

## Frequently Asked Questions

### What is a Driving Eligibility Certificate?

A Driving Eligibility Certificate is used to verify that a student is meeting academic and enrollment expectations for the state of North Carolina and therefore in combination with the other requirements outlined in § 20-11 (d) (1), (2), and (3) may obtain either a limited driver's learner permit or a provisional (limited or full) driver's license.

### How long is a Driving Eligibility Certificate valid?

The Driving Eligibility Certificate is valid for 30 days. § 20-11(n)(3)

### Who needs a Driving Eligibility Certificate?

A person under age 18 seeking a driver's learner permit or provisional driver's license needs a Driving Eligibility Certificate. A person over age 18 may also need a Driving Eligibility Certificate if the Driving Eligibility Certificate was revoked prior to age 18 due to disciplinary action during high school or community college. § 20-11(n1)

### How does a minor enrolled in a public school within North Carolina, obtain a Driving Eligibility Certificate?

Upon successful completion of a Driver Education program, the student may obtain a Driving Eligibility Certificate from the school once adequate academic progress (pass at least 70% of the maximum of possible courses each semester and meet promotion standards established by the LEA) 16 NCAC 06E.0301 has been verified by the school.

### Why would a Driving Eligibility Certificate be revoked?

There are three reasons why a Driver Eligibility Certificate could be revoked.

- **DROPPING OUT OF SCHOOL PRIOR TO AGE 18**  
As of August 1, 1998 any public, private, federal, home-schooled, or community college student under age 18 who does not make adequate academic progress or drops out of school will have their driving permit or provisional license revoked. (§ 20-11)  
  
Under the Dropout Prevention Guidelines, a dropout student is one who has withdrawn from school before the end of the academic term and whose enrollment in an educational setting cannot be verified for 30 days. Parents should be notified in writing that the student's Driver Eligibility Certificate will be revoked. Parents may submit a hardship request to the principal or principal's designee to maintain the student's Driving Eligibility status.
- **DISCIPLINARY ACTION**  
Disciplinary action includes an expulsion, a suspension for more than 10 consecutive days, or an assignment to an alternative educational setting for more than 10 consecutive days. (§ 20-11(n1))  
  
Under the Lose Control/Lose License guidelines, the Driving Eligibility Certificate is revoked for one year. Unlike the Dropout Prevention guidelines that end when a student turns age 18, the revocation of a Driving Eligibility Certificate for disciplinary action can extend beyond age 18 if the disciplinary action took place during the time the student was age 17.
- **NOT MAKING ADEQUATE ACADEMIC PROGRESS**  
At the end of each semester, students not passing 70% of the maximum possible courses are identified. Parents are notified that the student is not making adequate academic progress and have the option of submitting a hardship request to the principal or principal's designee to maintain the student's Driving Eligibility status.

### What constitutes a hardship request to receive a Driving Eligibility Certificate?

The school principal or principal's designee may determine specific circumstances exist that constitute a hardship thereby allowing a student to receive a Driving Eligibility Certificate. A hardship is defined as "a demonstrable burden on the student or the student's family..." 16 NCAC 06E.0301 (c) (3)

### How does the Driving Eligibility Certificate become reinstated? \*

Under the "Lose Control/Lose License" § 20-11 (n1) (1) statute, the Driving Eligibility Certificate is reinstated one year after the disciplinary action occurred.

However, if the local education agency determines the student displayed exemplary behavior and is attending school, a student may be eligible for the Driving Eligibility Certificate six months after the disciplinary action occurred. § 20-11 (n1) (2), (3), (4)

Furthermore, if the school administrator determines the student has exhausted all administrative appeals related to the disciplinary action and needs the certificate to drive to and from school, a drug or alcohol treatment counseling program, as appropriate, or a mental health treatment program, and no other transportation is available, the student is eligible for a Driving Eligibility Certificate. § 20-11 (n1) (3)

#### **What is the appeal process for the revocation of the Driving Eligibility Certificate?**

The local education agency (school, school district, school board) determines the process by which decisions concerning the issuance of a driving eligibility certificate shall be appealed. 16 NCAC 06E.0301 (d)

\* **NOTE:** To reinstate driving privileges, the DMV must have electronic confirmation from the child's private school, public school, community college, or for home school students-the Division of Non Public Education as well as the paper DEC when the child and parent/guardian visit the local DMV office. DMV may also charge a restoration fee

## **CONTACTS**

### **NC DMV**

Visit the NC DMV at <http://www.ncdot.org/dmv>

### **NC Community College Basic Skills/GED Education**

[http://www.ncccs.cc.nc.us/Basic\\_Skills/driversLicenseLaws.htm](http://www.ncccs.cc.nc.us/Basic_Skills/driversLicenseLaws.htm)

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