

STUDENT DRIVING ELIGIBILITY

Frequently Asked Questions

THE LAW

What are the major aspects of the Dropout Prevention/Driver's License Legislation?

- The legislation reflects a coordinated statewide effort to motivate and encourage students to complete high school. The revocation of a student's driving permit or license will result if the student is unable to maintain adequate progress or drops out of school.

LOSE CONTROL, LOSE LICENSE

What are the major aspects of the Lose Control Lose Your License law?

- The law calls for the suspension of a student's permit or license for one year whenever a student is given an expulsion/suspension for more than 10 consecutive days or an assignment to an alternative educational setting for more than 10 consecutive days for one of the following reasons:
 - The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.
 - The possession or use on a school property of a weapon or firearm that resulted in the disciplinary action under F.S. 115C-391(d1) or that could have resulted in that disciplinary action if the conduct had occurred in a public school.
 - The physical assault on a teacher or other school personnel on school property.

What state agencies are involved in the Lose Control Lose Your License law?

- The laws specifically identify several state agencies to work collaboratively in the implementation of the law. The Department of Public Instruction, Division of Motor Vehicles, the Division of Non-Public Schools, and Community College System are partners in this effort.

Whom do the laws affect?

- Lose Control Lose Your License law: The law affects students who are at least 14 years old or who are rising 8th graders on or after July 1, 2000. Students who are 18 years old cannot be charged under this law; however, the year's suspension can go beyond a student's 18th birthday.

DROPPING OUT

What state agencies are involved in the Dropout Prevention/Driver's License Legislation?

- The laws specifically identify several state agencies to work collaboratively in the implementation of the law. The Department of Public Instruction, Division of Motor Vehicles, the Division of Non-Public Schools, and Community College System are partners in this effort.

Whom do the laws affect?

- Dropout Prevention/Driver's License Legislation: The legislation is directed to all North Carolina students under the age of 18 who are eligible for a driving permit or license. This includes public schools, federal schools, home schools, private schools, and community college students.

How can a student's driving privileges be restored if they drop out of school?

- When the student reaches the age of 18 – reactivation will automatically occur providing there are no other DMV suspensions on the license. Go to any NC DMV driver's license office to obtain a new license.
- When the student enrolls in an approved educational setting such as other public school, charter school, private school, home school, or community college AND passes 70% of all courses at the end of the first semester of attendance in the new school. At this time, the student must request a DEC form from the designee at his/her new educational setting.

INADEQUATE PROGRESS (GRADES)

What is considered adequate progress?

- A student is considered making adequate academic progress if the student is passing at least 70% of his/her course load when grades are measured.
- For schools on an A/B Day schedule: Adequate progress is determined by first semester grades and by end-of-year grades.

How can a student's driving privileges be restored after making inadequate progress?

- When the student reaches the age of 18 – reactivation will occur providing there are no other DMV suspensions on the license. Go to any NC DMV driver's license office to obtain a new license.
- When the student receives a high school diploma, G.E.D., or adult high school diploma (age 17 and under). In this case, student must request a DEC form from his/her high school or other educational setting.
- When the student passes 70% of his/her courses at the end of the next semester. Student must request a DEC form from his/her high school or other educational setting.

HARDSHIPS

Parents may request a hardship waiver - What constitutes a hardship? Cases of hardship must reflect specific circumstances that are beyond the control of the student, his or her parents, or the school.

What are the rules for hardships?

- Dropout Prevention/Driver's License Legislation: Cases of hardship must reflect specific circumstances that are beyond the control of the student, his or her parents, or the school. Support documents must be provided, in order to request this hardship waiver. The specific hardship circumstances are divided into three categories:
 - #1: Medical consideration
 - #2: Work-related consideration
 - #3: Other consideration

FURTHER QUESTIONS?

Please contact Erinn Otten, FSI Director of Student

Services, at 828-318-8140