

4-17 Drivers' Eligibility Certification Policy (23 NCAC 2C.0307)

Since August 1, 1998, a student needs a Driving Eligibility Certificate in order to receive a North Carolina driver's permit or license. These provisions are part of the Graduated Driver's License program and affects students less than 18 years of age who are not high school graduates.

College of The Albemarle's Board of Trustees shall be responsible for the issuance of the driving eligibility certificates, the timely reporting of dropouts and students unable to make adequate progress, and the provision of grievance procedures associated with the issuance of driving eligibility certificates.

I. Issuance of Driving Eligibility Certificates

The Director of Basic and Transitional Studies, as the President's designee, shall issue a driving eligibility certificate if it is determined that the student seeking the certificate:

- is currently enrolled in a basic skills education program,
- has attended 60 hours per month for 6 consecutive months, and
- is making progress as defined by the NCCCS State Board Code.

A substantial hardship, as defined by the NCCCS State Board Code, would be placed on the person seeking the certificate or the person's family if the person does not receive the certificate. In all cases of hardship, documented proof must be submitted.

In order to receive a Driving Eligibility Certificate, a student must request the certificate, show an original or certified copy of his or her birth certificate, and show a Driver Education Completion Certificate. The Driving Eligibility Certificate is valid for a 30-day period.

II. Denial of Driving Eligibility Certificates

The Director of Basic and Transitional Studies, as the President's designee will issue a Driving Eligibility Certificate if it is determined that the student was subjected to disciplinary action (expulsion, more than ten-day suspension/alternative educational seating assignment) for any of the following conduct on school property:

- Possession/sale of alcohol or an illegal controlled substance,
- Possession of a weapon, or

- Physical assault on school personnel.

A student who was ineligible for a Driving Eligibility Certificate because of disciplinary action may become eligible for a certificate when certain conditions, specified in the NCCCS State Board Code, are met.

III. Grievance Procedures

1. Any student or parent who submits documents supporting a hardship circumstance and is denied a Driving Eligibility Certificate may appeal the decision through an Ad Hoc Appeals Committee appointed by the Director of Basic and Transitional Studies. Any person denied a driving eligibility certificate may appeal the decision through the Basic Skills Education Appeals Committee, whose decision is final.
2. Any student or parent receiving a notification letter from the Basic and Transitional Studies Program stating that the student's Driving Eligibility Certificate will be revoked may appeal the decision through the Ad Hoc Appeals Committee within 5 working days. The appeal can include documentation of a hardship circumstance.
3. The Ad Hoc Appeals Committee will review the appeal and any hardship circumstance documentation and notify the student and parent of the decision within 5 working days.
4. The Ad Hoc Appeals Committee's decision is final.

IV. Reporting to Division of Motor Vehicles

The Director of Basic and Transitional Studies, acting as the President's designee, will notify the Division of Motor Vehicles when a student no longer meets the requirements for a Driving Eligibility Certificate.