

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
5 Sections 26-1 and 26-2 as follows:

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

7 Sec. 26-1. Compulsory school age; exemptions. Whoever
8 has custody or control of any child between the ages of 7 and
9 18 ~~16~~ years (unless the child has already graduated from high
10 school) shall cause such child to attend some public school
11 in the district wherein the child resides the entire time it
12 is in session during the regular school term, except as
13 provided in Section 10-19.1, and during a required summer
14 school program established under Section 10-22.33B; provided,
15 that the following children shall not be required to attend
16 the public schools:

17 1. Any child attending a private or a parochial school
18 where children are taught the branches of education taught to
19 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 county
24 or district truant officer by a competent physician or a
25 Christian Science practitioner residing in this State and
26 listed in the Christian Science Journal; or who is excused
27 for temporary absence for cause by the principal or teacher
28 of the school which the child attends; the exemptions in this
29 paragraph (2) do not apply to any female who is pregnant or
30 the mother of one or more children, except where a female is
31 unable to attend school due to a complication arising from

1 her pregnancy and the existence of such complication is
2 certified to the county or district truant officer by a
3 competent physician;

4 3. Any child necessarily and lawfully employed according
5 to the provisions of the law regulating child labor may be
6 excused from attendance at school by the county
7 superintendent of schools or the superintendent of the public
8 school which the child should be attending, on certification
9 of the facts by and the recommendation of the school board of
10 the public school district in which the child resides. In
11 districts having part time continuation schools, children so
12 excused shall attend such schools at least 8 hours each week;

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

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

1 excuse for such absence after returning to school.

2 (Source: P.A. 89-610, eff. 8-6-96.)

3 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

4 Sec. 26-2. Enrolled pupils below 7 or 18 or over ~~16~~. Any
5 person having custody or control of a child who is below the
6 age of 7 years or is 18 years of age or above ~~the age of 16~~
7 years and who is enrolled in any of grades 1 through 12, in
8 the public school shall cause him to attend the public school
9 in the district wherein he resides when it is in session
10 during the regular school term unless he is excused under
11 paragraphs 2, 3, 4 or 5 of Section 26-1.

12 A school district shall deny reenrollment in its
13 secondary schools to any child 18 years of age or above the
14 ~~age of 16~~ years who has dropped out of school and who could
15 not, because of age and lack of credits, attend classes
16 during the normal school year and graduate before his or her
17 twenty-first birthday. A district may, however, enroll the
18 child in an alternative learning opportunities program
19 established under Article 13B. No child shall be denied
20 reenrollment for the above reasons unless the school district
21 first offers the child due process as required in cases of
22 expulsion under Section 10-22.6. If a child is denied
23 reenrollment after being provided with due process, the
24 school district must provide counseling to that child and
25 must direct that child to alternative educational programs,
26 including adult education programs, that lead to graduation
27 or receipt of a GED diploma. No child may be denied
28 reenrollment in violation of the Individuals with
29 Disabilities Education Act or the Americans with Disabilities
30 Act.

31 (Source: P.A. 92-42, eff. 1-1-02.)

32 (105 ILCS 5/26-14 rep.)

1 Section 10. The School Code is amended by repealing
2 Section 26-14.

3 Section 99. Effective date. This Act takes effect on
4 July 1, 2003.