

# HB0488



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

**HB0488**

Introduced 1/25/2013, by Rep. Michael J. Madigan

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/26-1

from Ch. 122, par. 26-1

Amends the School Code. Makes a technical change in a Section concerning the compulsory school age.

LRB098 03319 NHT 33334 b

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section  
5 26-1 as follows:

6 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

7 Sec. 26-1. Compulsory school age-Exemptions. Whoever has  
8 custody or control of any child between the ~~the~~ ages of 7 and  
9 17 years (unless the child has already graduated from high  
10 school) shall cause such child to attend some public school in  
11 the district wherein the child resides the entire time it is in  
12 session during the regular school term, except as provided in  
13 Section 10-19.1, and during a required summer school program  
14 established under Section 10-22.33B; provided, that the  
15 following children shall not be required to attend the public  
16 schools:

17 1. Any child attending a private or a parochial school  
18 where children are taught the branches of education taught  
19 to children of corresponding age and grade in the public  
20 schools, and where the instruction of the child in the  
21 branches of education is in the English language;

22 2. Any child who is physically or mentally unable to  
23 attend school, such disability being certified to the

1 county or district truant officer by a competent physician  
2 licensed in Illinois to practice medicine and surgery in  
3 all its branches, a chiropractic physician licensed under  
4 the Medical Practice Act of 1987, an advanced practice  
5 nurse who has a written collaborative agreement with a  
6 collaborating physician that authorizes the advanced  
7 practice nurse to perform health examinations, a physician  
8 assistant who has been delegated the authority to perform  
9 health examinations by his or her supervising physician, or  
10 a Christian Science practitioner residing in this State and  
11 listed in the Christian Science Journal; or who is excused  
12 for temporary absence for cause by the principal or teacher  
13 of the school which the child attends; the exemptions in  
14 this paragraph (2) do not apply to any female who is  
15 pregnant or the mother of one or more children, except  
16 where a female is unable to attend school due to a  
17 complication arising from her pregnancy and the existence  
18 of such complication is certified to the county or district  
19 truant officer by a competent physician;

20 3. Any child necessarily and lawfully employed  
21 according to the provisions of the law regulating child  
22 labor may be excused from attendance at school by the  
23 county superintendent of schools or the superintendent of  
24 the public school which the child should be attending, on  
25 certification of the facts by and the recommendation of the  
26 school board of the public school district in which the

1 child resides. In districts having part time continuation  
2 schools, children so excused shall attend such schools at  
3 least 8 hours each week;

4 4. Any child over 12 and under 14 years of age while in  
5 attendance at confirmation classes;

6 5. Any child absent from a public school on a  
7 particular day or days or at a particular time of day for  
8 the reason that he is unable to attend classes or to  
9 participate in any examination, study or work requirements  
10 on a particular day or days or at a particular time of day,  
11 because the tenets of his religion forbid secular activity  
12 on a particular day or days or at a particular time of day.  
13 Each school board shall prescribe rules and regulations  
14 relative to absences for religious holidays including, but  
15 not limited to, a list of religious holidays on which it  
16 shall be mandatory to excuse a child; but nothing in this  
17 paragraph 5 shall be construed to limit the right of any  
18 school board, at its discretion, to excuse an absence on  
19 any other day by reason of the observance of a religious  
20 holiday. A school board may require the parent or guardian  
21 of a child who is to be excused from attending school due  
22 to the observance of a religious holiday to give notice,  
23 not exceeding 5 days, of the child's absence to the school  
24 principal or other school personnel. Any child excused from  
25 attending school under this paragraph 5 shall not be  
26 required to submit a written excuse for such absence after

1 returning to school; and

2 6. Any child 16 years of age or older who (i) submits  
3 to a school district evidence of necessary and lawful  
4 employment pursuant to paragraph 3 of this Section and (ii)  
5 is enrolled in a graduation incentives program pursuant to  
6 Section 26-16 of this Code or an alternative learning  
7 opportunities program established pursuant to Article 13B  
8 of this Code.

9 (Source: P.A. 96-367, eff. 8-13-09.)