

FILE: JBH

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## ATTENDANCE REPORTS FOR STUDENT DRIVERS

In accordance with state law, students are obligated to attend school regularly, and be in attendance a minimum number of days during the school year. In order for a minor to obtain or renew a driver's license or learner's permit for the operation of a motor vehicle, the minor shall present evidence to the *Office of Motor Vehicles* that the minor is enrolled and is attending school or a recognized program or has completed the required minimum units of credit for graduation. Upon request of any minor who is enrolled and attending a school and who is eligible to apply for a driver's license, the Superintendent, principal, or appropriate designee shall provide to him/her documentation of his/her meeting the required attendance requirements.

A student who does not meet the required minimum school attendance provisions may be subject to denial or suspension of his/her driver's license or learner's permit. It is the policy of the Jefferson Davis Parish School Board to provide written notification of a minor student who has been determined by the principal to be a dropout or habitually absent or tardy to the Louisiana *Office of Motor Vehicles* for denial or suspension of driving privileges.

In addition, a minor student's driver's license or permit may also be suspended when written notification is received by the *Office of Motor Vehicles* from the principal that the minor student has been expelled or suspended from school or assigned to an alternative educational setting for ten (10) or more consecutive school days. Such disciplinary action shall be limited to expulsions, suspensions, or alternative educational assignments for infractions involving the sale or possession of drugs, alcohol, or any other illegal substance, the possession of a firearm, or an infraction involving assault or battery of a member of the school faculty or staff.

The School Board, through the principal, shall provide written notification to any minor whom the principal has determined to be a dropout or habitually absent or tardy and his/her parent or guardian that the principal intends to subject the minor to driver's license denial or suspension. The written notification shall advise the minor of his/her right to seek a hearing of the School Board of such determination or to make a request of the School Board to obtain a hardship waiver within fifteen (15) days of the mailing of the notification. The principal shall send a copy of the notification to the School Board.

If the School Board is notified of a request for a hearing or a request for a hardship license within fifteen (15) days after the date of mailing the written notification, the School Board shall hold a hearing to make a determination upon such request. If no such request is received by the School Board, or if the School Board determines after a hearing that such student is a dropout or is habitually absent or tardy and is not entitled to a hardship waiver, then the School Board shall provide written notification to the *Office of Motor Vehicles* that the minor's license should be suspended or denied.

## HARDSHIP WAIVER

The School Board may waive the attendance requirements for any minor for whom a personal, family, or economic hardship requires the minor to have a driver's license for his/her own, or his/her family's employment or medical care as provided in La. Rev. Stat. Ann. §[17:226](#). The minor or his/her parent or legal guardian may present other evidence that indicates compliance with attendance requirements outlined in state law at the waiver hearing.

The School Board shall notify the *Office of Motor Vehicles* of the outcome of the minor's hardship waiver hearing within twenty-four (24) hours after conducting the hearing.

## DEFINITIONS

*Dropout*, for purposes of this policy, means a person fifteen (15) years of age or older but less than eighteen (18) years old, who was enrolled in a school and withdrew or who was enrolled at the end of the previous school year and is not enrolled on October first of the following school year or who has more than ten (10) consecutive days of unexcused absences from school or fifteen (15) days total unexcused absences during a single semester.

*Dropout* does not mean a person who:

1. is temporarily absent due to illness, suspension, or expulsion;
2. is attending or has graduated or completed another educational program approved by the Louisiana Board of Elementary and Secondary Education;
3. transferred to a nonpublic school, a correctional institution, or an approved home school program or moved out of state.

*Habitually absent or tardy* is when either condition continues to exist after all reasonable efforts by a principal or other appropriate authority have failed to correct the condition after the fifth (5th) unexcused absence or fifth (5th) unexcused occurrence of being tardy within any month or if a pattern of five (5) absences a month is established or as otherwise provided in La. Rev. Stat. Ann. §[17:233](#).

*Minor* means an unemancipated child who is at least fifteen (15) years of age but less than eighteen (18) years of age.

New policy: July 15, 2010

Revised: October 16, 2014

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Ref: La. Rev. Stat. Ann. §§[17:81](#), [17:221](#), [17:226](#), [17:233](#), [17:416](#), [32:414](#), [32:431](#), [32:431.1](#)

Board minutes, 7-15-10, [10-16-14](#), [10-15-20](#)

Jefferson Davis Parish School Board