



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2250

Introduced 2/7/2025, by Sen. Ram Villivalam

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/12-11.5	from Ch. 122, par. 12-11.5
105 ILCS 5/29-3	from Ch. 122, par. 29-3
105 ILCS 5/29-5	from Ch. 122, par. 29-5

Amends the School Code. Provides that the transportation of pupils, and reimbursement thereof, in school districts is in relation to pupils attending prekindergarten through grade 12.

LRB104 09499 LNS 19560 b

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 Sections  
5 12-11.5, 29-3, and 29-5 as follows:

6 (105 ILCS 5/12-11.5) (from Ch. 122, par. 12-11.5)

7 Sec. 12-11.5. Transportation of pupils.

8 If in the discretion of the board of education sufficient  
9 moneys of the district are available after payment of the  
10 other expenses of the district, including tuition, may provide  
11 free transportation for the pupils attending prekindergarten  
12 through grade 12 of their district not living within one and  
13 one-half miles of a high school which they may lawfully attend  
14 to the most convenient high school which such pupils may  
15 lawfully attend under the provisions of this Act, or reimburse  
16 pupils attending prekindergarten through grade 12 who are  
17 living in a portion of such district which cannot be reached by  
18 bus or train for the reasonable cost of their transportation,  
19 or for the amount necessarily expended by them for  
20 transportation in attending a high school approved by such  
21 board.

22 (Source: Laws 1961, p. 31.)

1 (105 ILCS 5/29-3) (from Ch. 122, par. 29-3)

2 Sec. 29-3. Transportation in school districts. School  
3 boards of community consolidated districts, community unit  
4 districts, consolidated districts, consolidated high school  
5 districts, optional elementary unit districts, combined high  
6 school - unit districts, combined school districts if the  
7 combined district includes any district which was previously  
8 required to provide transportation, and any newly created  
9 elementary or high school districts resulting from a high  
10 school - unit conversion, a unit to dual conversion, or a  
11 multi-unit conversion if the newly created district includes  
12 any area that was previously required to provide  
13 transportation shall provide free transportation for pupils  
14 attending prekindergarten through grade 12 who reside ~~residing~~  
15 at a distance of one and one-half miles or more from any school  
16 to which they are assigned for attendance maintained within  
17 the district, except for those pupils for whom the school  
18 board shall certify to the State Board of Education that  
19 adequate transportation for the public is available.

20 For the purpose of this Act 1 1/2 miles distance shall be  
21 from the exit of the property where the pupil resides to the  
22 point where pupils are normally unloaded at the school  
23 attended; such distance shall be measured by determining the  
24 shortest distance on normally traveled roads or streets.

25 Such school board may comply with the provisions of this  
26 Section by providing free transportation for pupils attending

1 prekindergarten through grade 12 to and from an assigned  
2 school and a pick-up point located not more than one and  
3 one-half miles from the home of each pupil assigned to such  
4 point.

5 For the purposes of this Act "adequate transportation for  
6 the public" shall be assumed to exist for such pupils as can  
7 reach school by walking, one way, along normally traveled  
8 roads or streets less than 1 1/2 miles irrespective of the  
9 distance the pupil is transported by public transportation.

10 In addition to the other requirements of this Section,  
11 each school board may provide free transportation for any  
12 pupil attending prekindergarten through grade 12 who reside  
13 ~~residing~~ within 1 1/2 miles from the school attended where  
14 conditions are such that walking, either to or from the school  
15 to which a pupil is assigned for attendance or to or from a  
16 pick-up point or bus stop, constitutes a serious hazard to the  
17 safety of the pupil due to either (i) vehicular traffic or rail  
18 crossings or (ii) a course or pattern of criminal activity, as  
19 defined in Section 10 of the Illinois Streetgang Terrorism  
20 Omnibus Prevention Act. Such transportation shall not be  
21 provided if adequate transportation for the public is  
22 available.

23 The determination as to what constitutes a serious safety  
24 hazard shall be made by the school board, in accordance with  
25 guidelines promulgated by the Illinois Department of  
26 Transportation regarding vehicular traffic or rail crossings

1 or in accordance with guidelines regarding a course or pattern  
2 of criminal activity, as determined by the local law  
3 enforcement agency, in consultation with the State  
4 Superintendent of Education. A school board, on written  
5 petition of the parent or guardian of a pupil for whom adequate  
6 transportation for the public is alleged not to exist because  
7 the pupil is required to walk along normally traveled roads or  
8 streets where walking is alleged to constitute a serious  
9 safety hazard due to either (i) vehicular traffic or rail  
10 crossings or (ii) a course or pattern of criminal activity, or  
11 who is required to walk between the pupil's home and assigned  
12 school or between the pupil's home or assigned school and a  
13 pick-up point or bus stop along roads or streets where walking  
14 is alleged to constitute a serious safety hazard due to either  
15 (i) vehicular traffic or rail crossings or (ii) a course or  
16 pattern of criminal activity, shall conduct a study and make  
17 findings, which the Department of Transportation, with respect  
18 to vehicular traffic or rail crossings, or the State Board of  
19 Education, in consultation with the local law enforcement  
20 agency, with respect to a course or pattern of criminal  
21 activity, shall review and approve or disapprove as provided  
22 in this Section, to determine whether a serious safety hazard  
23 exists as alleged in the petition. The Department of  
24 Transportation shall review the findings of the school board  
25 concerning vehicular traffic or rail crossings and shall  
26 approve or disapprove the school board's determination that a

1 serious safety hazard exists within 30 days after the school  
2 board submits its findings to the Department of  
3 Transportation. The State Board of Education, in consultation  
4 with the local law enforcement agency, shall review the  
5 findings of the school board concerning a course or pattern of  
6 criminal activity and shall approve or disapprove the school  
7 board's determination that a serious safety hazard exists  
8 within 30 days after the school board submits its findings to  
9 the State Board. The school board shall annually review the  
10 conditions and determine whether or not the hazardous  
11 conditions remain unchanged. The State Superintendent of  
12 Education may request that the Illinois Department of  
13 Transportation or the local law enforcement agency verify that  
14 the conditions have not changed. No action shall lie against  
15 the school board, the State Superintendent of Education, the  
16 Illinois Department of Transportation, the State Board of  
17 Education, or a local law enforcement agency for decisions  
18 made in accordance with this Section. The provisions of the  
19 Administrative Review Law and all amendments and modifications  
20 thereof and the rules adopted pursuant thereto shall apply to  
21 and govern all proceedings instituted for the judicial review  
22 of final administrative decisions of the Department of  
23 Transportation, the State Board of Education, or a local law  
24 enforcement agency under this Section. At all points, except  
25 when otherwise mentioned in this Section, the local  
26 enforcement agency is authorized to determine what constitutes

1 a course or pattern of criminal activity.

2 The changes made to this Section by this amendatory Act of  
3 the 100th General Assembly do not apply to a school district  
4 organized under Article 34 of this Code.

5 (Source: P.A. 100-1142, eff. 11-28-18.)

6 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

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

1 transported to and from their assigned attendance centers  
2 during the school day shall be reimbursed by the State as  
3 hereinafter provided in this Section.

4 The State will pay the prorated allowable cost of  
5 transporting eligible pupils less the real equalized assessed  
6 valuation as computed under paragraph (3) of subsection (d) of  
7 Section 18-8.15 in a dual school district maintaining  
8 secondary grades 9 to 12 inclusive times a qualifying rate of  
9 .05%; in elementary school districts maintaining  
10 prekindergarten to grade ~~grades K to~~ 8 times a qualifying rate  
11 of .06%; and in unit districts maintaining prekindergarten  
12 ~~grades K to~~ grade 12, including partial elementary unit  
13 districts formed pursuant to Article 11E, times a qualifying  
14 rate of .07%. For a State-authorized charter school, the State  
15 shall pay the prorated allowable cost of transporting eligible  
16 pupils less a real equalized assessed valuation calculated  
17 pursuant to this Section times a qualifying rate. For purposes  
18 of calculating the real equalized assessed valuation for a  
19 State-authorized charter school whose resident district is not  
20 a school district organized under Article 34 of this Code, the  
21 State Board of Education shall calculate the average of the  
22 number of students attending prekindergarten to grade ~~in~~  
23 ~~grades kindergarten through~~ 12 reported as enrolled in the  
24 charter school in the State Board's Student Information System  
25 on October 1 and March 1 of the immediately preceding school  
26 year. That value shall be divided by the average of the number

1 of students attending prekindergarten ~~in grades kindergarten~~  
2 through grade 12 reported as enrolled in the charter school's  
3 resident district on October 1 and March 1 of the immediately  
4 preceding school year. That proportion shall be multiplied by  
5 the real equalized assessed valuation as computed under  
6 paragraph (3) of subsection (d) of Section 18-8.15 for each  
7 State-authorized charter school's applicable resident  
8 district. A State-authorized charter school whose resident  
9 district is organized under Article 34 of this Code shall have  
10 a real equalized assessed valuation equal to the real  
11 equalized assessed valuation of its resident district as  
12 computed under paragraph (3) of subsection (d) of Section  
13 18-8.15. A State-authorized charter school's qualifying rate  
14 shall be the same as the rate that applies to the charter  
15 school's resident district.

16 To be eligible to receive reimbursement in excess of 4/5  
17 of the cost to transport eligible pupils, a school district or  
18 partial elementary unit district formed pursuant to Article  
19 11E shall have a Transportation Fund tax rate of at least .12%.  
20 The Transportation Fund tax rate for a partial elementary unit  
21 district formed pursuant Article 11E shall be the combined  
22 elementary and high school rates pursuant to paragraph (4) of  
23 subsection (a) of Section 18-8.15.

24 If a school district or partial elementary unit district  
25 formed pursuant to Article 11E does not have a .12%  
26 Transportation Fund tax rate, the amount of its claim in

1 excess of 4/5 of the cost of transporting pupils shall be  
2 reduced by the sum arrived at by subtracting the  
3 Transportation Fund tax rate from .12% and multiplying that  
4 amount by the district's real equalized assessed valuation as  
5 computed under paragraph (3) of subsection (d) of Section  
6 18-8.15, provided that in no case shall said reduction result  
7 in reimbursement of less than 4/5 of the cost to transport  
8 eligible pupils. No such adjustment may be applied to a claim  
9 filed by a State-authorized charter school.

10 Subject to the calculation of equalized assessed  
11 valuation, an adjustment for an insufficient tax rate, and the  
12 use of a qualifying rate as provided in this Section, a  
13 State-authorized charter school may make a claim for  
14 reimbursement by the State that is calculated in the same  
15 manner as a school district.

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

18 When calculating the reimbursement for transportation  
19 costs, the State Board of Education may not deduct the number  
20 of pupils enrolled in early education programs from the number  
21 of pupils eligible for reimbursement if the pupils enrolled in  
22 the early education programs are transported at the same time  
23 as other eligible pupils.

24 Any such district transporting resident pupils during the  
25 school day to an area vocational school or another school  
26 district's vocational program more than 1 1/2 miles from the

1 school attended, as provided in Sections 10-22.20a and  
2 10-22.22, shall be reimbursed by the State for 4/5 of the cost  
3 of transporting eligible pupils.

4 School day means that period of time during which the  
5 pupil is required to be in attendance for instructional  
6 purposes.

7 If a pupil is at a location within the school district  
8 other than his residence for child care purposes at the time  
9 for transportation to school, that location may be considered  
10 for purposes of determining the 1 1/2 miles from the school  
11 attended.

12 Claims for reimbursement that include children who attend  
13 any school other than a public school shall show the number of  
14 such children transported.

15 Claims for reimbursement under this Section shall not be  
16 paid for the transportation of pupils for whom transportation  
17 costs are claimed for payment under other Sections of this  
18 Act.

19 The allowable direct cost of transporting pupils for  
20 regular, vocational, and special education pupil  
21 transportation shall be limited to the sum of the cost of  
22 physical examinations required for employment as a school bus  
23 driver; the salaries of full-time or part-time drivers and  
24 school bus maintenance personnel; employee benefits excluding  
25 Illinois municipal retirement payments, social security  
26 payments, unemployment insurance payments and workers'

1 compensation insurance premiums; expenditures to independent  
2 carriers who operate school buses; payments to other school  
3 districts for pupil transportation services; pre-approved  
4 contractual expenditures for computerized bus scheduling;  
5 expenditures for housing assistance and homeless prevention  
6 under Sections 1-17 and 1-18 of the Education for Homeless  
7 Children Act that are not in excess of the school district's  
8 actual costs for providing transportation services and are not  
9 otherwise claimed in another State or federal grant that  
10 permits those costs to a parent, a legal guardian, any other  
11 person who enrolled a pupil, or a homeless assistance agency  
12 that is part of the federal McKinney-Vento Homeless Assistance  
13 Act's continuum of care for the area in which the district is  
14 located; the cost of gasoline, oil, tires, and other supplies  
15 necessary for the operation of school buses; the cost of  
16 converting buses' gasoline engines to more fuel efficient  
17 engines or to engines which use alternative energy sources;  
18 the cost of travel to meetings and workshops conducted by the  
19 regional superintendent or the State Superintendent of  
20 Education pursuant to the standards established by the  
21 Secretary of State under Section 6-106 of the Illinois Vehicle  
22 Code to improve the driving skills of school bus drivers; the  
23 cost of maintenance of school buses including parts and  
24 materials used; expenditures for leasing transportation  
25 vehicles, except interest and service charges; the cost of  
26 insurance and licenses for transportation vehicles;

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

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

1 the State Superintendent of Education.

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

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

25 On or before August 15, annually, the chief school  
26 administrator for the district shall certify to the State

1 Superintendent of Education the district's claim for  
2 reimbursement for the school year ending on June 30 next  
3 preceding. The State Superintendent of Education shall check  
4 and approve the claims and prepare the vouchers showing the  
5 amounts due for district reimbursement claims. Each fiscal  
6 year, the State Superintendent of Education shall prepare and  
7 transmit the first 3 vouchers to the Comptroller on the 30th  
8 day of September, December and March, respectively, and the  
9 final voucher, no later than June 20.

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

16 For purposes of calculating claims for reimbursement under  
17 this Section for any school year beginning July 1, 2016, the  
18 equalized assessed valuation for a school district or partial  
19 elementary unit district formed pursuant to Article 11E used  
20 to compute reimbursement shall be the real equalized assessed  
21 valuation as computed under paragraph (3) of subsection (d) of  
22 Section 18-8.15.

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

26 Notwithstanding any other provision of law, any school

1 district receiving a payment under this Section or under  
2 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may  
3 classify all or a portion of the funds that it receives in a  
4 particular fiscal year or from State aid pursuant to Section  
5 18-8.15 of this Code as funds received in connection with any  
6 funding program for which it is entitled to receive funds from  
7 the State in that fiscal year (including, without limitation,  
8 any funding program referenced in this Section), regardless of  
9 the source or timing of the receipt. The district may not  
10 classify more funds as funds received in connection with the  
11 funding program than the district is entitled to receive in  
12 that fiscal year for that program. Any classification by a  
13 district must be made by a resolution of its board of  
14 education. The resolution must identify the amount of any  
15 payments or general State aid to be classified under this  
16 paragraph and must specify the funding program to which the  
17 funds are to be treated as received in connection therewith.  
18 This resolution is controlling as to the classification of  
19 funds referenced therein. A certified copy of the resolution  
20 must be sent to the State Superintendent of Education. The  
21 resolution shall still take effect even though a copy of the  
22 resolution has not been sent to the State Superintendent of  
23 Education in a timely manner. No classification under this  
24 paragraph by a district shall affect the total amount or  
25 timing of money the district is entitled to receive under this  
26 Code. No classification under this paragraph by a district

1 shall in any way relieve the district from or affect any  
2 requirements that otherwise would apply with respect to that  
3 funding program, including any accounting of funds by source,  
4 reporting expenditures by original source and purpose,  
5 reporting requirements, or requirements of providing services.

6 Any school district with a population of not more than  
7 500,000 must deposit all funds received under this Article  
8 into the transportation fund and use those funds for the  
9 provision of transportation services.

10 (Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22;  
11 103-588, eff. 1-1-25.)