



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3435

by Rep. Eddie Lee Jackson, Sr.

SYNOPSIS AS INTRODUCED:

105 ILCS 5/26-1

from Ch. 122, par. 26-1

Amends the Compulsory Attendance Article of the School Code. Allows a child to be absent from school on a particular day or days or at a particular time of day for the reason that his or her parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. Provides that such a student shall be granted 10 days of excused absences in any school year and, at the discretion of the school board, additional excused absences to visit the student's parent or legal guardian relative to such leave or deployment of the parent or legal guardian. Requires the student and parent or legal guardian to obtain assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his or her return to school from such period of excused absence. Effective immediately.

LRB099 08099 NHT 28245 b

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 (i) between the ages of 7 and
9 17 years (unless the child has already graduated from high
10 school) for school years before the 2014-2015 school year or
11 (ii) between the ages of 6 (on or before September 1) and 17
12 years (unless the child has already graduated from high school)
13 beginning with the 2014-2015 school year shall cause such child
14 to attend some public school in the district wherein the child
15 resides the entire time it is in session during the regular
16 school term, except as provided in Section 10-19.1, and during
17 a required summer school program established under Section
18 10-22.33B; provided, that the following children shall not be
19 required to attend the public schools:

20 1. Any child attending a private or a parochial school
21 where children are taught the branches of education taught
22 to children of corresponding age and grade in the public
23 schools, and where the instruction of the child in the

1 branches of education is in the English language;

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

23 3. Any child necessarily and lawfully employed
24 according to the provisions of the law regulating child
25 labor may be excused from attendance at school by the
26 county superintendent of schools or the superintendent of

1 the public school which the child should be attending, on
2 certification of the facts by and the recommendation of the
3 school board of the public school district in which the
4 child resides. In districts having part time continuation
5 schools, children so excused shall attend such schools at
6 least 8 hours each week;

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

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

1 principal or other school personnel. Any child excused from
2 attending school under this paragraph 5 shall not be
3 required to submit a written excuse for such absence after
4 returning to school; ~~and~~

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

12 7. Any child absent from a public school on a
13 particular day or days or at a particular time of day for
14 the reason that his or her parent or legal guardian is an
15 active duty member of the uniformed services and has been
16 called to duty for, is on leave from, or has immediately
17 returned from deployment to a combat zone or combat-support
18 postings. Such a student shall be granted 10 days of
19 excused absences in any school year and, at the discretion
20 of the school board, additional excused absences to visit
21 the student's parent or legal guardian relative to such
22 leave or deployment of the parent or legal guardian. In the
23 case of excused absences pursuant to this paragraph 7, the
24 student and parent or legal guardian shall be responsible
25 for obtaining assignments from the student's teacher prior
26 to any period of excused absence and for ensuring that such

1 assignments are completed by the student prior to his or
2 her return to school from such period of excused absence.

3 (Source: P.A. 98-544, eff. 7-1-14.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.