

ORDINANCE PROHIBITING THE OFFENSE OF TRUANCY

ORDINANCE 2000- 6

WHEREAS, the City of Williamsfield, Knox County, Illinois believes that regular attendance in school is necessary for the public health, safety, morals and welfare of its youth and the community at large; and

WHEREAS, the City of Williamsfield, Knox County, Illinois believes that assistance should be given to school authorities to prevent children from being absent from school without valid cause; and

WHEREAS, the City of Williamsfield, Knox County, Illinois hereby intends to establish this Ordinance for the regulation of truancy; and

WHEREAS, 105 ILCS 5/26-1 through 105 ILCS 5/26-15 provides for the regulation of truancy; and

WHEREAS, the establishment of the regulation of truancy in the City of Williamsfield, Knox County, Illinois is intended in no way to conflict with the statutory regulation and administrative regulation by the Illinois State Board of Education or any other state agency pursuant to the Compulsory Attendance Laws, nor any other statutory legislation.

NOW, THEREFORE, BE IT ORDAINED, by the City of Williamsfield, Knox County, Illinois, as follows:

Section 1.00. Definitions.

1.01. Truant.

A truant is defined as a child subject to compulsory school attendance and who is absent without valid cause from such attendance for a school day or portion thereof.

1.02. Valid Cause.

A valid cause for absence shall be illness, observance of a religious holiday, death in the immediate family, family emergency, and shall include such other situations beyond the control of the student as determined by the board of education in each district, or such other circumstances which cause reasonable concern to the parent for the

safety or health of the student.

Section 2.00. Truancy Prohibited.

2.01. Truancy Prohibited.

It shall be unlawful for any child subject to compulsory school attendance, enrolled in a public, private or parochial school who resides within the City of Williamsfield, Knox County, Illinois, to absent himself or herself from attendance without valid cause. Any person who shall so absent himself or herself shall be guilty of the offense of truancy and subject to the penalties hereinafter set forth in Sections 2.02 and 2.03 hereof. Emergency or unforeseen absences due to illness or other causes beyond the control of the person so absenting himself or herself from school shall not constitute truancy if permission for such absence has substantially been obtained from the parent and such permission is submitted in writing to the proper school authorities within twenty-four (24) hours after such an absence.

2.02. Penalties.

Any person over the age of 13 or the parent or legal guardian of a person under the age of 13, whom violates this Ordinance, as a first offense, shall be subject to a citation. The citation shall be paid at the City of Williamsfield city hall or public safety building, in the amount of twenty-five dollars (\$25.00), or if paid within forty-eight (48) hours, fifteen dollars (\$15.00). Any person who fails to make payment as outlined above within ten (10) days, or any person violating this section after the first offense must appear in court and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). Each day during which any person violates this ordinance shall be deemed a separate offense.

2.03. Community Service.

When appropriate community service is available, a person who is truant may perform supervised community service work in lieu of a fine.

Section 3.00. Parent, Guardian or Custodial Liability.

3.01. Parent, Guardian or Custodial Liability

It shall be unlawful for any person having custody or control of a child subject to the provisions of this Ordinance, to whom notice has been given of the child's truancy, to knowingly and willfully permit such a child to persist in his or her truancy within that school year. Upon conviction thereof, such person shall be guilty of a Class C misdemeanor and shall be subject to not more than 30 days imprisonment and/or a fine of up to \$500.00 (105 ILCS 5/26-10)

Section 4.00. Inducement of Truancy.

Any person who induces or attempts to induce any child subject to the provisions of this Ordinance to be absent from school unlawfully, or who knowingly employs or harbors, while school is in session, any child absent unlawfully from school for 3 consecutive school days is guilty of a Class C misdemeanor. (105 ILCS 5/26-11)

Section 5.00. Enforcement.

5.01. Charging of violations.

Any duly appointed school administrator or authorized truant officer of a public, private or parochial school within the corporate limits of the City of Williamsfield, Knox County, Illinois, or any peace officer, shall have the authority to sign all complaints and charge any violations of this ordinance.

5.02. Authority to detain and deliver.

Any duly appointed school administrator or authorized truant officer of a public, private or parochial school within the corporate limits of the City of Williamsfield, Knox County, Illinois, or any peace officer engaged in the enforcement of this ordinance is hereby authorized to detain any suspected truant and deliver the minor to the school where the minor is enrolled.

5.03. Authority to prosecute.

The City of Williamsfield, Knox County, Illinois

hereby authorizes and grants full power and authority to the Office of the Knox County State's Attorney to prosecute violations and enforce the said provisions of this ordinance.

Section 6.00. Enactment.

6.01. Enactment.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

DONE IN OPEN MEETING THIS 7 DAY OF August 2000.

Willard E. Kemler
MAYOR

ATTEST:

Mary L. Bree
CITY CLERK

Notary - Sue A. Ramp

