

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  
5 Sections 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 between the ages of 6 7 and  
9 16 years shall cause such child to attend some public school  
10 in the district wherein the child resides the entire time it  
11 is in session during the regular school term, except as  
12 provided in Section 10-19.1, and during a required summer  
13 school program established under Section 10-22.33B; provided,  
14 that the following children shall not be required to attend  
15 the public schools:

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

21 2. Any child who is physically or mentally unable to  
22 attend school, such disability being certified to the county  
23 or district truant officer by a competent physician or a  
24 Christian Science practitioner residing in this State and  
25 listed in the Christian Science Journal; or who is excused  
26 for temporary absence for cause by the principal or teacher  
27 of the school which the child attends; the exemptions in this  
28 paragraph (2) do not apply to any female who is pregnant or  
29 the mother of one or more children, except where a female is  
30 unable to attend school due to a complication arising from  
31 her pregnancy and the existence of such complication is

1 certified to the county or district truant officer by a  
2 competent physician;

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

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

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

1 (Source: P.A. 89-610, eff. 8-6-96.)

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

3 Sec. 26-2. Enrolled pupils below 6 7 or over 16. Any  
4 person having custody or control of a child who is below the  
5 age of 6 7 years or above the age of 16 years and who is  
6 enrolled in any of grades 1 through 12, in the public school  
7 shall cause him to attend the public school in the district  
8 wherein he resides when it is in session during the regular  
9 school term unless he is excused under paragraphs 2, 3, 4 or  
10 5 of Section 26-1.

11 A school district shall deny reenrollment in its  
12 secondary schools to any child above the age of 16 years who  
13 has dropped out of school and who could not, because of age  
14 and lack of credits, attend classes during the normal school  
15 year and graduate before his or her twenty-first birthday.  
16 No child shall be denied reenrollment for the above reasons  
17 unless the school district first offers the child due process  
18 as required in cases of expulsion under Section 10-22.6. If  
19 a child is denied reenrollment after being provided with due  
20 process, the school district must provide counseling to that  
21 child and must direct that child to alternative educational  
22 programs, including adult education programs, that lead to  
23 graduation or receipt of a GED diploma. No child may be  
24 denied reenrollment in violation of the Individuals with  
25 Disabilities Education Act or the Americans with Disabilities  
26 Act.

27 (Source: P.A. 88-199; 88-555, eff. 7-27-94.)

28 Section 99. Effective date. This Act takes effect July  
29 1, 2001.