**Section 557.160 Procedures**

a) Request by custodian for determination.

A request by a custodian for a determination that a serious safety hazard exists shall be made in accordance with this Part, and on an application form promulgated by the Department). This form will be provided by the Superintendent of the Educational Service Region for the county in which the custodian resides. A custodian's request shall be supported by findings on those factors that were found to contribute to the hazard. Findings shall be indicated by completion of appropriate portions of the application form. Example: Speed of traffic (45 m.p.h). Volume of traffic (60 vehicles/five minute vehicular traffic count). Length of hazardous section (1.2 miles). Each submittal shall be certified true and correct by the custodian making the submission.

AGENCY NOTE: Long-term construction projects may have an effect on the safety of a route used by pupils walking to and from school. The effect may include increases in the type and length of the hazardous section, the speed and volume of the traffic, traffic control, the number of lanes of traffic to be crossed, the number of railroad tracks to be crossed, the type of railroad protection utilized and the number of daily trains passing during the school crossing periods. A request submitted using these revised figures may result in a serious safety hazard finding for a route that would not otherwise qualify for such a finding.

b) Submission of request.

An application form and a map or sketch showing the location of the hazard and the route walked by the pupil shall be submitted by the custodian to the Regional Superintendent of Education for the area in which the custodian is situated no later than February 1 of the school year for which reimbursement will be sought. On or before February 15 of each year, the Regional Superintendent will forward the request to the appropriate District Office of the Department (see Section 557.Illustration A, District Boundary Map for a listing of District addresses and phone numbers). The submittal may include other written materials, including photographs, that the custodian believes will aid in the Department's review.

c) Department review.

1) The Department will review and approve or disapprove the custodian's request within 30 days after submission of the request by the Regional Superintendent to the Department.

2) If a submittal is incomplete, the Department will disapprove it without prejudice and will, in writing, state why it is considered incomplete. A request that is disapproved because of incompleteness may be resubmitted by the custodian within 30 days after the custodian's receipt of notice by the Department that the request is incomplete.

3) The Department's review will consist of determining the correctness of the information shown on the application form. This review will include, but is not limited to, the following: viewing the location; consulting vehicular volume count maps or counting vehicles; measuring length and width of roadways; and observing train movements and obtaining train speeds from railroads, regulatory authorities or law enforcement officials. The persons conducting the review will document the procedures utilized and information obtained. Requests, whether approved or disapproved, will be returned to the Regional Superintendent for distribution to custodians. If a complete request is disapproved, the Department will, in writing, state why and upon what information the Department's decision was based.

d) Reimbursement.

Since the actual reimbursement to custodians is handled by the State Superintendent of Education, rather than the Department, custodians shall refer questions regarding reimbursement to the State Superintendent.

(Source: Amended at 25 Ill. Reg. 16534, effective December 18, 2001)