

1 AN ACT regarding 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 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  
17 Section 10-22.33B. ~~The ; provided, that the~~ following children  
18 shall not be required to attend the public schools:

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

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

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

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

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

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

1 attending school under this paragraph 5 shall not be  
2 required to submit a written excuse for such absence after  
3 returning to school; and

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

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