

ORDINANCE # _____

Prohibiting Truancy in Unincorporated Boone County

WHEREAS, the County Board finds and determines that truancy adversely affects the health, safety and welfare of the students of Boone County, and

WHEREAS, the Boone County Board deems it advisable to take a strong stand against truancy in the unincorporated areas of the County by enacting an Ordinance with penalties applicable to the truant, as well as to the parent and those persons who knowingly contribute to the truancy of a child, and

WHEREAS, the Regional Superintendents of School in District 100 and 200 has recommended adoption of an Ordinance in order to deal with students who absent themselves from Class.

NOW, THEREFORE, BE IT ORDAINED by the Boone County Board a Chapter entitled "Truancy" be added to the Boone County Code, which Chapter shall read as follows:

Chapter 47. TRUANCY.

Section 47-1 Truancy Prohibited. It shall be unlawful for any person eighteen (18) years of age or younger who is required by law to attend school and who is subject to the compulsory attendance requirements of the Illinois School Code and/or enrolled in a public, private (including a home school) or parochial school within the unincorporated areas of the County of Boone, to absent him or herself from attendance at school during the hours in which he or she is enrolled without parental or school permission. Any person who shall so absent him or herself shall be guilty of the offense of truancy and be subject to the penalties hereinafter set forth in this Ordinance. Emergency or unforeseen absences due to illness or other causes beyond the control of the person so absenting him or herself from school without parental permission shall not constitute truancy if permission for such absence has been obtained from the parent and such permission is submitted in writing to the proper school authorities within twenty-four (24) hours of such absence.

Section 47-2 Parental Responsibility. It shall be unlawful for any parent, legal guardian or other person to permit a person in his or her custody or control to commit the offense of truancy.

Section 47-3 Contributing to Truancy. It shall be unlawful for any person to perform any act of commission or omission which act or omission encourages or contributes to the truancy of any person.

Section 47-4 Defenses to Truancy. Those defenses and/or exceptions as set forth in the Illinois School Code for compulsory attendance or enrollment in school shall apply as defenses to this Section.

Section 47-5 Penalties. Any person violating any provision of this Chapter shall be fined up to \$100.00 for each offense.

Section 47-6 Severability. If any Section, portion or provision of this Ordinance is construed to be invalid or void it shall not affect the remaining Sections, portions or provisions which shall remain in full force and effect thereafter.

BE IT FURTHER ORDAINED, that the County Clerk is requested to distribute a certified copy of the ordinance to the County Administrator and State's Attorney; and

BE IT FURTHER ORDAINED, that these changes shall be effective immediately.

DATED at Belvidere Illinois, this ____ day of _____, A.D., 2011

Bob Walberg, Chairman
Boone County Board

ATTEST:

Pam D. McCullough
Boone County Clerk

Ayes: _____ Nays: _____ Absent: _____