

DRIVERS EDUCATION

The purpose of driver education is to insure that every secondary school pupil has the opportunity for formal driver education instruction at the time he/she reaches licensing age.

Driver Education is a formal classroom and laboratory course which includes both classroom and practice driving instruction. Both phases are to be pursued concurrently to accommodate and assure effective articulation of the concepts involved. This course shall provide a minimum of one-half unit of credit.

Eligibility:

West Virginia Code requires young people at least fifteen but less than eighteen years of age to maintain specified driver eligibility requirements related to school attendance, personal behavior and academic progress in order to obtain and maintain a West Virginia license or instruction permit for the operation of a motor vehicle.

West Virginia Code places certain responsibilities on school administrators to identify students who do not meet the requirements of driver eligibility and communicate this information to the West Virginia Department of Motor Vehicles.

Documentation in the form of a Driver's Eligibility Certificate will be provided by the county school system to students verifying that he or she has met the attendance, behavioral and academic expectations set forth by W. Va. Code 18-8-11.

- This certificate will only be issued to students who have attained and maintained grades and coursework in an amount sufficient to allow for graduation in five years or by age nineteen, whichever is earlier.
- This would calculate to earning five credits annually, three of the five to be earned from the core requirements identified in W. Va. 126CSR42, WVBE Policy 2510: Assuring the Quality of Education, Regulations for Education Programs.

The county may **deny** or **revoke** a Driver's Eligibility Certificate from any student at least fifteen but less than eighteen years of age for the following:

- More than ten consecutive or fifteen total days unexcused absences during a school year.

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- Suspension pursuant to W. Va. Code 18A-5-1a and 18A -5-1b which includes the following behaviors when committed on the premises of an educational facility, at a school-sponsored function, or on a school bus:
 - a. assault and/or battery on school employees
 - b. possessing deadly weapons,
 - c. sale of a narcotic drug,
 - d. committing an act or engaging in conduct that would constitute a felony under West Virginia Code if committed by an adult, and/or
 - e. unlawful possession of a controlled substance governed by the uniform controlled substances act as describe in W.Va. Code 60A-1.1 et seq.

County Attendance Directors and all School Administrators shall implement and execute the following duties regarding driver's eligibility for license or instruction permit to operate a motor vehicle:

- a. provide, upon request, a Driver's Eligibility Certificate on a form approved by the West Virginia Department of Education to any student, at least fifteen but less than Eighteen years of age who is in satisfactory standing with regard to attendance, behavior and academic progress in a school under the jurisdiction of the official for presentation to the WVDMV on application for, or reinstatement of an instruction permit or license to operate a motor vehicle.
- b. provide notification to the WVDMV whenever a student withdraws from school, is suspended and/or fails to maintain satisfactory academic progress, except when the withdrawal or failure to make satisfactory academic progress is due to circumstances outside the control of the student.
- Notification must be provided to the WVDMV no later than five days from the date of the withdrawal and/or suspension.
- Notification must be provided to the WVDMV no later than five days from the end of the school year for failure to maintain satisfactory academic progress.
- c. provide the opportunity, upon request, for a student who has been denied a Driver's Eligibility Certificate or has received a revocation notice, to have a hearing before the County Superintendent of Schools or his/her designee concerning whether the student's withdrawal from school or failure to make satisfactory academic progress was due to a circumstance or circumstances beyond the control of the student (shall include, but not limited to, medical reasons, familial responsibilities and the necessity of supporting oneself or another). The superintendent will be the sole judge of whether any of the grounds for denial or suspension of a license or instruction permit are due to a circumstance or circumstances beyond the control of the student.

Tyler County Policy: IE

- Provide for a review process that will allow students to have their Driver's Eligibility Certificate reinstated upon demonstration of satisfactory progress as follows:
 - a. reinstatement requests related to withdrawal for unexcused absences shall be reviewed, at the end of the semester following that in which the withdrawal occurred;
 - b. academic progress will be reviewed at the end of each school year for the purpose of reinstating Driver's Eligibility Certificate;
 - c. reinstatement related to withdrawal or suspension shall be reviewed after all disciplinary sentences have been served.

Students who are at least fifteen years of age may enroll in Driver Education and operate a motor vehicle on the road without a Level I Instructional Permit while accompanied by a certified driver education teacher. However, it is encouraged that a student has a Level I Instruction Permit at the time the student enrolls in the course and begins the behind-the-wheel driving instruction.

In the scheduling of students for the course, a minimum of 6 hours driving practice/instruction for each enrolled student is required. Licensed students shall receive a minimum of 3 hours in-car practice driving/instruction, testing and evaluation in a variety of highway and traffic conditions. If the student in the best judgment of the teacher requires additional driving instruction to hone skills and improve driving performance, such time shall be provided. Any instructional time that is not utilized by the licensed student, shall be applied to providing additional in-car practice driving to the less experience students enrolled in the course.

Minimum Course Requirements:

- Classroom instruction of 50 hours including a minimum of 8 hours in a standard defensive driving course.
- In-car observation of 10 hours
- In-car practice driving of 6 hours

Student on-street practice driving lessons shall be provided in an automobile equipped with a dual control brake and an approved driver education teacher shall occupy the seat beside the pupil.

A minimum of two and maximum of four students shall occupy the driver education vehicle during secondary school on-street practice driving/instruction lessons.

Accidents:

Any accident involving the driver education vehicle shall be handled by the county and reported within five days to the state driver education coordinator. In the event the teacher is incapacitated, the principal or principal's designee shall fulfill this responsibility;

Program Reports:

Certain data and information pertinent to the effective administration of the driver education program, the needs of other relevant and cooperating state agencies and national organizations shall, when requested, be reported to the state driver education coordinator on official forms provided through the West Virginia Department of Education.

Driver Education Certificates:

High School Driver Education Certificates, Form I-DE-4, and Adult Driver Education Certificates, Form I-DE-5, shall, in the judgment of the teacher, be awarded only to students demonstrating mastery of the recommended course content and a satisfactory level of driving performance, i.e., student ability to consistently control the speed and direction of the vehicle and to safely operate the motor vehicle on the public streets and highways.

Use of Driver Education Vehicles:

Tyler County secures dealer leased vehicles for use in the Driver Education Program. Dealer secured vehicles shall be used for driver education purpose only. Identification of the driver education vehicle shall be visible to other drivers from all directions. It should indicate clearly that the car is being used for driver education and/or being operated by a student driver.

REFERENCE: School Laws of WV 18-6-1 through 18-6-10; School Laws of WV 18-8-11; State Board Policy 2422.2 WV Board of Education Regulations: Driver Education; State Board Policy 4150: Student Driver Eligibility Certificate/

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