

1 AMENDMENT TO HOUSE BILL 760

2 AMENDMENT NO. _____. Amend House Bill 760, AS AMENDED, in
3 Section 5, in the introductory clause, after "2-3.131", by
4 inserting "and changing Section 29-3"; and

5 in Section 5, immediately below Sec. 2-3.131, by inserting
6 the following:

7 "(105 ILCS 5/29-3) (from Ch. 122, par. 29-3)

8 Sec. 29-3. Transportation in school districts. School
9 boards of community consolidated districts, community unit
10 districts, consolidated districts, and consolidated high
11 school districts, and combined school districts if the
12 combined district includes any district which was previously
13 required to provide transportation, shall provide free
14 transportation for pupils residing at a distance of one and
15 one-half miles or more from any school to which they are
16 assigned for attendance maintained within the district except
17 for those pupils for whom the school board shall certify to
18 the State Board of Education that adequate transportation for
19 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

1 attended; such distance shall be measured by determining the
2 shortest distance on normally traveled roads or streets.

3 Such school board may comply with the provisions of this
4 Section by providing free transportation for pupils to and
5 from an assigned school and a pick-up point located not more
6 than one and one-half miles from the home of each pupil
7 assigned to such point.

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

13 In addition to the other requirements of this Section,
14 each school board may provide free transportation for any
15 pupil residing within 1 1/2 miles from the school attended
16 where conditions are such that walking, either to or from the
17 school to which a pupil is assigned for attendance or to or
18 from a pick-up point or bus stop, constitutes a serious
19 hazard to the safety of the pupil due to vehicular traffic or
20 rail crossings or due to other hazards. Such transportation
21 shall not be provided if adequate transportation for the
22 public is 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 regional superintendent of
26 schools Illinois---Department---of---Transportation, in
27 consultation with the Department of Transportation with
28 regard to vehicular traffic or rail crossings State
29 Superintendent-of--Education. A school board, on written
30 petition of the parent or guardian of a pupil for whom
31 adequate transportation for the public is alleged not to
32 exist because the pupil is required to walk along normally
33 traveled roads or streets where walking is alleged to
34 constitute a serious safety hazard due-to--vehicular--traffie

1 er--rail--crossings, or who is required to walk between the
2 pupil's home and assigned school or between the pupil's home
3 or assigned school and a pick-up point or bus stop along
4 roads or streets where walking is alleged to constitute a
5 serious safety hazard due--to--vehicular--traffic--or-rail
6 crossings, shall conduct a study and make findings, which the
7 regional superintendent of schools, in consultation with the
8 Department of Transportation with regard to vehicular traffic
9 or rail crossings, shall review and approve or disapprove as
10 provided in this Section, to determine whether a serious
11 safety hazard exists as alleged in the petition. The
12 regional superintendent of schools, in consultation with the
13 Department of Transportation with regard to vehicular traffic
14 or rail crossings, shall review the findings of the school
15 board and shall approve or disapprove the school board's
16 determination that a serious safety hazard exists within 30
17 days after the school board submits its findings to the
18 regional superintendent of schools Department. The school
19 board shall annually review the conditions and certify to the
20 regional State superintendent of schools Education whether or
21 not the hazardous conditions remain unchanged. The regional
22 State superintendent of schools Education may request that
23 the Illinois Department of Transportation verify that the
24 conditions with regard to vehicular traffic or rail crossings
25 have not changed. No action shall lie against the school
26 board, the regional superintendent of schools, the-State
27 Superintendent-of-Education or the Illinois Department of
28 Transportation for decisions made in accordance with this
29 Section. The provisions of the Administrative Review Law and
30 all amendments and modifications thereof and the rules
31 adopted pursuant thereto shall apply to and govern all
32 proceedings instituted for the judicial review of final
33 administrative decisions of the regional superintendent of
34 schools Department-of-Transportation under this Section.

1 (Source: P.A. 90-223, eff. 1-1-98.)".