

**Greater Albany SD 8J
Board Policy**

Code: **JHFDA**
Adopted: 3/12/01
Revised: 12/13/04, 8/13/07,
10/27/08

Suspension of Driving Privileges

Conduct

The superintendent may, under ORS 339.254, make a request to the Oregon Department of Transportation (ODOT) for the suspension of a student's driving privilege or the right to apply for a driving privilege on the basis of conduct as provided below.

If a request is made, the following requirements will be met:

1. The superintendent or designee will meet with parent or guardian¹ before submitting a request to ODOT;
2. The request to ODOT will be in writing;
3. The student involved is at least 15 years of age;
4. The student has been expelled for bringing a weapon on school property; or
5. The student has been suspended or expelled at least twice for any of the following reasons:
 - a. Assaulting or menacing a school employee or another student;
 - b. Willful damage or injury to district property;
 - c. Use of threats, intimidation, harassment or coercion against a school employee or another student.
 - d. Possessing, using or delivering any controlled substance or being under the influence of any controlled substance at a school or on school property or at a school-sponsored activity, function or event.
6. The request to suspend a student's driving privilege or the right to apply for a driving privilege shall not be for more than one year unless the superintendent is filing a second written request. A second request may state suspension of privilege until the student reaches 21 years of age;
7. If a driving privilege is suspended the student may apply to ODOT for a hardship permit.

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

Withdrawal/Poor Attendance

The superintendent may, under ORS 339.257, notify ODOT of the withdrawal from school of a student who is at least 15 years of age and under 18 years of age.

Upon receipt of the district’s notice that a student has withdrawn from school, ODOT shall notify the student that driving privileges will be suspended on the 30th day following the date of notice unless the student presents documentation that complies with ORS 807.066. For purposes of this policy, a student shall be considered to have withdrawn from school if the student has:

1. More than 10 consecutive school days of unexcused absences; or
2. Fifteen school days total of unexcused absences during a single semester, or ten days in a trimester.

Appeals

The student has a right to appeal the superintendent’s decision through district procedures.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.061](#)
[ORS 336.615 - 336.665](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.254](#)

[ORS 339.257](#)
[ORS 807.065](#)
[ORS 807.066](#)
[ORS 807.240](#)

[OAR 581-021-0065](#)
[OAR 581-021-0070](#)