

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 Sections  
5 26-1 and 26-2 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, an advanced practice  
8 nurse who has a written collaborative agreement with a  
9 collaborating physician that authorizes the advanced  
10 practice nurse to perform health examinations, a physician  
11 assistant who has been delegated the authority to perform  
12 health examinations by his or her supervising physician, or  
13 a Christian Science practitioner residing in this State and  
14 listed in the Christian Science Journal; or who is excused  
15 for temporary absence for cause by the principal or teacher  
16 of the school which the child attends; the exemptions in  
17 this paragraph (2) do not apply to any female who is  
18 pregnant or the mother of one or more children, except  
19 where a female is unable to attend school due to a  
20 complication arising from her pregnancy and the existence  
21 of such complication is certified to the county or district  
22 truant officer by a competent physician;

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

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

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

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

1 principal or other school personnel. Any child excused from  
2 attending school under this paragraph 5 shall not be  
3 required to submit a written excuse for such absence after  
4 returning to school; and

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

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

13 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

14 Sec. 26-2. Enrolled pupils not of compulsory school age  
15 ~~below 7 or over 17.~~

16 (a) For school years before the 2014-2015 school year, any  
17 ~~Any~~ person having custody or control of a child who is below  
18 the age of 7 years or is 17 years of age or above and who is  
19 enrolled in any of grades kindergarten through 12 in the public  
20 school shall cause him to attend the public school in the  
21 district wherein he resides when it is in session during the  
22 regular school term, unless he is excused under paragraph 2, 3,  
23 4, 5, or 6 of Section 26-1. Beginning with the 2014-2015 school  
24 year, any person having custody or control of a child who is  
25 below the age of 6 years or is 17 years of age or above and who

1 is enrolled in any of grades kindergarten through 12 in the  
2 public school shall cause the child to attend the public school  
3 in the district wherein he or she resides when it is in session  
4 during the regular school term, unless the child is excused  
5 under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of this Code.

6 (b) A school district shall deny reenrollment in its  
7 secondary schools to any child 19 years of age or above who has  
8 dropped out of school and who could not, because of age and  
9 lack of credits, attend classes during the normal school year  
10 and graduate before his or her twenty-first birthday. A  
11 district may, however, enroll the child in a graduation  
12 incentives program under Section 26-16 of this Code or an  
13 alternative learning opportunities program established under  
14 Article 13B. No child shall be denied reenrollment for the  
15 above reasons unless the school district first offers the child  
16 due process as required in cases of expulsion under Section  
17 10-22.6. If a child is denied reenrollment after being provided  
18 with due process, the school district must provide counseling  
19 to that child and must direct that child to alternative  
20 educational programs, including adult education programs, that  
21 lead to graduation or receipt of a GED diploma.

22 (c) A school or school district may deny enrollment to a  
23 student 17 years of age or older for one semester for failure  
24 to meet minimum academic standards if all of the following  
25 conditions are met:

26 (1) The student achieved a grade point average of less

1 than "D" (or its equivalent) in the semester immediately  
2 prior to the current semester.

3 (2) The student and the student's parent or guardian  
4 are given written notice warning that the student is  
5 failing academically and is subject to denial from  
6 enrollment for one semester unless a "D" average (or its  
7 equivalent) or better is attained in the current semester.

8 (3) The parent or guardian is provided with the right  
9 to appeal the notice, as determined by the State Board of  
10 Education in accordance with due process.

11 (4) The student is provided with an academic  
12 improvement plan and academic remediation services.

13 (5) The student fails to achieve a "D" average (or its  
14 equivalent) or better in the current semester.

15 A school or school district may deny enrollment to a  
16 student 17 years of age or older for one semester for failure  
17 to meet minimum attendance standards if all of the following  
18 conditions are met:

19 (1) The student was absent without valid cause for 20%  
20 or more of the attendance days in the semester immediately  
21 prior to the current semester.

22 (2) The student and the student's parent or guardian  
23 are given written notice warning that the student is  
24 subject to denial from enrollment for one semester unless  
25 the student is absent without valid cause less than 20% of  
26 the attendance days in the current semester.

1           (3) The student's parent or guardian is provided with  
2           the right to appeal the notice, as determined by the State  
3           Board of Education in accordance with due process.

4           (4) The student is provided with attendance  
5           remediation services, including without limitation  
6           assessment, counseling, and support services.

7           (5) The student is absent without valid cause for 20%  
8           or more of the attendance days in the current semester.

9           A school or school district may not deny enrollment to a  
10          student (or reenrollment to a dropout) who is at least 17 years  
11          of age or older but below 19 years for more than one  
12          consecutive semester for failure to meet academic or attendance  
13          standards.

14          (d) No child may be denied enrollment or reenrollment under  
15          this Section in violation of the Individuals with Disabilities  
16          Education Act or the Americans with Disabilities Act.

17          (e) In this subsection (e), "reenrolled student" means a  
18          dropout who has reenrolled full-time in a public school. Each  
19          school district shall identify, track, and report on the  
20          educational progress and outcomes of reenrolled students as a  
21          subset of the district's required reporting on all enrollments.  
22          A reenrolled student who again drops out must not be counted  
23          again against a district's dropout rate performance measure.  
24          The State Board of Education shall set performance standards  
25          for programs serving reenrolled students.

26          (f) The State Board of Education shall adopt any rules

1 necessary to implement the changes to this Section made by  
2 Public Act 93-803.

3 (Source: P.A. 95-417, eff. 8-24-07.)

4 Section 99. Effective date. This Act takes effect July 1,  
5 2014.