

## **PUPIL TRANSPORTATION FREQUENTLY ASKED QUESTIONS**

### **Is every school district required to provide free transportation services to its students?**

No. Per Section 29-3 of the School Code, only certain types of school districts are required by law to provide free transportation services. Specifically, community consolidated districts, community unit districts, consolidated districts and consolidated high school districts, and combined school districts (if the combined school district includes any district that was previously required to provide transportation) shall provide free transportation for pupils residing at a distance of one and one-half miles or more from any school to which they are assigned for attendance maintained within the district. See <http://www.isbe.net/funding/pdf/dist-trans-req.pdf> for a detailed list of districts that are required or not required to provide transportation for free.

Statutory Citation: 105 ILCS 5/29-3

### **Are districts required to provide door-to-door transportation for prekindergarten or elementary-age students?**

No, unless it is required per the Individualized Education Program (IEP) of a student with disabilities. Parents/guardians are responsible to see that the child is at the scheduled bus stop in time to board the school bus to go to school and be at the bus stop upon the child's return at the end of the school day.

### **Is the district required to transport students who live less than one and one-half miles from their assigned attendance center?**

No. School boards may provide transportation for pupils living less than one and one-half miles as measured by the customary route of travel from the school attended and may make a charge for such transportation in an amount not to exceed the cost thereof, which shall include a reasonable allowance for depreciation of the vehicles so used.

Statutory Citation: 105 ILCS 5/29-2

### **How is the one and one-half miles measured?**

State statute defines the measurement as the distance from the exit of the property where the pupil resides to the point where pupils are normally unloaded at the school attended; such distance shall be measured by determining the shortest distance on normally traveled roads or streets.

Statutory Citation: 105 ILCS 5/29-3 Administrative Rule: 23 Ill Admin Code, Section 120.30(a)(1)(A)

### **Who determines the locations of the bus stops (pickup/drop-off points)?**

The school board of the district is required to establish the bus stops (pickup/drop-off points) for eligible students at a point located not more than one and one-half miles from the exit of the property of each pupil assigned to such point. The school district is not required to provide door-to-door service.

Statutory Citation: 105 ILCS 5/29-3

### **What is a serious safety hazard?**

A serious safety hazard exists when a pupil is required to walk along normally traveled roads or streets where walking is alleged to constitute a serious safety hazard due to vehicular traffic or rail crossings, or is required to walk between their home and assigned school or between their home or assigned school and a pickup point or bus stop along roads or streets where walking is alleged to constitute a serious safety hazard due to vehicular traffic or rail crossings.

Statutory Citation: 105 ILCS 5/29-3

### **Who determines that a serious safety hazard exists?**

The determination as to what constitutes a serious safety hazard is determined by the school board, in accordance with guidelines established by the Illinois Department of Transportation (IDOT) and in consultation with the State Superintendent of Education. IDOT will review the findings of the school board and approve or disapprove the school board's determination that a serious safety hazard exists within 30 days after the school board submits its findings to the department. If a hazard is determined to exist, the school board shall annually review the conditions and determine whether or not the hazardous conditions remain unchanged. The State Superintendent of Education may request that IDOT verify that the conditions have not changed.

Statutory Citation: 105 ILCS 5/29-3

### **Is the school board required to submit an annual review of the serious safety hazard findings to the Illinois State Board of Education?**

No. Pursuant to Public Act 94-0439, the school board is required by law to annually review the hazardous conditions, but is no longer required to send a copy of the resolution to the State Superintendent of Education. The annual resolutions should remain on file in the district for audit purposes.

Statutory Citation: 105 ILCS 5/29-3

### **What is the allowable number of students that can be seated on a school bus?**

1. No school bus shall be operated with more passengers than recommended by the manufacturer per Section 12-707 of the Vehicle Code [625 ILCS 5/12-707].
2. In determining seating capacity of a bus, individual seating should be based on 13 inches per child where a 3-3 (three pupils on both sides of aisle) seating plan is used and 15 inches where 3-2 (three pupils on one side of aisle and two pupils on other side of aisle) plan is used.
3. School buses can transport three to a seat if passengers are in kindergarten through grade 5, and two per seat in grades 9-12. For students in grades 6 through 8, school districts should vary the capacity of the bus depending on the size of the students. This ensures every student the safety factor of compartmentalization.
4. Standing while school buses and school-chartered buses are in motion shall not be permitted.