



Rep. Daniel Didech

Filed: 2/19/2020

10100HB4011ham001

LRB101 14587 CMG 70556 a

1 AMENDMENT TO HOUSE BILL 4011

2 AMENDMENT NO. _____. Amend House Bill 4011 by replacing
3 everything after the enacting clause with the following:

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

1 a required summer school program established under Section
2 10-22.33B; provided, that the following children shall not be
3 required to attend the public schools:

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

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

26 3. Any child necessarily and lawfully employed

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

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

12 5. 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 he is unable to attend classes or to
15 participate in any examination, study, or work
16 requirements on a particular day or days or at a particular
17 time of day because of religious reasons, including the
18 observance of a religious holiday or participation in
19 religious instruction, or⁷ because the tenets of his
20 religion forbid secular activity on a particular day or
21 days or at a particular time of day. ~~Each school board~~
22 ~~shall prescribe rules and regulations relative to absences~~
23 ~~for religious holidays including, but not limited to, a~~
24 ~~list of religious holidays on which it shall be mandatory~~
25 ~~to excuse a child; but nothing in this paragraph 5 shall be~~
26 ~~construed to limit the right of any school board, at its~~

1 ~~discretion, to excuse an absence on any other day by reason~~
2 ~~of the observance of a religious holiday.~~ A school board
3 may require the parent or guardian of a child who is to be
4 excused from attending school because of religious reasons
5 ~~due to the observance of a religious holiday~~ to give
6 notice, not exceeding 5 days, of the child's absence to the
7 school principal or other school personnel. Any child
8 excused from attending school under this paragraph 5 shall
9 not be required to submit a written excuse for such absence
10 after returning to school. A district superintendent shall
11 develop and distribute to schools appropriate procedures
12 regarding a student's absence for religious reasons, how
13 schools are notified of a student's impending absence for
14 religious reasons, and the requirements of Section 26-2b of
15 this Code;

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

23 7. A child in any of grades 6 through 12 absent from a
24 public school on a particular day or days or at a
25 particular time of day for the purpose of sounding "Taps"
26 at a military honors funeral held in this State for a

1 deceased veteran. In order to be excused under this
2 paragraph 7, the student shall notify the school's
3 administration at least 2 days prior to the date of the
4 absence and shall provide the school's administration with
5 the date, time, and location of the military honors
6 funeral. The school's administration may waive this 2-day
7 notification requirement if the student did not receive at
8 least 2 days advance notice, but the student shall notify
9 the school's administration as soon as possible of the
10 absence. A student whose absence is excused under this
11 paragraph 7 shall be counted as if the student attended
12 school for purposes of calculating the average daily
13 attendance of students in the school district. A student
14 whose absence is excused under this paragraph 7 must be
15 allowed a reasonable time to make up school work missed
16 during the absence. If the student satisfactorily
17 completes the school work, the day of absence shall be
18 counted as a day of compulsory attendance and he or she may
19 not be penalized for that absence; and

20 8. Any child absent from a public school on a
21 particular day or days or at a particular time of day for
22 the reason that his or her parent or legal guardian is an
23 active duty member of the uniformed services and has been
24 called to duty for, is on leave from, or has immediately
25 returned from deployment to a combat zone or combat-support
26 postings. Such a student shall be granted 5 days of excused

1 absences in any school year and, at the discretion of the
2 school board, additional excused absences to visit the
3 student's parent or legal guardian relative to such leave
4 or deployment of the parent or legal guardian. In the case
5 of excused absences pursuant to this paragraph 8, the
6 student and parent or legal guardian shall be responsible
7 for obtaining assignments from the student's teacher prior
8 to any period of excused absence and for ensuring that such
9 assignments are completed by the student prior to his or
10 her return to school from such period of excused absence.

11 (Source: P.A. 99-173, eff. 7-29-15; 99-804, eff. 1-1-17;
12 100-185, eff. 8-18-17; 100-513, eff. 1-1-18; 100-863, eff.
13 8-14-18.)

14 (105 ILCS 5/26-2b) (from Ch. 122, par. 26-2b)

15 Sec. 26-2b. Any child enrolled in a public school who is
16 unable, because of the observance of a religious holiday, to
17 attend classes on a particular day or days or at a particular
18 time of day shall be excused from any examination or any study
19 or work assignments on such particular day or days or at such
20 particular time of day. It shall be the responsibility of the
21 teachers and of the administrative officials of each public
22 school to make available to each child who is absent from
23 school because of the observance of a religious holiday an
24 equivalent opportunity to make up any examination, study or
25 work requirements which he has missed because of such absence

1 on any particular day or days or at any particular time of day.
2 No special fees of any kind shall be charged to the child for
3 making available to such child such equivalent opportunity. No
4 adverse or prejudicial effects shall result to any child
5 because of his availing himself of the provisions of this
6 Section.

7 ~~The provisions of this Section shall apply only if the~~
8 ~~rules and regulations of the school board promulgated pursuant~~
9 ~~to paragraph 5 of Section 26-1 have been complied with.~~

10 (Source: P.A. 84-212.)".