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**THE VILLAGE OF COAL CITY**  
GRUNDY & WILL COUNTIES, ILLINOIS

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ORDINANCE  
NUMBER 14-21

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**AN ORDINANCE AMENDING SECTION 132-42 OF THE VILLAGE CODE  
REGARDING TRUANCY**

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on June 9, 2014

**ORDINANCE NO. 14-21**

**AN ORDINANCE AMENDING SECTION 132-42 OF THE VILLAGE CODE REGARDING TRUANCY**

**WHEREAS**, the Village of Coal City (“Village”) is a non-home rule municipality; and

**WHEREAS**, the Village has previously adopted certain regulations governing truancy;

and

**WHEREAS**, the Illinois General Assembly has enacted 65 ILCS 5/11-5-9, which authorizes municipalities to adopt ordinances regulating truants within their respective jurisdictions within certain parameters established in said statute; and

**WHEREAS**, the Corporate Authorities hereby find and determine that it is in the best interest of the public health, safety and welfare to establish a regulatory scheme consistent with governing state law and to amend Section 132-42 of the Village Code as set forth herein;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Coal City, Counties of Will and Grundy, Illinois, as follows:

**SECTION 1. Recitals.** The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2. Amendments.**

Section 132-42 of the Village Code (“Truancy Prohibited”) is hereby amended to read as follows:

**§ 132-42. Truancy prohibited.**

A. Prohibition. It shall be a violation of this section for any person under the age of 18 who is subject to the compulsory attendance requirements of the Illinois School Code and enrolled

in a public, private (including a home school), or parochial school to absent himself or herself from attendance at such school during the hours in which he or she is enrolled, including summer school, without "valid cause," as such term is defined in Section 26-2a of the Illinois School Code, 105 ILCS 5/26-2, or without the permission of his or her legal guardian or parent. "Valid cause" shall be deemed to include emergency or unforeseen absences due to reasonable cause beyond the control of the person so absenting himself or herself from school without the permission of his or her parent or legal guardian where such permission is obtained from the parent or legal guardian and submitted in writing to the proper school authorities within 24 hours of such absence. Such timely written permission shall constitute a defense to this Subsection.

B. Student/Parental Responsibility.

1. A student 13 years of age or older found liable for a violation of Subsection 132-42(A) shall be subject to the penalties set forth in Subsection 132-42(C).
2. It is unlawful for any person having care or custody of a child under the age of 13 who is subject to compulsory school attendance as required by the Illinois School Code to prevent such child from violating Subsection 132-42(A). As such, where truancy is committed by a child 12 years of age or younger, the parent(s) or custodian(s) of the violator shall be subject to the penalties set forth in Subsection 132-42(C).

C. Penalty. The penalty for a violation of Subsection 132-42(A) shall be as follows:

1. Fine. \$25.00 for the first violation during a school year, \$50.00 for the second violation during a school year, and \$100.00 for all subsequent violations during a school year.
2. Community Service. In addition or in the alternative to any fine issued pursuant to the preceding subsection, any person found liable for a violation of Section 132-42(A) may be sentenced to community service.
3. Separate Offenses. Each day or portion of each day that a person is truant shall constitute a separate offense.

D. Procedure; initial contact and documentation.

- (1) Upon encountering a school-aged individual outside of school during school hours, a police officer or truant office shall:
  - (a) Question such individual in order to determine whether the individual has violated this section and verify truancy with the school via radio, telephone, or personal visit;
  - (b) Upon reasonably ascertaining that such individual has violated this section, seize the individual and return him or her to the proper authority at the school;

- (c) Complete a truancy report containing the following information: full name, date of birth, address, telephone number, parent or guardian's name, workplace phone number, and school attended; and
  - (d) Forward a copy of the report to juvenile investigations and the truant office of Grundy County.
- (2) A juvenile officer shall review the report and complete or update an applicable juvenile contact card. Further, a school representative or county truant officer may file a report of truancy directly with a juvenile officer in cases of frequent truancy that is not documented by police reports.
- E. Procedure: chronic truants. A chronic truant, as that term is defined in Section 26-2a of the Illinois School Code, 105 ILCAS 5/26-2a, shall submit to a student and parent conference with either a juvenile officer, county truant officer or school representative at the request of same. The following disposition of "staffing" may result:
- (1) Station adjustment.
  - (2) Station adjustment with supervision by a juvenile officer, if applicable.
  - (3) Referral of chronic truant to counseling and/or appropriate agency to deal with the specialized problem.
  - (4) Referral to the court.

**SECTION 3. Resolution of Conflicts.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. Saving Clause.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

**SECTION 5. Effectiveness.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SO ORDAINED this 9 day of June, 2014, at Coal City,

Grundy and Will Counties, Illinois.


AYES: 4

NAYS: 0

ABSENT: 3

ABSTAIN: 0

**VILLAGE OF COAL CITY**



Neal E. Nelson, President

Attest:



Pamela M. Noffsinger, Clerk