



Sen. Robert F. Martwick

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10100SB2473sam002

LRB101 17205 CMG 71112 a

1 AMENDMENT TO SENATE BILL 2473

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2473 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 26-2a 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, with absence  
20 for cause by illness being required to include the mental  
21 or behavioral health of the child for up to 5 days for  
22 which the child need not provide a medical note, in which  
23 case the child shall be given the opportunity to make up  
24 any school work missed during the mental or behavioral  
25 health absence; the exemptions in this paragraph (2) do not  
26 apply to any female who is pregnant or the mother of one or

1 more children, except where a female is unable to attend  
2 school due to a complication arising from her pregnancy and  
3 the existence of such complication is certified to the  
4 county or district truant officer by a competent physician;

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

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

17 5. Any child absent from a public school on a  
18 particular day or days or at a particular time of day for  
19 the reason that he is unable to attend classes or to  
20 participate in any examination, study or work requirements  
21 on a particular day or days or at a particular time of day,  
22 because the tenets of his religion forbid secular activity  
23 on a particular day or days or at a particular time of day.  
24 Each school board shall prescribe rules and regulations  
25 relative to absences for religious holidays including, but  
26 not limited to, a list of religious holidays on which it

1 shall be mandatory to excuse a child; but nothing in this  
2 paragraph 5 shall be construed to limit the right of any  
3 school board, at its discretion, to excuse an absence on  
4 any other day by reason of the observance of a religious  
5 holiday. A school board may require the parent or guardian  
6 of a child who is to be excused from attending school due  
7 to the observance of a religious holiday to give notice,  
8 not exceeding 5 days, of the child's absence to the school  
9 principal or other school personnel. Any child excused from  
10 attending school under this paragraph 5 shall not be  
11 required to submit a written excuse for such absence after  
12 returning to school;

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

20 7. A child in any of grades 6 through 12 absent from a  
21 public school on a particular day or days or at a  
22 particular time of day for the purpose of sounding "Taps"  
23 at a military honors funeral held in this State for a  
24 deceased veteran. In order to be excused under this  
25 paragraph 7, the student shall notify the school's  
26 administration at least 2 days prior to the date of the

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

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

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

8 (Source: P.A. 99-173, eff. 7-29-15; 99-804, eff. 1-1-17;  
9 100-185, eff. 8-18-17; 100-513, eff. 1-1-18; 100-863, eff.  
10 8-14-18.)

11 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

12 Sec. 26-2a. A "truant" is defined as a child who is subject  
13 to compulsory school attendance and who is absent without valid  
14 cause, as defined under this Section, from such attendance for  
15 more than 1% but less than 5% of the past 180 school days.

16 "Valid cause" for absence shall be illness, including the  
17 mental or behavioral health of the student, observance of a  
18 religious holiday, death in the immediate family, or family  
19 emergency, and shall include such other situations beyond the  
20 control of the student, as determined by the board of education  
21 in each district, or such other circumstances which cause  
22 reasonable concern to the parent for the mental, emotional, or  
23 physical health or safety of the student.

24 "Chronic or habitual truant" shall be defined as a child  
25 who is subject to compulsory school attendance and who is

1 absent without valid cause from such attendance for 5% or more  
2 of the previous 180 regular attendance days.

3 "Truant minor" is defined as a chronic truant to whom  
4 supportive services, including prevention, diagnostic,  
5 intervention and remedial services, alternative programs and  
6 other school and community resources have been provided and  
7 have failed to result in the cessation of chronic truancy, or  
8 have been offered and refused.

9 A "dropout" is defined as any child enrolled in grades 9  
10 through 12 whose name has been removed from the district  
11 enrollment roster for any reason other than the student's  
12 death, extended illness, removal for medical non-compliance,  
13 expulsion, aging out, graduation, or completion of a program of  
14 studies and who has not transferred to another public or  
15 private school and is not known to be home-schooled by his or  
16 her parents or guardians or continuing school in another  
17 country.

18 "Religion" for the purposes of this Article, includes all  
19 aspects of religious observance and practice, as well as  
20 belief.

21 (Source: P.A. 100-810, eff. 1-1-19; 100-918, eff. 8-17-18;  
22 101-81, eff. 7-12-19.)".