

City of St. Charles, Illinois

Ordinance No. 1999-M-54

**An Ordinance Amending Title 9, "Public Peace, Morals
and Welfare," Chapter 9.54, "Truancy,"
Section 9.54.020, "Truancy Prohibited,"
and Section 9.54.030, "Permitting Minor to be Truant
Prohibited," of the St. Charles Municipal Code**

**Adopted by the
City Council
of the
City of St. Charles
August 2, 1999**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, August 6, 1999**



City Clerk

(SEAL)

DATE OF PUBLICATION 8/6/99
Pamphlet Form

Ordinance No. 1999-M- 54

REFER TO:
MINUTES 8/2/99
PAGE _____

**AN ORDINANCE AMENDING
TITLE 9, "PUBLIC PEACE, MORALS AND WELFARE,"
CHAPTER 9.54, "TRUANCY,"
SECTION 9.54.020, "TRUANCY PROHIBITED," and
SECTION 9.54.030, "PERMITTING MINOR TO BE TRUANT PROHIBITED,"
OF THE ST. CHARLES MUNICIPAL CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. That Title 9, "Public Peace, Morals and Welfare," Chapter 9.54, "Truancy," Section 9.54.020, "Truancy Prohibited," of the St. Charles Municipal Code, be and is hereby deleted and is hereby amended to read as follows:

Section 9.54.020. Truancy Prohibited.

- A. Truancy: It shall be unlawful for any person under the age of eighteen (18) years enrolled in a public, private, or parochial school within the corporate limits of the City to absent himself or herself from attendance at school without valid cause. Any person who should so absent himself or herself shall be guilty of the offense of truancy.
- B. Excessive Absenteeism: It shall be unlawful for any person under the age of eighteen (18) years enrolled in a public, private, or parochial school within the corporate limits of the City to absent himself or herself from attendance at school for five or more student attendance days during any one semester, unless such absenteeism is for valid cause and has been approved by his or her School District.
- C. Emergency Conditions: Emergency or unforeseen absence due to illness or other causes beyond the control of the person so absenting himself or

herself shall not constitute truancy or excessive absenteeism if a valid cause has been obtained from the parent or person *in loco parentis* and such valid cause is submitted in writing to the proper school authorities within twenty-four (24) hours after such absence.

D. Valid Cause: A valid cause for absence is an illness that would temporarily impair or interfere with a student's learning ability, observance of a religious holiday, death in the immediate family, family emergency, or such other circumstances which cause reasonable concern to the parent, guardian, or custodian for the safety or health of the student. Valid cause shall not include babysitting, employment activities (unless specifically sanctioned by the student's School District), or any other reason that does not temporarily impair or interfere with a student's learning ability.

E. Penalty: Any person found guilty of truancy or excessive absenteeism shall be fined not less than Twenty-Five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars for their first offense during any one school year. Any person found guilty of truancy or excessive absenteeism for the second time during any one school year shall be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars. Any person found guilty of truancy or excessive absenteeism for the third time during any one school year shall be fined nor less than Five Hundred (\$500.00) Dollars. Any person found guilty of truancy or excessive absenteeism more than three times in any school year shall be fined not less than Five Hundred (\$500.00) Dollars for each subsequent conviction.

2. That Title 9, "Public Peace, Morals and Welfare," Chapter 9.54, "Truancy," Section 9.54.030, "Permitting Minor to be Truant Prohibited," of the St. Charles Municipal Code, be and is hereby deleted and is hereby amended to read as follows:

Section 9.54.030. Parental Allowance of Truancy or Excessive Absenteeism Prohibited.

- A. It shall be unlawful for a parent or a person *in loco parentis* to knowingly permit any person under the age of eighteen (18) years to commit an act of truancy or acts of excessive absenteeism as defined in Section 9.54.020.
- B. A parent or person *in loco parentis* shall be considered to have knowingly permitted a minor under Section 9.54.020 to commit an act of truancy as defined in said Section when the parent or person *in loco parentis* knows that said minor absents himself or herself from attendance at school without valid cause and the parent *in loco parentis* fails to act to insure that the minor attends the school in which he or she is enrolled.
- C. A parent or person *in loco parentis* shall be considered to have knowingly permitted a minor under Section 9.54.020 to commit the offense of excessive absenteeism as defined above when the parent or person *in loco parentis* provides a written or oral excuse for the minor's non-attendance which is false or does not amount to valid cause.
- D. A parent or person *in loco parentis* found guilty under this Section for the first time in any one school year shall be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars. A parent or person *in loco parentis* found guilty under this Section for the second time in any one school year shall be fined not less than Three Hundred (\$300.00) Dollars nor more than Five Hundred (\$500.00) Dollars. A parent or person *in loco parentis* found guilty under this Section for the third time in any one school year shall be fined not less than Five Hundred (\$500.00) Dollars. A parent or person *in loco parentis* found guilty under this Section more than three times in any one school year shall be fined not less than Five Hundred (\$500.00) Dollars for each subsequent conviction.

3. That Title 9, "Public Peace, Morals and Welfare," Chapter 9.54, "Truancy," Section 9.54.040, of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

4. That after the adoption and approval hereof this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 2nd day of August, 1999.

PASSED by the City Council of the City of St. Charles, Illinois, this 2nd day of August, 1999.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 2nd day of August, 1999.

Susan Klenkhaner
Mayor

ATTEST:

Kristie A. Neff
City Clerk

COUNCIL VOTE:

Ayes : 10
Nays : 0
Absent : 0

APPROVED AS TO FORM:

Terrence J. O'Neil
City Attorney

DATE: 8/2/99

State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

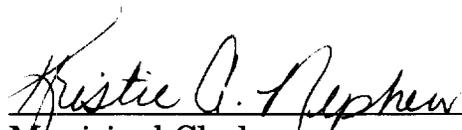
I further certify that on August 2, 1999, the Corporate Authorities of such municipality passed and approved Ordinance No. 1999-M-54, entitled

"An Ordinance Amending Title 9, "Public Peace, Morals and Welfare," Chapter 9.54, "Truancy," Section 9.54.020, "Truancy Prohibited," and Section 9.54.030, "Permitting Minor to be Truant Prohibited," of the St. Charles Municipal Code",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1999-M-54, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on August 6, 1999, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 2nd day of August, 1999.



Municipal Clerk

(S E A L)