

TITLE: 7222aR Drivers License Eligibility

PURPOSE AND BACKGROUND: To provide direction for approving the form allowing a pupil to apply for a drivers license

APPLICABILITY: Principals/Designees

MONITORING RESPONSIBILITY: Superintendent/Designee

OUTLINE OF PROCEDURE:

A pupil between the ages of 14 and 18 applying for a drivers license must present Form DMV-301 to his/her principal/designee to verify that the pupil has complied with the minimum attendance requirements established by the Board of Trustees. The principal/designee may determine that a hardship exists, and it would be in the best interests of the pupil or his/her family for the pupil to be allowed to drive.

If the pupil has not complied with NCS D minimum attendance requirements as stated in Regulation 7222R and no hardship exists, an investigation will be instituted and a hearing set, with notice of the hearing sent to the parent/legal guardian of the pupil. If it appears after investigation and a hearing that a pupil is a habitual truant, an order imposing the following administrative sanctions may be issued:

- If it is the first time that administrative sanctions have been issued because the pupil is 14 years of age or older, the drivers license may be suspended for at least 30 days but not more than 6 months. If the pupil does not possess a drivers license, the order must provide that the pupil is prohibited from applying for a drivers license for 30 days immediately following the date of the order if the pupil is eligible to apply for a license or after the date the pupil becomes eligible to apply.
- If it is the second or any subsequent time that administrative sanctions have been issued because the pupil is a habitual truant and the pupil is 14 years of age or older, the drivers license may be suspended for at least 60 days but not more than one year. If the pupil does not possess a drivers license, the order must provide that the pupil is prohibited from applying for a drivers license for 60 days immediately following the date the pupil is eligible to apply for a license or the date the pupil becomes eligible to apply for a license.

A copy of the order delaying the ability of the pupil to receive a drivers license must be forwarded to the Department of Motor Vehicles not later than five days after the order is issued.

If an order is issued to suspend the drivers license of the pupil, the pupil shall surrender his/her drivers license to the school police officer or to the person designated by the principal. A copy of the order and the drivers license shall be forwarded to the Department of Motor Vehicles not later than five days after issuing the order.

Appeals

The parent/legal guardian may submit a written request for a hearing with the Superintendent/designee. The Superintendent/designee shall, no later than 30 days after receipt of the written request, hold a hearing to review the reason for the imposition of administrative sanctions. No later than 30 days after the appeal hearing, the Superintendent/designee shall issue a written decision affirming, denying or modifying the decision to impose administrative sanctions and mail a copy of the decision to the parent/guardian.

Habitual Truants Declared Truant again in the Same School Year

If a pupil is a habitual truant or if a pupil who is a habitual truant is again declared truant in the same school year after being declared a habitual truant, the principal shall report the pupil to local law enforcement for investigation and issuance of a citation. If the parent/guardian has signed a written consent, the pupil shall be referred to the advisory board to review school attendance (see Administrative Regulation 7223). The pupil shall be referred for imposition of administrative sanctions. The board of trustees shall adopt criteria to determine whether the principal shall:

- Report a pupil to local law enforcement;
- Refer a pupil to an advisory board to review school attendance; or
- Refer a pupil for the imposition of administrative sanctions.

References:

Revisions: September 8, 2015

Effective Date: March 15, 2015

NEPN/NSBA

Classification: NRS 392.040, 392.122, 392.130, 392.140 & 392.144 through .149
20 U.S.C. §1222g(b)
34 C.F.R. Part 99