

Chapter 9.54

TRUANCY

Sections:

- 9.54.010 Findings.
- 9.54.020 Truancy Prohibited.
- 9.54.030 Parental Allowance of Truancy or Excessive Absenteeism Prohibited.
- 9.54.040 Violation - Penalty. (Deleted in its entirety.)

9.54.010 Findings.

That the corporate authorities of the city of St. Charles are advised that there is a widespread truancy problem within the city of St. Charles, and further finds that the adoption of a local ordinance prohibiting truancy will be helpful in the effective control and elimination of this problem. (Ord. 1996-M-63 § 1.)

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 fifty dollars (\$50.00) for the first offense during any one (1) school year, one hundred dollars (\$100.00) for the second offense during any one (1) school year and five hundred dollars (\$500.00) for each subsequent offense during any one (1) school year. In the alternative, any person found guilty of violating any provision of this chapter 9.54 shall, upon conviction, complete twelve (12) hours of community service for the first offense any one (1) school year, twenty-four (24) hours of community service for the second offense in any one (1) school year, and one hundred twenty (120) hours for each subsequent offense in any one (1) school year. All community service shall be completed within one (1) year from the date of conviction.

(Ord. 2008-M-49 § 1; Ord. 1999-M-54 § 1; Ord. 1996-M-63 § 1.)

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.
- (Ord. 1999-M-54 § 2; Ord. 1996-M-63 § 1.)

9.54.040 Violation - Penalty.

Deleted in its entirety. (Ord. 1999-M-54 § 3; Ord. 1996-M-63 § 1.)