

DRIVER'S LICENSE AND ATHLETIC INFORMATION

DRIVER'S LICENSE AND ACADEMIC PROGRESS

Who Is Affected By The Driving Eligibility Certificate Legislation?

Under [NCGS 20-11\(n\)](#), this legislation is directed to all North Carolina students under the age of 18 who are eligible for a driving permit or license. This includes public school, federal school, charter school, home school, private school, and community college students.

Who Is Not Affected By This Legislation?

Students who have attained a high school diploma, a G.E.D., or an adult high school diploma as issued by a community college are not affected by this legislation. In addition, students who received a driving permit or license prior to the Graduated Driver's License program (before 12/1/97) are not affected.

What Is A Driving Eligibility Certificate (DEC)?

A Driving Eligibility Certificate (DEC) is a printed document that is issued by the school principal and/or the principal's designee. The Driving Eligibility Certificate certifies that the student is currently enrolled in school and has demonstrated adequate academic progress toward graduation.

Who Issues Driving Eligibility Certificates?

The principal and/or the Driving Eligibility Certificate (DEC) Representative is responsible for signing and issuing a Driving Eligibility Certificate. A DEC is needed when a student plans to apply for a driving permit or license.

Does This Meet The Family Education Right To Privacy Act (FERPA)?

Yes. The current DEC requires parents, guardians, or emancipated juveniles to provide their written irrevocable consent for a school to disclose to the Division of Motor Vehicles when a student no longer meets the conditions under G.S. 20-11. A Driving Eligibility Certificate cannot be issued without the parent's written consent.

Who Is Not Eligible To Receive A Driving Eligibility Certificate?

Students who are not making adequate academic progress or have dropped out of school. According to [NCGS20-11\(n1\)](#), some students are ineligible to receive a Driving Eligibility Certificate. Students expelled, suspended or placed in an alternative educational setting for more than ten (10) consecutive days for possessing or selling alcohol, illegal or controlled substances on school property; bringing, possessing or using a weapon or firearm on school property, pursuant to [NCGS 115C-391 \(d1\)](#); or assaulting any school personnel on school property are ineligible.

What Are The Requirements For A Driving Eligibility Certificate?

The Driving Eligibility Certificate will be issued only if the student has demonstrated adequate academic progress in the prior semester and has not dropped out of school. Students must not be in violation of [NCGS 20-11\(n1\)](#) as described in the above statement. Students who do not meet these requirements will not be issued a Driving Eligibility Certificate.

What If A Student Has Already Been Issued A Driver's Permit Or License?

The Division of Motor Vehicles will be notified to revoke the driving privileges of students who are not making adequate academic progress or have dropped out of school. This notification of DMV will take place after the parents have been given written notification of the pending action. In addition, DMV will be notified to revoke of driving privileges of students expelled, suspended or placed in an alternative educational setting for more than ten (10) consecutive days for possessing or selling alcohol, illegal or controlled substances on school property; bringing, possessing or using a weapon or firearm on school property, pursuant to [NCGS 115C-391 \(d1\)](#); or assaulting any school personnel on school property.

What Is Adequate Progress?

A student must have passing grades in 70% or more of his or her classes. The 70% relates to passing 3 of 4 courses during the semester. Any semester course load of less than 4 courses will require passing 100% (all) the courses during the semester. Adequate academic progress will be evaluated at the midpoint of the school year (first semester grades) and at the end of the school year.

Are There Hardship Rules?

Yes, principals and/or DEC Representatives will be able to issue Driving Eligibility Certificates to students based on hardship. Students must have already been issued a driver's permit/license in order to request a hardship. Cases of hardship must reflect specific circumstances that are beyond the control of the student, his or her parents, or the school. In all cases of hardship, documented proof must be submitted. The specific hardship circumstances are divided into three categories:

Hardship Guidelines

1. Medical Considerations

- a. Student – Documented proof must be submitted to the school from a doctor (on letterhead) citing reasons why the student missed school, dates of illness, etc.
- b. Parent – Documented proof must be submitted to the school as to the parent's medical illness or impairment. Evidence must demonstrate the absolute necessity of the student to have a driver's license.

2. Work-related Considerations

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- a. Student must demonstrate that he/she required transportation to/from a job that is necessary to the family's financial welfare and is unable by any other means to do so.
- b. There should be documented proof that the student is working and that the student's earnings go directly to support the basic needs of the family. In addition, there must be proof that the student is unable by any other means to get to and from work.

3. Exceptional Children Considerations

- a. A DEC can be issued to a student when it has been determined that the student is unable to make progress toward obtaining a diploma/certificate. This ruling is not intended to apply to exceptional students who have the ability to obtain a high school diploma.
- b. Input from the IEP Committee and other sources should help guide in the decision.

2016-2017 NC HIGH SCHOOL ATHLETIC ASSOCIATION (NCHSAA)

Eligibility Summary, Rules, and Regulations - May be updated prior to the beginning of each school year at the discretion of the NCHSAA

AGE

Student may not participate if he/she becomes 19 years of age on or before August 31, 2016.

ATTENDANCE

Must be in attendance 85% of the previous semester. (i.e. cannot miss more than 13.5 days in a 90-day semester) This includes all absences (excused and unexcused). Attendance is regulated by local LEA policy in terms of length of day required to be counted in attendance. Local attendance policy may be more stringent in terms of counting/earning credit for courses.

ACADEMICS

Must pass a minimum load of course work the previous semester to be eligible at any time during the semester. Courses must be approved for credit, i.e., Audited courses would not count. Minimum load is defined as five (5) courses in the traditional school schedule. Minimum load is defined as three (3) courses on the "block" schedule. This applies to all student athletes, including seniors. If the school is on an a/b form of "block" scheduling, a student must pass six (6) of eight (8) courses during what would traditionally be defined as a semester. No work previously passed by a student may be submitted as part of a minimum load. Summer school work used to make up part of the minimum load must be applied to the most recent semester. Credit for summer school work is the determination of the local unit. A student not eligible at the beginning of the semester is not eligible at any time during the semester.

Exception: A student who receives an incomplete which causes him/her to fail to meet minimum scholastic requirements is ineligible until the course is satisfactorily completed. Eligibility is restored immediately.

ENROLLMENT/RESIDENCE

Student must be a regularly enrolled member of the school's student body. Student must participate at the school to which he/she is assigned by the local board of education. School assignment is based on the residence of the parent or legal custodian (court ordered custody, **not** guardian) within the administrative unit. Student must live with the parents or legal custodian. A "**legal custodian**" is a person or agency awarded legal, court-ordered custody of a child. A student may not have two residences for eligibility purposes.

In order for a change of residence to be bona fide, at least the following facts must exist:

1. The original residence must be abandoned as a residence; that is sold, rented or disposed of as a residence and must not be used as residence by any member of the family.
2. The entire family must make the change and take with them the household goods and furniture appropriate to the circumstances.
3. The change must be made with intent that the move is permanent.

NCHSAA TRANSFER POLICY

After initial entry into the ninth grade, and absent a bona fide move as provided in the Residence section of the NCHSAA Handbook:

- a) A student transferring from one member school to another member school within the same LEA must sit out 365 days for athletic participation. The LEA may create criteria for immediate athletic eligibility for transfers within the LEA.
- b) A student transferring from one member school in one LEA to another member school in a different LEA must sit out 365 days for athletic participation. Exceptions for immediate athletic eligibility for transfers from one LEA to a different LEA will be heard by a special NCHSAA transfer committee.

Transfers within the same administrative unit are governed by the local board of education. A student transferred from one administrative unit to another by mutual agreement, is immediately eligible for athletic participation in the receiving unit, if eligible in all other respects.

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Student must be properly enrolled at the member school no later than the 15th day of the present semester, and must be in regular attendance at that school. No student may participate at a second school in the same sport in the same sport season except in the event of a bona fide change of residence of the parent(s) or legal custodian. Change of schools must be contemporaneous with change of residence.

MEDICAL REQUIREMENTS

Student must receive a medical examination once every 365 days by a duly licensed physician, nurse practitioner, or physician's assistant. Students absent from athletic practice for five (5) or more days due to illness or injury shall receive a medical release by a physician licensed to practice medicine before re-admittance to practice or contests. No student may be eligible to participate at the high school level for a period lasting longer than eight (8) consecutive semesters, beginning with the student's first entry into ninth grade or participation on a high school team, whichever occurs first.

NCHSAA REGULATIONS

Falsification of information in terms of eligibility will result in the student athlete(s) being declared ineligible for a period of 365 days from the point of notification by the NCHSAA.

No student may participate at the high school level for more than four (4) seasons in a sport (one season per year), i.e. A student could not play fall women's soccer in one state and then play NCHSAA women's soccer in the spring. A student must not be convicted of a felony in this or any other state, or be adjudicated as a delinquent for an offense that would be a felony if committed by an adult in this or any other state. A student may not play, practice or be on the roster in any capacity (manager, for example) if ineligible. This does not apply to summer workouts, but the student should be enrolled in school. A student may not dress for a game or scrimmage when he/she is not eligible to participate in the game. If serving an "ejection", student may be in the bench area but may not be in uniform. To maintain amateur status, a student must not accept money or awards having utilitarian value (golf balls, clubs, tennis rackets, etc.) For participation in athletics, a student must not have signed a professional contract or played on a junior college/community college team.

SCHOOL REQUIREMENTS

Each coach must sign off on the eligibility summary form that is signed by the principal and athletic director. A mandatory parent/guardian meeting must be held to have the parent sign the parental permission form to acknowledge eligibility and sportsmanship policies/expectations have been reviewed.