

MARION COUNTY BOARD OF EDUCATION STUDENT DRIVER ELIGIBILITY

The West Virginia Board of Education (hereinafter WVBE) recognized that driving a vehicle is a privilege and that West Virginia code requires young people at least fifteen but less than eighteen years of age to maintain specified driver eligibility requirements related to school ATTENDANCE, PERSONAL BEHAVIOR, and ACADEMIC PROGRESS in order to obtain and maintain a West Virginia license or instruction permit for the operation of a motor vehicle.

While the West Virginia Department of Motor Vehicles (hereinafter WVDMV) has the authority to deny and suspend a license or instruction permit for the operation of a motor vehicle, the West Virginia Code places certain responsibilities on school administrators to identify students who do not meet any or all of the driver eligibility requirements and communicate this information to the WVDMV. The identification of students not meeting the driver eligibility requirements must be done using uniform measures across all of the fifty-five county school districts, assuring consistent application of driver eligibility throughout West Virginia. A Driver's Eligibility Certificate will be issued to the student as documentation provided by the county verifying that the student has met the attendance, behavioral and academic expectations set forth by W.Va. Code 18-8-11 that are required to obtain a license or instruction permit to drive a motor vehicle.

A license, instruction permit, or eligibility certificate, will be denied or revoked from any student younger than eighteen (18) years of age who withdraws from school or incurs ten (10) consecutive or fifteen (15) total unexcused absences from the same class or classes, during the school year. The student is subject to losing driving privileges by virtue of WV Code 18-8-11. A student whose driving privilege has been suspended must attend school regularly and make satisfactory progress in the subsequent semester before applying for reinstatement of driving privileges. (For the purposes of this section, withdrawal shall be defined as more than ten consecutive or fifteen days total unexcused absences during a single year.

For the purposes of this section, suspension or expulsion from school or imprisonment in a jail or a penitentiary is not a circumstance beyond the control of such person.) Reinstatement requests related to withdrawal for unexcused absences shall be reviewed at the end of the semester following that in which the withdrawal occurred. A license or instruction permit to operate a motor vehicle will also be denied or revoked from any student that receives a suspension pursuant to WV Code 18A-5-1a and 18A-5-1b which includes the following behaviors when committed on the premises of an educational facility, at a school-sponsored function, or on a school bus: a. Assault and/or battery on school employees b. Possessing deadly weapons c. Sale of a narcotic drug d. Committing an act or engaging in conduct that would constitute a felony under WV Code if committed by an adult. e. Unlawfully possessing a controlled substance WV Code 60A-1.1 et seq.

Reinstatement requests related to withdrawal for suspension shall be reviewed after all disciplinary sentences have been served for the purpose of reinstating the Driver's Eligibility Certificate. In addition to the requirements listed above, students are now required to meet satisfactory academic progress throughout the school year in order to maintain a drivers license. Satisfactory academic progress is defined as grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age nineteen, whichever is earlier. This would calculate in the minimum annual earning of five credits of which three of the five credits earned annually must be from the core requirements identified in WVBE Policy 2510: Assuring the Quality of Education, Regulations for Education Programs. Reinstatement requests related to failure to make satisfactory academic progress shall be reviewed at the end of each school year for the purpose of reinstating the Driver's Eligibility Certificate.

A Driver's Eligibility Certificate will be provided to the student upon request, on a form approved by West Virginia Department of Education (hereinafter WVDE) to any student at least fifteen but less than eighteen years of age who is in satisfactory standing with regard to attendance, behavior and academic progress in a school under the jurisdiction of the official for presentation to the WVDMV on application for or reinstatement of an instruction permit or license to operate a motor vehicle. Students who anticipate requiring a Student Driver Eligibility Certificate should make application at least (10) days prior to the needed date. The school will then process the form and secure the required signatures of the Attendance Director and Principal. Students should apply for the certificate at the school in which they are enrolled. Effective Date: September 15, 2008