

DRIVER'S LICENSE INITIATIVE

School District Responsibilities

The school district is required by law to report students between the ages of 14 to 18, who accumulate 15 unexcused absences within a period of 90 calendar days to the Department of Highway Safety and Motor Vehicles (DHSMV) so that DHSMV can notify the students their driver's licenses are being suspended. In order to have their driver's licenses reinstated, students must provide verification of 30 days of consecutive school attendance on a form prescribed by the state.

Pursuant to Section 322.091, Florida Statutes, a minor is not eligible for driving privileges unless that minor meets one of the following criteria:

- a) Is enrolled in public school, non-public school, or home education program and satisfies relevant attendance requirements;
- b) Has received a high school diploma, high school equivalency diploma, special diploma, or certificate of high school completion;
- c) Is enrolled in a study course in preparation for the General Educational Development Test (GED® Test) and satisfies relevant attendance requirements;
- d) Is enrolled in other educational activities approved by the district school board and satisfies relevant attendance requirements;
- e) Has been issued a certificate of exemption according to Section 1003.21(3), Florida statutes;
- f) Has received a hardship waiver pursuant to section 322.091, Florida Statutes.

Attendance records of students between the ages of 14 and 18 who accumulate 15 unexcused absences in a period of 90 calendar days are electronically sent to DHSMV on a regular basis. These data include the names of the student, date of birth, gender, and if available, social security number. The district is required to also notify DHSMV of all students who withdraw from school with a withdrawal code counted in the dropout rate (DNE, W05, W13, W15, W18, W21, and W23). It is advisable that the parents of the identified students be notified of the nonattendance of the student and the risk of the student having the driver's license privileges revoked.

Reinstatement of Driving Privilege Procedures:

Students must contact the school to assist in the reinstatement of the driving privilege. School districts must electronically transmit a transaction code (TERMS code M05, Cancel Intent to Suspend) to cancel out-of-compliance reports of students who are licensed and have satisfied attendance requirements or who should not have been reported. **Electronic transmissions for cancellation must occur within 20 calendar days of issuance of the notice to suspend.** A reinstatement form or status letter must be sent for unlicensed students who have not satisfied attendance requirements or who should not have been reported to DHSMV. Students are eligible for reinstatement if they have earned a high school diploma or a State of Florida diploma.

The reinstatement form can be found at: <https://www.flhsmv.gov/pdf/forms/72870.pdf>

Any reinstatement fees are paid directly to the DHSMV.

For students to have their driver's license reinstated:

- Students must attend school for 30 consecutive days with no unexcused absences in order for driving privileges to be reinstated. The count begins the first day after the last unexcused absence. If an unexcused absence occurs during the 30-day accumulation period, the count starts over.
- Adult education students must satisfy the relevant attendance requirements of the school district. Broward Schools follows the DOE's recommendation of six consecutive weeks of attendance with no unexcused absences.

Although the District is not required to submit the names of adult students under the age of 18, there are some situations in which high school students have had their licenses suspended, and then elect to enroll in a GED program. If students meet these criteria, the Adult and Community School administrator can complete the reinstatement form.

Home Education Programs

Students enrolled in Home Education programs who have been noticed for suspension of driving privileges must verify their enrollment through the Home Education Office.
Call the Home Education Office at 754-321-1558 for questions about this process.

Hardship Waiver Procedures:

School districts must have procedures to schedule hardship waiver hearings for students who receive a notice of intent to suspend. **Unlicensed students are not eligible for a hardship waiver hearing.** The purpose of the hardship waiver hearing is to review the pending suspension of a student's driving privileges. Hardship waivers may be related to one of the following criteria: "...a personal or family hardship that requires that the minor have a driver's license for his or her own, his or her family's, employment or medical care."

- 1) A hardship for employment is based on verification of need. The factor to be considered is the extent to which a student provides a substantial financial contribution for their own livelihood or that of the student's family's needs relevant to food and shelter.
- 2) A hardship for medical care is based on the need for transportation for the student or his /her immediate family members living in the same household to access required treatment. Consideration should be given to whether there are other licensed drivers in the household
- 3) Any student who is denied a waiver may appeal the decision to the district school board.

For more information about the state requirements for suspension, please contact:

Department of Highway Safety and Motor Vehicles

Phone: (850) 617-3811

Website: www.flhsmv.gov

Technical Assistance Paper: <https://info.fldoe.org/docushare/dsweb/Get/Document-7010/dps-2013-150.pdf>

To discuss the compliance of 30-day consecutive school attendance and reinstatement of driving privilege in the Broward County Public School District, please contact:

Contact: Ascellia M Arenas, Coordinator, District Attendance

Phone: 754-321-1623

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