



Rep. Sue Scherer

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09800HB2762ham002

LRB098 09676 RPM 44448 a

1 AMENDMENT TO HOUSE BILL 2762

2 AMENDMENT NO. _____. Amend House Bill 2762 by replacing
3 everything after the enacting clause with the following:

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 ages of 7 and 17
9 years (unless the child has already graduated from high school)
10 shall cause such child to attend some public school in the
11 district wherein the child resides the entire time it is in
12 session during the regular school term, except that if the
13 child turns 7 during the regular school term, that child shall
14 be made to attend that entire school term. Further exceptions
15 are ~~except as~~ provided in Section 10-19.17 and ~~for during a~~
16 required summer school ~~programs~~ ~~program~~ established under

1 Section 10-22.33B. The ~~, provided, that the~~ following children
2 shall not be required to attend the public schools:

3 1. Any child attending a private or a parochial school
4 where children are taught the branches of education taught
5 to children of corresponding age and grade in the public
6 schools, and where the instruction of the child in the
7 branches of education is in the English language;

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

1 of such complication is certified to the county or district
2 truant officer by a competent physician;

3 3. Any child necessarily and lawfully employed
4 according to the provisions of the law regulating child
5 labor may be excused from attendance at school by the
6 county superintendent of schools or the superintendent of
7 the public school which the child should be attending, on
8 certification of the facts by and the recommendation of the
9 school board of the public school district in which the
10 child resides. In districts having part time continuation
11 schools, children so excused shall attend such schools at
12 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
16 particular day or days or at a particular time of day for
17 the reason that he is unable to attend classes or to
18 participate in any examination, study or work requirements
19 on a particular day or days or at a particular time of day,
20 because the tenets of his religion forbid secular activity
21 on a particular day or days or at a particular time of day.
22 Each school board shall prescribe rules and regulations
23 relative to absences for religious holidays including, but
24 not limited to, a list of religious holidays on which it
25 shall be mandatory to excuse a child; but nothing in this
26 paragraph 5 shall be construed to limit the right of any

1 school board, at its discretion, to excuse an absence on
2 any other day by reason of the observance of a religious
3 holiday. A school board may require the parent or guardian
4 of a child who is to be excused from attending school due
5 to the observance of a religious holiday to give notice,
6 not exceeding 5 days, of the child's absence to the school
7 principal or other school personnel. Any child excused from
8 attending school under this paragraph 5 shall not be
9 required to submit a written excuse for such absence after
10 returning to school; and

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

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