

State law (G.S. 20-11) provides school officials with the authority to report to the Division of Motor Vehicles those students who are not eligible to hold a driver's license. Procedures for handling suspensions of driver's permits/driver's licenses for students not making adequate academic progress, dropouts, and students whose major rule violations are addressed under the *Lose Control, Lose Your License* legislation are addressed below.

In order for the student to receive a driver's eligibility certificate, the parent must sign a consent form giving the school permission to notify the Division of Motor Vehicles if the student exhibits conduct that subjects him/her to disciplinary action under the *Lose Control, Lose Your License* law (G.S. 20-11, n1).

### **STUDENTS NOT MAKING ADEQUATE ACADEMIC PROGRESS**

All students under the age of 18 who have not yet attained a high school diploma must demonstrate adequate academic progress in order to receive a Driving Eligibility Certificate from the school and to maintain eligibility to hold the driver's permit/license. Adequate academic progress is defined as passing 70% or more of a student's classes, or 3 out of 4 classes on the 4x4 block schedule, per semester. Eligibility will be evaluated at the end of each semester. School officials will notify the Division of Motor Vehicles of any student not making adequate academic progress and the student's driver's permit/license will be revoked.

For any student reported as not making adequate progress, a Driving Eligibility Certificate can be issued once one of the following provisions has been met:

1. The student passes 70%, or 3 out of 4, or his/her courses the next semester; or
2. The student satisfactorily completes summer school and therefore has passed 70%, or 3 out of 4, of the second semester's courses.

School officials are to determine driver's eligibility at the end of each semester and not wait until the end of summer school to report violations to the Division of Motor Vehicles. Student requests for hardship waivers must be presented to the school principal within 10 business days of the report card date.

### **DROPOUTS**

Students who drop out of school are not eligible to receive a Driving Eligibility Certificate from the school. A student who drops out of school and holds a driver's permit/license will be reported to the Division of Motor Vehicles according to the following procedures:

1. Ten business days after the student fails to return to school or stops coming to school the student will be withdrawn and the principal will notify the parent/guardian that the

~~student is considered a dropout. This notification will be via regular mail using the student's address as recorded in NC WISE. The letter will outline the consequences of dropping out of school regarding driver's eligibility and explain the procedures for requesting a hardship waiver. The principal shall send this letter within 12 business days after the student's last day in attendance.~~

- ~~2. Parents/students will have 20 business days from the student's last day in attendance to submit a hardship waiver request form to the principal.~~

### **~~HARDSHIP WAIVERS AND APPEAL PROCESS~~**

~~Hardship waivers will be granted only in extreme circumstances. Cases of hardship must reflect specific and documented circumstances that are beyond the control of the student, his or her parents, or the school. The specific hardship circumstances are divided into four categories:~~

- ~~1. Medical considerations that make the student's driving an absolute necessity.~~
- ~~2. Work related considerations where the student's job is necessary to the family's financial welfare. There must be proof that the student is unable by any other means to get to and from work and documentation that the student's earnings go directly to support the basic needs of the family.~~
- ~~3. Exceptional children's considerations for students incapable of graduating. This applies only when it is determined, with input from an IEP committee, that a student is unable to make progress toward obtaining a high school diploma because of a disability.~~
- ~~4. Other considerations for unusual circumstances not covered by the first three categories.~~

~~Hardship waivers and supporting documentation will be reviewed by the Director of Student Services and/or the Director of Transportation. Parents will be notified in writing of the results of the hardship review within 10 business days of the principal's receipt of the request. The principal shall issue a Driver's Eligibility Certificate if the hardship waiver is granted. If the waiver request is denied, the license will be revoked after the parental notification.~~

### **~~LOSE CONTROL, LOSE YOUR LICENSE~~**

~~School officials shall report to the North Carolina Division of Motor Vehicles whenever a student who is at least 14 years old or in the 8<sup>th</sup> grade is given an expulsion or suspension for more than 10 consecutive days or assigned to an alternative educational setting for more than 10 consecutive days for one of the following reasons:~~

- ~~1. The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.~~

- ~~2. The possession or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. 115C-391(d1) or could have resulted in that disciplinary action if the conduct had occurred in a public school.~~
- ~~3. The physical assault on a teacher or other school personnel on school property.~~

~~School property is defined as the physical premises of the school, school buses or other vehicles under the school's control or contract and that are used to transport students, and school-sponsored or school-related activities that occur on or off the physical premises of the school.~~

~~Students will not be eligible to hold a permit/license for one year from the date of the offense. Unlike the dropout provision, the year's license suspension can go beyond a student's 18<sup>th</sup> birthday.~~

~~Students suspended for 10 or fewer consecutive days for one of the above offenses will not be eligible to enroll in driver's education classes for one year from the date of the suspension.~~

~~The hardship waiver review process outlined under the policies on dropouts and adequate academic progress does not apply to the *Lose Control, Lose Your License* provision. However, a Driving Eligibility Certificate shall be issued when it is demonstrated that the student has no other possible means of transportation to and from school, a drug or alcohol treatment/counseling program, or a mental health treatment program.~~

~~The Driving Eligibility Certificate may be issued after a six-month period for displaying exemplary student behavior. Exemplary behavior is defined as having no further incidents of misconduct where expulsion, suspension, or assignment to an alternative educational setting is required. Students suspended for substance abuse violations must have completed a drug or alcohol treatment/counseling program in addition to demonstrating exemplary student behavior for six months.~~

~~All requests for issuing a Driving Eligibility Certificate according to the above *Lose Control, Lose Your License* provisions must be submitted in writing to the principal within 10 business days of the date of the suspension. Requests will be reviewed by the Director of Student Services and/or the Director of Transportation for approval. Parents will be notified in writing of the results of the eligibility review within 10 business days of the principal's receipt of the request.~~

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