

1 AN ACT concerning minors.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Juvenile Court Act of 1987 is amended by  
5 changing Section 3-33 as follows:

6 (705 ILCS 405/3-33) (from Ch. 37, par. 803-33)

7 Sec. 3-33. Truant Minor in Need of Supervision.

8 (a) Definition. A minor who is reported by a regional  
9 superintendent of schools, or in cities of over 500,000  
10 inhabitants, by the Office of Chronic Truant Adjudication, as a  
11 chronic truant may be subject to a petition for adjudication as  
12 shall be adjudged a truant minor in need of supervision,  
13 provided that prior to the filing of the petition, a  
14 comprehensive community based youth service agency shall  
15 certify that the minor has been referred by the regional  
16 superintendent or Office of Chronic Truant Adjudication to that  
17 agency for truancy intervention services, and the regional  
18 superintendent or Office of Chronic Truant Adjudication shall  
19 certify that truancy intervention services have not resulted in  
20 the cessation of chronic truancy after referral for truancy  
21 intervention services. The comprehensive community based youth  
22 service agency shall submit reports to the regional  
23 superintendent or the Office of Chronic Truant Adjudication  
24 within 30, 120, and 180 days of the minor's referral, or at any  
25 other time requested by a regional superintendent or the Office  
26 of Chronic Truant Adjudication, which reports each shall  
27 certify the date of the minor's referral and the extent of the  
28 minor's progress and participation in truancy intervention  
29 services provided by the comprehensive community based youth  
30 service agency. In addition, if after referral by the regional  
31 superintendent or the Office of Chronic Truant Adjudication,  
32 the minor declines or refuses to fully participate in truancy

1 intervention services provided by the comprehensive community  
2 based youth service agency, then the agency shall immediately  
3 certify such facts to the regional superintendent or the Office  
4 of Chronic Truant Adjudication.

5 (a-1) There is a rebuttable presumption that a chronic  
6 truant is a truant minor in need of supervision.

7 (a-2) There is a rebuttable presumption that school records  
8 of a minor's attendance at school are authentic.

9 (a-3) For purposes of this Section, "chronic truant" means  
10 a minor subject to compulsory school attendance and who is  
11 absent without valid cause from such attendance for 10% or more  
12 of the previous 180 regular attendance days, and has the  
13 meaning ascribed to it in Section 26-2a of the School Code.

14 (a-4) For purposes of this Section, "truancy intervention  
15 services" means services provided by a comprehensive community  
16 based youth service agency that are designed to assist the  
17 minor's return to an educational program, and includes  
18 assessments, counseling, mental health services, shelter,  
19 tutoring, and educational advocacy.

20 (b) Kinds of dispositional orders. A minor adjudicated  
21 ~~found to be~~ a truant minor in need of supervision may be:

22 (1) committed to the appropriate regional  
23 superintendent of schools for a multi-disciplinary case  
24 staffing, individualized educational plan or service plan,  
25 or referral to comprehensive community-based youth  
26 services;

27 (2) required to comply with an individualized  
28 educational plan or service plan as specifically provided  
29 by the appropriate regional superintendent of schools;

30 (3) ordered to obtain counseling or other supportive  
31 services;

32 (4) subject to a fine in an amount in excess of \$5, but  
33 not exceeding \$100, and each day of absence without valid  
34 cause as defined in Section 26-2a of The School Code is a  
35 separate offense;

36 (5) required to perform some reasonable public service

1 work such as, but not limited to, the picking up of litter  
2 in public parks or along public highways or the maintenance  
3 of public facilities; or

4 (6) subject to having his or her driver's license or  
5 driving privilege suspended for a period of time as  
6 determined by the court but only until he or she attains 18  
7 years of age.

8 A dispositional order may include a fine, public service,  
9 or suspension of a driver's license or privilege only if the  
10 court has made an express written finding that a truancy  
11 prevention program has been offered by the school, regional  
12 superintendent of schools, or a comprehensive community based  
13 youth social service agency to the truant minor in need of  
14 supervision.

15 (c) Orders entered under this Section may be enforced by  
16 contempt proceedings.

17 (Source: P.A. 90-143, eff. 7-23-97; 90-380, eff. 8-14-97;  
18 90-590, eff. 1-1-99; 90-655, eff. 7-30-98.)