

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 Sections
5 26-1 and 26-2b 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, a licensed advanced
8 practice registered nurse, a licensed physician assistant,
9 or a Christian Science practitioner residing in this State
10 and listed in the Christian Science Journal; or who is
11 excused for temporary absence for cause by the principal or
12 teacher of the school which the child attends; the
13 exemptions in this paragraph (2) do not apply to any female
14 who is pregnant or the mother of one or more children,
15 except where a female is unable to attend school due to a
16 complication arising from her pregnancy and the existence
17 of such complication is certified to the county or district
18 truant officer by a competent physician;

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

1 schools, children so excused shall attend such schools at
2 least 8 hours each week;

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

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

1 excused from attending school under this paragraph 5 shall
2 not be required to submit a written excuse for such absence
3 after returning to school. A district superintendent shall
4 develop and distribute to schools appropriate procedures
5 regarding a student's absence for religious reasons, how
6 schools are notified of a student's impending absence for
7 religious reasons, and the requirements of Section 26-2b of
8 this Code;

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

16 7. A child in any of grades 6 through 12 absent from a
17 public school on a particular day or days or at a
18 particular time of day for the purpose of sounding "Taps"
19 at a military honors funeral held in this State for a
20 deceased veteran. In order to be excused under this
21 paragraph 7, the student shall notify the school's
22 administration at least 2 days prior to the date of the
23 absence and shall provide the school's administration with
24 the date, time, and location of the military honors
25 funeral. The school's administration may waive this 2-day
26 notification requirement if the student did not receive at

1 least 2 days advance notice, but the student shall notify
2 the school's administration as soon as possible of the
3 absence. A student whose absence is excused under this
4 paragraph 7 shall be counted as if the student attended
5 school for purposes of calculating the average daily
6 attendance of students in the school district. A student
7 whose absence is excused under this paragraph 7 must be
8 allowed a reasonable time to make up school work missed
9 during the absence. If the student satisfactorily
10 completes the school work, the day of absence shall be
11 counted as a day of compulsory attendance and he or she may
12 not be penalized for that absence; and

13 8. Any child absent from a public school on a
14 particular day or days or at a particular time of day for
15 the reason that his or her parent or legal guardian is an
16 active duty member of the uniformed services and has been
17 called to duty for, is on leave from, or has immediately
18 returned from deployment to a combat zone or combat-support
19 postings. Such a student shall be granted 5 days of excused
20 absences in any school year and, at the discretion of the
21 school board, additional excused absences to visit the
22 student's parent or legal guardian relative to such leave
23 or deployment of the parent or legal guardian. In the case
24 of excused absences pursuant to this paragraph 8, the
25 student and parent or legal guardian shall be responsible
26 for obtaining assignments from the student's teacher prior

1 to any period of excused absence and for ensuring that such
2 assignments are completed by the student prior to his or
3 her return to school from such period of excused absence.
4 (Source: P.A. 99-173, eff. 7-29-15; 99-804, eff. 1-1-17;
5 100-185, eff. 8-18-17; 100-513, eff. 1-1-18; 100-863, eff.
6 8-14-18.)

7 (105 ILCS 5/26-2b) (from Ch. 122, par. 26-2b)

8 Sec. 26-2b. Any child enrolled in a public school who is
9 unable, because of the observance of a religious holiday, to
10 attend classes on a particular day or days or at a particular
11 time of day shall be excused from any examination or any study
12 or work assignments on such particular day or days or at such
13 particular time of day. It shall be the responsibility of the
14 teachers and of the administrative officials of each public
15 school to make available to each child who is absent from
16 school because of the observance of a religious holiday an
17 equivalent opportunity to make up any examination, study or
18 work requirements which he has missed because of such absence
19 on any particular day or days or at any particular time of day.
20 No special fees of any kind shall be charged to the child for
21 making available to such child such equivalent opportunity. No
22 adverse or prejudicial effects shall result to any child
23 because of his availing himself of the provisions of this
24 Section.

25 ~~The provisions of this Section shall apply only if the~~

1 ~~rules and regulations of the school board promulgated pursuant~~

2 ~~to paragraph 5 of Section 26-1 have been complied with.~~

3 (Source: P.A. 84-212.)