

### **Attendance Requirements for Minors to Maintain Their Driving Privilege**

The Florida Legislation states that those students who fail to satisfy attendance requirements will be ineligible to obtain or maintain driving privileges.

#### **School District Responsibilities**

The school district is required by law to report students under 18 years of age (14-17) who accumulate 15 unexcused absences within a period of 90 calendar days to the Department of Highway Safety and Motor Vehicles (DHSMV). The DHSMV will notify the student and their parent/guardian of their intent to suspend their driver's license, and unlicensed students may not apply for a learner's permit until they satisfy the attendance requirements or turn 18 years of age. To have their driver's license reinstated, students must attend 30 consecutive school days without any unexcused absences and then submit verification of 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 a 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 who meet the threshold of 15 unexcused absences in a period of 90 calendar days are electronically sent to DHSMV on a regular basis. The data sent includes the legal name of the student, date of birth, gender, and if available, social security number. The district is also required to notify DHSMV of all students who withdraw from school with a withdrawal code counted in the dropout rate (DNE, W05, W13, W15, W18, W21, W22 and W23). Early interventions by each school-based attendance team should include advising students with a pattern of non-attendance, in addition to their parents, about the risk of the student having their driver's license privileges revoked.

#### **Reinstatement of Driving Privilege Procedures**

Students must contact the school to assist in the reinstatement of their driving privilege. School districts must electronically transmit a transaction code 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 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>

or by scanning this QR code.

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 County Public 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, there are some situations in which high school students have had their license 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 notified for suspension of driving privileges must verify their enrollment through the [Home Education Office](#). Contact the Home Education Office, 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 granted based on one of the following criteria:

1. **Employment:** A hardship for employment is based on verification of personal or family 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. **Medical Care:** 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, contact:

**Department of Highway Safety and Motor Vehicles Phone:**

(850) 617-3811

**Website:** [www.flhsmv.gov](http://www.flhsmv.gov)

**For more information, scan this QR Code for the Florida Department of Education**

[Technical Assistance Paper:](#) 



To discuss the compliance of 30-day consecutive school attendance and reinstatement of driving privileges in Broward County Public Schools, contact:

**Contact:** Krissa Ericson, Coordinator, District Attendance

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**Email:** [krissa.ericson@browardschools.com](mailto:krissa.ericson@browardschools.com)