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TRANSPORTATION REIMBURSEMENTS: ADDITION TO EMERGENCY RULE AND NEED TO AMEND CONTRACTS

On April 9, 2020, the
Illinois State Board of Education issued additional new language (highlighted
below) as part of its emergency rule regarding State reimbursements for
payments to transportation contractors. This
action is designed to cover payments for the contractors' employee costs and is
not tied exclusively to the provision of alternative services.

Due to the outbreak of the Coronavirus Disease 2019 (COVID-19), beginning on March 17, 2020, and through the end of the 2019-2020 school year, to ensure the continuity of education, including the provision of any direct or related service for the

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*health and well-being of all public school students in pre-kindergarten through grade 12, all transportation **costs incurred that are beyond transporting students, such as costs paid by a local education agency for all employees related to the provision of transportation or** a transportation provider under a written agreement, regardless of any service that may be provided, or costs related to the distribution of food, distribution and pick-up of student assignments and work, and use of vehicles to provide wi-fi and other similar costs, shall be allowable and reimbursed by the formula under Section 29-5 of the School Code.*

23 Ill. Admin. Code
Section 120.30(e).

School districts and
joint agreements need to amend their transportation contracts if they which
wish to seek reimbursements from the State to offset payments to transportation

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contractors for the period of mandatory school closure.

If you have any questions or would like assistance in drafting the terms of the contract amendments, please do not hesitate to contact one of our attorneys.