32 Education, before approving any such claims, shall determine
33 their accuracy and whether they are based upon services and
34 facilities provided under approved programs. Upon approval

1 the State Board shall cause vouchers to be prepared showing
2 the amount due for payment of reimbursement claims to school
3 districts, for transmittal to the State Comptroller on the
4 30th day of September, December, and March, respectively, and
5 the final voucher, no later than June 20. If the money
6 appropriated by the General Assembly for such purpose for any
7 year is insufficient, it shall be apportioned on the basis of
8 the claims approved.

9 No child shall be placed in a special education program
10 pursuant to this Section if the tuition cost for special
11 education and related services increases more than 10 percent
12 over the tuition cost for the previous school year or exceeds
13 \$4,500 per year unless such costs have been approved by the
14 Illinois Purchased Care Review Board. The Illinois
15 Purchased Care Review Board shall consist of the following
16 persons, or their designees: the Directors of Children and
17 Family Services, Public Health, Public Aid, and the Bureau of
18 the Budget; the Secretary of Human Services; the State
19 Superintendent of Education; and such other persons as the
20 Governor may designate. The Review Board shall establish
21 rules and regulations for its determination of allowable
22 costs and payments made by local school districts for special
23 education, room and board, and other related services
24 provided by non-public schools or special education
25 facilities and shall establish uniform standards and criteria
26 which it shall follow.

27 The Review Board shall establish uniform definitions and
28 criteria for accounting separately by special education, room
29 and board and other related services costs. The Board shall
30 also establish guidelines for the coordination of services
31 and financial assistance provided by all State agencies to
32 assure that no otherwise qualified disabled child receiving
33 services under Article 14 shall be excluded from
34 participation in, be denied the benefits of or be subjected

1 to discrimination under any program or activity provided by
2 any State agency.

3 The Review Board shall review the costs for special
4 education and related services provided by non-public schools
5 or special education facilities and shall approve or
6 disapprove such facilities in accordance with the rules and
7 regulations established by it with respect to allowable
8 costs.

9 The State Board of Education shall provide administrative
10 and staff support for the Review Board as deemed reasonable
11 by the State Superintendent of Education. This support shall
12 not include travel expenses or other compensation for any
13 Review Board member other than the State Superintendent of
14 Education.

15 The Review Board shall seek the advice of the Advisory
16 Council on Education of Children with Disabilities on the
17 rules and regulations to be promulgated by it relative to
18 providing special education services.

19 If a child has been placed in a program in which the
20 actual per pupil costs of tuition for special education and
21 related services based on program enrollment, excluding room,
22 board and transportation costs, exceed \$4,500 and such costs
23 have been approved by the Review Board, the district shall
24 pay such total costs which exceed \$4,500. A district making
25 such tuition payments in excess of \$4,500 pursuant to this
26 Section shall be responsible for an amount in excess of
27 \$4,500 equal to the district per capita tuition charge and
28 shall be eligible for reimbursement from the State for the
29 amount of such payments actually made in excess of the
30 districts per capita tuition charge for students not
31 receiving special education services.

32 If a child has been placed in an approved individual
33 program and the tuition costs including room and board costs
34 have been approved by the Review Board, then such room and

1 board costs shall be paid by the appropriate State agency
2 subject to the provisions of Section 14-8.01 of this Act.
3 Room and board costs not provided by a State agency other
4 than the State Board of Education shall be provided by the
5 State Board of Education on a current basis. In no event,
6 however, shall the State's liability for funding of these
7 tuition costs begin until after the legal obligations of
8 third party payors have been subtracted from such costs. If
9 the money appropriated by the General Assembly for such
10 purpose for any year is insufficient, it shall be apportioned
11 on the basis of the claims approved. Each district shall
12 submit estimated claims to the State Superintendent of
13 Education. Upon approval of such claims, the State
14 Superintendent of Education shall direct the State
15 Comptroller to make payments on a monthly basis. The
16 frequency for submitting estimated claims and the method of
17 determining payment shall be prescribed in rules and
18 regulations adopted by the State Board of Education. Such
19 current state reimbursement shall be reduced by an amount
20 equal to the proceeds which the child or child's parents are
21 eligible to receive under any public or private insurance or
22 assistance program. Nothing in this Section shall be
23 construed as relieving an insurer or similar third party from
24 an otherwise valid obligation to provide or to pay for
25 services provided to a disabled child.

26 If it otherwise qualifies, a school district is eligible
27 for the transportation reimbursement under Section 14-13.01
28 and for the reimbursement of tuition payments under this
29 Section whether the non-public school or special education
30 facility, public out-of-state school or county special
31 education facility, attended by a child who resides in that
32 district and requires special educational services, is within
33 or outside of the State of Illinois. However, a district is
34 not eligible to claim transportation reimbursement under this

1 Section unless the district certifies to the State
2 Superintendent of Education that the district is unable to
3 provide special educational services required by the child
4 for the current school year.

5 Nothing in this Section authorizes the reimbursement of a
6 school district for the amount paid for tuition of a child
7 attending a non-public school or special education facility,
8 public out-of-state school or county special education
9 facility unless the school district certifies to the State
10 Superintendent of Education that the special education
11 program of that district is unable to meet the needs of that
12 child because of his disability and the State Superintendent
13 of Education finds that the school district is in substantial
14 compliance with Section 14-4.01.

15 Any educational or related services provided, pursuant to
16 this Section in a non-public school or special education
17 facility or a special education facility owned and operated
18 by a county government unit shall be at no cost to the parent
19 or guardian of the child. However, current law and practices
20 relative to contributions by parents or guardians for costs
21 other than educational or related services are not affected
22 by this amendatory Act of 1978.

23 Reimbursement for children attending public school
24 residential facilities shall be made in accordance with the
25 provisions of this Section.

26 Notwithstanding any other provision of law, any school
27 district receiving a payment under this Section or under
28 Section 14-7.02a, 14-13.01, or 29-5 of this Code may classify
29 all or a portion of the funds that it receives in a
30 particular fiscal year or from general State aid pursuant to
31 Section 18-8.05 of this Code as funds received in connection
32 with any funding program for which it is entitled to receive
33 funds from the State in that fiscal year (including, without
34 limitation, any funding program referenced in this Section),

1 regardless of the source or timing of the receipt. The
2 district may not classify more funds as funds received in
3 connection with the funding program than the district is
4 entitled to receive in that fiscal year for that program.
5 Any classification by a district must be made by a resolution
6 of its board of education. The resolution must identify the
7 amount of any payments or general State aid to be classified
8 under this paragraph and must specify the funding program to
9 which the funds are to be treated as received in connection
10 therewith. This resolution is controlling as to the
11 classification of funds referenced therein. A certified copy
12 of the resolution must be sent to the State Superintendent of
13 Education. The resolution shall still take effect even though
14 a copy of the resolution has not been sent to the State
15 Superintendent of Education in a timely manner. No
16 classification under this paragraph by a district shall
17 affect the total amount or timing of money the district is
18 entitled to receive under this Code. No classification under
19 this paragraph by a district shall in any way relieve the
20 district from or affect any requirements that otherwise would
21 apply with respect to that funding program, including any
22 accounting of funds by source, reporting expenditures by
23 original source and purpose, reporting requirements, or
24 requirements of providing services.

25 (Source: P.A. 91-764, eff. 6-9-00.)

26 (105 ILCS 5/14-7.02a) (from Ch. 122, par. 14-7.02a)
27 Sec. 14-7.02a. Children requiring extraordinary special
28 education services and facilities. A school district
29 providing for a child requiring extraordinary special
30 education services because of the nature of his disability is
31 eligible for reimbursement from the State if the cost of
32 educating that child is computed, as set forth in Section
33 14-7.01, to be in excess of one and one-half times the

1 district per capita tuition charge for the prior year. Such
2 costs beyond one per capita tuition charge shall be
3 reimbursed, up to a maximum of \$2,000.

4 A child is deemed to require extraordinary special
5 education services and facilities under the following
6 conditions:

7 1) the school district has determined that the
8 child requires extraordinary special education facilities
9 pursuant to the multidisciplinary case study and the
10 individualized education program;

11 2) the school district maintains adequate cost
12 accounting to document the per capita cost of special
13 education; and

14 3) the school district submits approval and claim
15 data annually for each eligible child.

16 Extraordinary special education services provided on a
17 one-half day basis shall only be reimbursed at a rate of
18 one-half the amount otherwise provided herein.

19 Notwithstanding any other provision of law, any school
20 district receiving a payment under this Section or under
21 Section 14-7.02, 14-13.01, or 29-5 of this Code may classify
22 all or a portion of the funds that it receives in a
23 particular fiscal year or from general State aid pursuant to
24 Section 18-8.05 of this Code as funds received in connection
25 with any funding program for which it is entitled to receive
26 funds from the State in that fiscal year (including, without
27 limitation, any funding program referenced in this Section),
28 regardless of the source or timing of the receipt. The
29 district may not classify more funds as funds received in
30 connection with the funding program than the district is
31 entitled to receive in that fiscal year for that program.
32 Any classification by a district must be made by a resolution
33 of its board of education. The resolution must identify the
34 amount of any payments or general State aid to be classified

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

18 (Source: P.A. 88-16.)

19 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)
 20 Sec. 14-13.01. Reimbursement payable by State; Amounts.
 21 Reimbursement for furnishing special educational facilities
 22 in a recognized school to the type of children defined in
 23 Section 14-1.02 shall be paid to the school districts in
 24 accordance with Section 14-12.01 for each school year ending
 25 June 30 by the State Comptroller out of any money in the
 26 treasury appropriated for such purposes on the presentation
 27 of vouchers by the State Board of Education.

28 The reimbursement shall be limited to funds expended for
 29 construction and maintenance of special education facilities
 30 designed and utilized to house instructional programs,
 31 diagnostic services, other special education services for
 32 children with disabilities and reimbursement as provided in
 33 Section 14-13.01. There shall be no reimbursement for

1 construction and maintenance of any administrative facility
2 separated from special education facilities designed and
3 utilized to house instructional programs, diagnostic services
4 and other special education services for children with
5 disabilities.

6 (a) For children who have not been identified as
7 eligible for special education and for eligible children with
8 physical disabilities, including all eligible children whose
9 placement has been determined under Section 14-8.02 in
10 hospital or home instruction, 1/2 of the teacher's salary but
11 not more than \$1,000 annually per child or \$8,000 per teacher
12 for the 1985-1986 school year and thereafter, whichever is
13 less. Children to be included in any reimbursement under
14 this paragraph must regularly receive a minimum of one hour
15 of instruction each school day, or in lieu thereof of a
16 minimum of 5 hours of instruction in each school week in
17 order to qualify for full reimbursement under this Section.
18 If the attending physician for such a child has certified
19 that the child should not receive as many as 5 hours of
20 instruction in a school week, however, reimbursement under
21 this paragraph on account of that child shall be computed
22 proportionate to the actual hours of instruction per week for
23 that child divided by 5.

24 (b) For children described in Section 14-1.02, 4/5 of
25 the cost of transportation for each such child, whom the
26 State Superintendent of Education determined in advance
27 requires special transportation service in order to take
28 advantage of special educational facilities. Transportation
29 costs shall be determined in the same fashion as provided in
30 Section 29-5. For purposes of this subsection (b), the dates
31 for processing claims specified in Section 29-5 shall apply.

32 (c) For each professional worker excluding those
33 included in subparagraphs (a), (d), (e), and (f) of this
34 Section, the annual sum of \$8,000 for the 1985-1986 school

1 year and thereafter.

2 (d) For one full time qualified director of the special
3 education program of each school district which maintains a
4 fully approved program of special education the annual sum of
5 \$8,000 for the 1985-1986 school year and thereafter.
6 Districts participating in a joint agreement special
7 education program shall not receive such reimbursement if
8 reimbursement is made for a director of the joint agreement
9 program.

10 (e) For each school psychologist as defined in Section
11 14-1.09 the annual sum of \$8,000 for the 1985-1986 school
12 year and thereafter.

13 (f) For each qualified teacher working in a fully
14 approved program for children of preschool age who are deaf
15 or hard-of-hearing the annual sum of \$8,000 for the 1985-1986
16 school year and thereafter.

17 (g) For readers, working with blind or partially seeing
18 children 1/2 of their salary but not more than \$400 annually
19 per child. Readers may be employed to assist such children
20 and shall not be required to be certified but prior to
21 employment shall meet standards set up by the State Board of
22 Education.

23 (h) For necessary non-certified employees working in any
24 class or program for children defined in this Article, 1/2 of
25 the salary paid or \$2,800 annually per employee, whichever is
26 less.

27 The State Board of Education shall set standards and
28 prescribe rules for determining the allocation of
29 reimbursement under this section on less than a full time
30 basis and for less than a school year.

31 When any school district eligible for reimbursement under
32 this Section operates a school or program approved by the
33 State Superintendent of Education for a number of days in
34 excess of the adopted school calendar but not to exceed 235

1 school days, such reimbursement shall be increased by 1/185
2 of the amount or rate paid hereunder for each day such school
3 is operated in excess of 185 days per calendar year.

4 Notwithstanding any other provision of law, any school
5 district receiving a payment under this Section or under
6 Section 14-7.02, 14-7.02a, or 29-5 of this Code may classify
7 all or a portion of the funds that it receives in a
8 particular fiscal year or from general State aid pursuant to
9 Section 18-8.05 of this Code as funds received in connection
10 with any funding program for which it is entitled to receive
11 funds from the State in that fiscal year (including, without
12 limitation, any funding program referenced in this Section),
13 regardless of the source or timing of the receipt. The
14 district may not classify more funds as funds received in
15 connection with the funding program than the district is
16 entitled to receive in that fiscal year for that program.
17 Any classification by a district must be made by a resolution
18 of its board of education. The resolution must identify the
19 amount of any payments or general State aid to be classified
20 under this paragraph and must specify the funding program to
21 which the funds are to be treated as received in connection
22 therewith. This resolution is controlling as to the
23 classification of funds referenced therein. A certified copy
24 of the resolution must be sent to the State Superintendent of
25 Education. The resolution shall still take effect even though
26 a copy of the resolution has not been sent to the State
27 Superintendent of Education in a timely manner. No
28 classification under this paragraph by a district shall
29 affect the total amount or timing of money the district is
30 entitled to receive under this Code. No classification under
31 this paragraph by a district shall in any way relieve the
32 district from or affect any requirements that otherwise would
33 apply with respect to that funding program, including any
34 accounting of funds by source, reporting expenditures by

1 original source and purpose, reporting requirements, or
2 requirements of providing services.

3 (Source: P.A. 88-555, eff. 7-27-94; 88-641, eff. 9-9-94;
4 89-235, eff. 8-4-95; 89-397, eff. 8-20-95.)

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

27 The State will pay the cost of transporting eligible
28 pupils less the assessed valuation in a dual school district
29 maintaining secondary grades 9 to 12 inclusive times a
30 qualifying rate of .05%; in elementary school districts
31 maintaining grades K to 8 times a qualifying rate of .06%; in
32 unit districts maintaining grades K to 12 times a qualifying
33 rate of .07%. To be eligible to receive reimbursement in

1 excess of $\frac{4}{5}$ of the cost to transport eligible pupils, a
2 school district shall have a Transportation Fund tax rate of
3 at least .12%. If a school district does not have a .12%
4 Transportation Fund tax rate, the amount of its claim in
5 excess of $\frac{4}{5}$ of the cost of transporting pupils shall be
6 reduced by the sum arrived at by subtracting the
7 Transportation Fund tax rate from .12% and multiplying that
8 amount by the districts equalized or assessed valuation,
9 provided, that in no case shall said reduction result in
10 reimbursement of less than $\frac{4}{5}$ of the cost to transport
11 eligible pupils.

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

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

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

22 If a pupil is at a location within the school district
23 other than his residence for child care purposes at the time
24 for transportation to school, that location may be considered
25 for purposes of determining the $1\frac{1}{2}$ miles from the school
26 attended.

27 Claims for reimbursement that include children who attend
28 any school other than a public school shall show the number
29 of such children transported.

30 Claims for reimbursement under this Section shall not be
31 paid for the transportation of pupils for whom transportation
32 costs are claimed for payment under other Sections of this
33 Act.

34 The allowable direct cost of transporting pupils for

1 regular, vocational, and special education pupil
2 transportation shall be limited to the sum of the cost of
3 physical examinations required for employment as a school bus
4 driver; the salaries of full or part-time drivers and school
5 bus maintenance personnel; employee benefits excluding
6 Illinois municipal retirement payments, social security
7 payments, unemployment insurance payments and workers'
8 compensation insurance premiums; expenditures to independent
9 carriers who operate school buses; payments to other school
10 districts for pupil transportation services; pre-approved
11 contractual expenditures for computerized bus scheduling; the
12 cost of gasoline, oil, tires, and other supplies necessary
13 for the operation of school buses; the cost of converting
14 buses' gasoline engines to more fuel efficient engines or to
15 engines which use alternative energy sources; the cost of
16 travel to meetings and workshops conducted by the regional
17 superintendent or the State Superintendent of Education
18 pursuant to the standards established by the Secretary of
19 State under Section 6-106 of the Illinois Vehicle Code to
20 improve the driving skills of school bus drivers; the cost of
21 maintenance of school buses including parts and materials
22 used; expenditures for leasing transportation vehicles,
23 except interest and service charges; the cost of insurance
24 and licenses for transportation vehicles; expenditures for
25 the rental of transportation equipment; plus a depreciation
26 allowance of 20% for 5 years for school buses and vehicles
27 approved for transporting pupils to and from school and a
28 depreciation allowance of 10% for 10 years for other
29 transportation equipment so used. In addition to the above
30 allowable costs school districts shall also claim all
31 transportation supervisory salary costs, including Illinois
32 municipal retirement payments, and all transportation related
33 building and building maintenance costs without limitation.

34 Special education allowable costs shall also include

1 expenditures for the salaries of attendants or aides for that
2 portion of the time they assist special education pupils
3 while in transit and expenditures for parents and public
4 carriers for transporting special education pupils when
5 pre-approved by the State Superintendent of Education.

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

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

29 On or before July 10, annually, the board clerk or the
30 secretary of the district shall certify to the regional
31 superintendent of schools upon forms prescribed by the State
32 Superintendent of Education the district's claim for
33 reimbursement for the school year ended on June 30 next
34 preceding. The regional superintendent of schools shall

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

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

18 For purposes of calculating claims for reimbursement
19 under this Section for any school year beginning July 1,
20 1998, or thereafter, the equalized assessed valuation for a
21 school district used to compute reimbursement shall be
22 computed in the same manner as it is computed under paragraph
23 (2) of subsection (G) of Section 18-8.05.

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

27 Notwithstanding any other provision of law, any school
28 district receiving a payment under this Section or under
29 Section 14-7.02, 14-7.02a, or 14-13.01 of this Code may
30 classify all or a portion of the funds that it receives in a
31 particular fiscal year or from general State aid pursuant to
32 Section 18-8.05 of this Code as funds received in connection
33 with any funding program for which it is entitled to receive
34 funds from the State in that fiscal year (including, without

1 limitation, any funding program referenced in this Section),
2 regardless of the source or timing of the receipt. The
3 district may not classify more funds as funds received in
4 connection with the funding program than the district is
5 entitled to receive in that fiscal year for that program.
6 Any classification by a district must be made by a resolution
7 of its board of education. The resolution must identify the
8 amount of any payments or general State aid to be classified
9 under this paragraph and must specify the funding program to
10 which the funds are to be treated as received in connection
11 therewith. This resolution is controlling as to the
12 classification of funds referenced therein. A certified copy
13 of the resolution must be sent to the State Superintendent of
14 Education. The resolution shall still take effect even though
15 a copy of the resolution has not been sent to the State
16 Superintendent of Education in a timely manner. No
17 classification under this paragraph by a district shall
18 affect the total amount or timing of money the district is
19 entitled to receive under this Code. No classification
20 under this paragraph by a district shall in any way relieve
21 the district from or affect any requirements that otherwise
22 would apply with respect to that funding program, including
23 any accounting of funds by source, reporting expenditures by
24 original source and purpose, reporting requirements, or
25 requirements of providing services.

26 (Source: P.A. 91-96, eff. 7-9-99.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.