

**Policy 3565: Attendance for Driving Privileges**

**Status:** DRAFT - 1st  
Reading

**Original Adopted Date:** Pending

**SECTION 1. ENROLLMENT AND ATTENDANCE REQUIRED FOR IDAHO STUDENT DRIVERS**

**1.1** Any student under eighteen (18) years of age applying for a driver's license or an instruction permit must provide written verification from the Caldwell School District to the Idaho Department of Transportation that they are enrolled in school and meet the attendance requirements. All students are required to attend school at least ninety percent (90%) of the time school is in session during each grading period in order to meet the attendance requirement. The previous grading period will be used if the decision is made during an extended break.

**1.2** In the event an enrolled student fails to meet the State enrollment and attendance requirements, the school principal or designee will provide written notification on a form provided by the Idaho Department of Education to the student and parent/guardian of the District's intent to request that the Idaho Department of Transportation suspend the student's driving privileges, because the student has dropped out of school (and has not otherwise enrolled in another public/private school, home schooling educational program, course of preparation for the GED, a college or university, a post-secondary vocational program, or job training program or other educational activity approved by the Board) or has failed to comply with the enrollment and attendance requirements found in Idaho Code.

**1.3** The student and parent/guardian will have 15 calendar days from the date of receipt of the above-mentioned notice to request a hearing before the school principal or designee for the purpose of reviewing the pending suspension of driving privileges. The requested hearing will be held within 30 calendar days after the receipt of the request.

**1.4** The school principal or designee may grant a hardship waiver of the requirements of this policy for any student for whom a personal or family hardship requires that the student have a driver's license for his or her own or family member's employment or medical care. The principal or designee will take into account the recommendations of teachers, other school officials, guidance counselors, or academic advisors prior to granting a waiver. Such a hardship waiver must be requested by the student or the student's parent/guardian at the initial hearing.

**1.5** If the principal or designee, denies a hardship waiver, that decision may be appealed to the Board within seven calendar days of receipt of the principal's or designee's decision. The hearing before the Board will be held at a mutually convenient time. The Board will have the authority to uphold the decision of the principal or designee, or reverse the decision and grant the hardship waiver.

**Idaho Code § References**

**Description**

33-211	Students' Driver's Licenses - <a href="https://simbli.eboardsolutions.com/SU/DtfzKXSslshvK3NrlPs4slshCZ5g==">https://simbli.eboardsolutions.com/SU/DtfzKXSslshvK3NrlPs4slshCZ5g==</a>
49-110	Motor Vehicles - Definitions - <a href="https://simbli.eboardsolutions.com/SU/PS4jdbrCQhM0QXJjIkh6pw==">https://simbli.eboardsolutions.com/SU/PS4jdbrCQhM0QXJjIkh6pw==</a>
49-303	Which Persons Shall Not Be Licensed - <a href="https://simbli.eboardsolutions.com/SU/2o6YslshfVKS03WbRLS4plus1xyw==">https://simbli.eboardsolutions.com/SU/2o6YslshfVKS03WbRLS4plus1xyw==</a>
49-303 (A)	Driver's License or Permits Issued to Certain Persons Under the Age of Eighteen Years - <a href="https://simbli.eboardsolutions.com/SU/huDmyFOw0Dslsh9Hd1BslshZtKqA==">https://simbli.eboardsolutions.com/SU/huDmyFOw0Dslsh9Hd1BslshZtKqA==</a>
49-305	Instruction Permits - Commercial Learner's Permit - Temporary Licenses - Motorcycle Endorsement Instruction Permit - <a href="https://simbli.eboardsolutions.com/SU/dNy3rk2sFBnlb16iyslshgG4g==">https://simbli.eboardsolutions.com/SU/dNy3rk2sFBnlb16iyslshgG4g==</a>
49-310	Applications of Persons Under the Age of Eighteen Years - <a href="https://simbli.eboardsolutions.com/SU/1RTCaumKOyT5UBSs4nbpluseg==">https://simbli.eboardsolutions.com/SU/1RTCaumKOyT5UBSs4nbpluseg==</a>
49-326	Authority of Department to Suspend, Disqualify or Revoke Driver's License and Privileges - <a href="https://simbli.eboardsolutions.com/SU/2tdqe3haNdkx6NTtmU4C2A==">https://simbli.eboardsolutions.com/SU/2tdqe3haNdkx6NTtmU4C2A==</a>

**Cross References**

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**Description**

Attendance -

<https://simbli.eboardsolutions.com/SU/plusag5K7b5pzofQ5wl6CuAtg==>