

16 NCAC 06E .0304 DRIVER EDUCATION PROGRAM

(a) Each local board of education shall offer a driver education course in high schools under its jurisdiction using the standardized curriculum developed by the Department of Public Instruction pursuant to G.S. 115C-215. The driver education course shall not qualify for course credit under Subchapter 06D, Section, .0500 of this Chapter.

(b) Each driver education course shall include:

- (1) At least 30 clock hours of classroom instruction; and
- (2) At least 6 hours of behind-the-wheel instruction under the supervision of a driver education instructor.

The local school administrative unit shall determine the number of hours of instruction per day, which may include a combination of classroom instruction and behind-the-wheel instruction.

(c) No more than 50 students may be assigned to a class for classroom instruction. No fewer than two and no more than three students may be in a vehicle during behind-the-wheel instruction. To the extent necessary to ensure equal access to the driver education program, the LSAU shall provide reasonable accommodations to a student with a disability consistent with the Americans with Disabilities Act, the Individuals with Disabilities in Education Act, and Section 504 of the Rehabilitation Act of 1973.

(d) The LSAU shall offer the driver education course throughout the calendar year as reasonable based on available personnel and resources.

(e) Prior to beginning behind-the-wheel driving instruction, a student shall obtain a Learner's Permit or a Restricted Instruction Permit issued by the Division of Motor Vehicles ("DMV").

(f) The principal of each high school shall approve each student at that school who meets the requirements in G.S. 115C-215(a) for enrollment in the driver education course.

(g) The LSAU shall issue a certificate to each student who completes either classroom instruction or behind-the-wheel phases of the driver education course.

(h) The LSAU shall submit the following reports to the Department of Public Instruction:

- (1) Quarterly Reports – due July 15th, October 15th, January 15th, and April 15th of each fiscal year:
 - (A) Total number of students enrolled in the classroom and driving phases of the driver education program at each school within the LSAU, including the total number in each grade level from Grade 8 through Grade 12.
 - (B) Total number of students enrolled in the driver education program who are identified as a child with a disability, as defined in G.S. 115C-106.3(1).
 - (C) Total number of students who have dropped out of the driver education program.
 - (D) Total number of students receiving special accommodations or resources from the LSAU to complete the driver education program.
- (2) Annual Reports – due July 15th of each fiscal year:
 - (A) Whether the driver education program is directly managed by the PSU or managed by a contractor pursuant to Rule 06E .0303 of this Section and, if the program is managed by a contractor, the name of the contractor.
 - (B) A list of driver education instructors employed by the LSAU. The list shall identify any instructors who hold a teacher license in Safety and Driver Education or a commercial driver training instructor license issued by the DMV. The list shall specify the next deadline for each instructor to complete the continuing education units required by 16 NCAC 06E .0302(c).
 - (C) The amount of any fee collected by the LSAU to manage the driver education program.

(i) Two or more local boards of education may jointly operate a driver education course under a written agreement meeting the requirements of G.S. 160A-460 et seq. The agreement shall provide for one local board of education to assume administrative responsibility for the course.

(j) If the Department of Public Instruction determines that the LSAU is out of compliance with any provision of this Section, DPI may withhold additional State funding allocated to the LSAU for its driver education program until such time as DPI determines that the LSAU is back in compliance.

History Note: Authority G.S. 20-88.1; 115C-215; 115C-216;
Eff. July 1, 2026.