

**F. No Pass/No Drive**

Statutes and Regulations	Description
KRS 159.051	No Pass No Drive

KRS 159.051 applies to every public and private school district across Kentucky and results in the denial or revocation of a student driver’s license for any of the following:

- academic deficiency
- dropping out of school
- nine or more unexcused absences in one semester

Academic deficiency is defined as a student who does not have passing grades in at least four of six courses or the equivalent in the preceding semester. A student is deemed to have dropped out of school when he/she has nine or more unexcused absences in the preceding semester. Any absences due to suspension are unexcused. For districts using scheduling configurations other than two semesters per year, the 18 total absences can be divided by the number of grading periods in the school year (ex., for trimesters, 3 trimesters x 6 absences = 18).

All 16- or 17-year-olds applying for a drivers license permit (Instruction Permit) are required to have a completed School Compliance Verification Form per KRS 159.051. The form verifies that the student is compliant with the components of the statute. This form should be used for the initial application for an instruction permit only

The No Pass/No Drive statute in KRS 186.440, Section 3 (<http://www.lrc.state.ky.us/krs/186-00/440.pdf>) is interpreted by KDE to mean that home school students hold the same status as students enrolled in and attending public schools. There is a section for private schools on the form used for verification of student attendance. This section of the form should also be used for home-schooled students. It is not necessary for home-schooled students to submit this form to the school district for a signature.

If the student is not compliant, a form will not be issued. If a 16- or 17-year-old student (with a driver's permit or license) accumulates nine or more unexcused absences in one semester, the school will report the student as noncompliant via the Web portal at the end of each semester, or the report may be made earlier in the semester. Any absences due to suspension are unexcused. Additionally, if a 16- or 17-year-old driver drops out of school, a report of noncompliance is made immediately via the Web portal.

A student shall be deemed academically deficient when he or she has not received passing grades in at least four of six courses or the equivalent. Reports of noncompliance based on academic deficiency will be made via the Web portal. The law specifies that a student "shall" pass four courses (or the equivalent of four courses per semester;  $4/6 = 66$  percent). Since most schools are currently using a six-period semester, KDE recommends that a student would need to pass more than 66 percent of his or her classes to be compliant. This same mathematical calculation (66 percent) has been used in the graph below to show how it applies to different course and semester configurations.