

POLICY TITLE: Student Driving

Privileges

POLICY NO: 524

PAGE 1 of 2

Any student, younger than eighteen (18) years of age but at least fourteen and one-half (14 ½) years of age, applying for a driver's license or an instruction permit must provide written verification from this district to the Idaho Department of Transportation that he or she is enrolled in school and meets this district's attendance requirements. Written verification will be obtained from the student's school.

In the event a student fails to meet the enrollment and attendance requirement of this policy, the building principal or designee will provide written notification on a form provided by the Idaho Department of Education to the student and parent/guardian of this district's intent to request that the Idaho Department of Transportation suspend the student's driving privileges because the student has dropped out of school and has failed to comply with the enrollment and attendance requirements.

The student or parent/guardian will have fifteen (15) calendar days from the date of receipt of the notice to request a hearing before the building principal or designee to review the pending suspension of driving privileges. The requested hearing will be held within thirty (30) calendar days after the receipt of the request.

The building principal or designee may grant a hardship waiver of the requirements of this policy for any student for whom a personal or family hardship requires that the student have a driver's license for his or her own or his or her family's employment or medical care. The building principal or designee will take into account the recommendations of teachers, other school officials, guidance counselors, or academic advisors prior to granting a waiver. Such hardship waiver must be requested by the student or parent/guardian at the initial hearing.

If the building principal or designee denies a hardship waiver, that decision may be appealed to the board of trustees within seven (7) calendar days of receipt of the principal's or designee's decision. The hearing before the board will be held at a mutually convenient time. The board will have the authority to uphold the decision of the building principal or designee, or reverse the decision and grant the hardship waiver.

The board authorizes the superintendent or designee to notify the Idaho Department of Transportation of all students not complying with enrollment and attendance requirements or who have been granted a hardship waiver.

Students of Mennonite and Amish faiths are not required to comply with school attendance requirements for purposes of obtaining an Idaho driver's license, driver training permit or instruction. Such students must be reported to the Idaho Department of Transportation as not being enrolled in school and not in compliance with this district's attendance policy. The Idaho Department of Transportation will make the determination as to whether a religious exemption

applies.

This district shall provide the following information to the Idaho Department of Transportation on appropriate forms provided by the Idaho Department of Education:

1. The necessary verification that a student applying for a driver's license or instruction permit meets the requirements set forth in this policy at the request of a student;
2. A request that the Idaho Department of Transportation suspend a student's driving privileges because the student has dropped out of school and has failed to comply with this district's enrollment and attendance requirements;
3. The names of students granted or denied hardship waivers under this policy;
4. Written verification that a student is again in compliance with the requirements of this policy;
5. Reports setting forth the number of:
 - a. Notifications issued of possible student driver's license suspensions based on nonattendance;
 - b. Requests to the Idaho Department of Transportation to suspend a driver's license;
 - c. Student driver's licenses actually suspended.

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LEGAL REFERENCE:

Idaho Code Sections

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| 33-211 | 49-326 |
| 49-303 | 49-305 |
| 19-303A | 49-310 |

Idaho Department of Transportation letter, October 4, 1996

Wisconsin v. Yoder, 406 U.S. 205 (1972)

ADOPTED: October 14, 1998

AMENDED: November 15, 2011

*Reviewed by the Coordinator for Driver's Education, Idaho Department of Education, and the Driver's License Supervisor, Idaho Department of Transportation.