

No Pass/No Drive FAQ's

1. **What is KRS 159.051?** The No Pass/No Drive law (KRS 159.051) affects all public and non-public schools in KY, applies to 16 and 17-year-olds, and uses attendance and grades from the previous semester of the school year to determine non-compliance for students.
2. **What makes a student academically non-compliant?** The No Pass/No Drive law defines Academic Deficiency as a "student who does not have passing grades in at least four (4) courses, or the equivalent of four courses, in the preceding semester."
3. **What is equivalent to 4 courses?** KDE recommends that students need to pass 66% of their courses (per semester) to be compliant with No Pass/No Drive.
4. **What is "dropping out"?** If a 16 or 17-year-old student officially drops out of school (voluntarily withdraws), the school or district should immediately contact the Division of Driver Licensing (via the web portal), not waiting until the end of the semester.
5. **What are "excessive absences"?** A student with nine or more unexcused absences in a single semester (including absences due to out-of-school suspensions) is considered non-compliant.
6. **When should the school report a student for excessive absences?** This report can be made at the end of the semester, or earlier (per district's choice). Some school districts use different configurations for semesters (i.e. trimesters) other than the standard one semester for fall and spring.
7. **What happens after a student is reported as noncompliant?** The Transportation Cabinet will notify the student by mail ("as soon as possible") that their driver's license has been revoked and inform the student of the option of a "right of hearing" before the District Court where the court can reinstate a license due to "hardship factors".
8. **How do students become compliant (after being reported noncompliant)?** KDE recommends that the student be in compliance (good standing) for grades and attendance for a full semester before regaining driving privileges. Then they are reported compliant by the school on the web portal.
9. **What if the student goes to summer school?** A student may also reapply for his driver's license at the end of a summer school semester, which results

in the student having passed at least four (4) courses or the equivalent during the successive spring and summer semesters.

10. **How do new drivers apply for their driver's permit?** They must obtain a completed "School Compliance Verification: KRS 159.051" form from their school, verifying their compliance to the law. They take this completed form to the courthouse in their district of residence to apply for their permit.
11. **What do private schools do?** Private schools interact directly with the Department of Transportation and are granted access to the web portal.
12. **What do home schools do?** Home schools must get the required form from the public school district office or a school where the student resides.
13. **What about religious schools (Amish/Mennonite)?** These schools operate on different schedules and standards than public schools (many graduate from the 8th grade) and need only provide proof of their completion/graduation from the school to the court clerk to apply for a driver's permit. Amish/Mennonite students attending public school must follow the guidelines for public school students.
14. **What about a GED?** Students with completed GED's need only provide proof of this completion to the court clerk to apply for a driver's permit (no form is needed). Students studying for a GED must wait until they pass the test to be eligible to apply for a permit/license.
15. **What about job training programs (Job Corp, etc.)?** Students in these programs must obtain the required form from the public school district office where the program is located, and the job training center then completes the form for the student.
16. **What if a student attends an out-of-state school?** They must get the School Compliance Verification Form from the school district where they officially reside, and then take it to the out-of-state school representative to be signed (public, private, or international). It then goes to the court clerk in the county of residence to apply for the permit or license.
17. **What if a student has dropped out and attends an online school?** The DOT does not accept diplomas from all these programs because many of them are not accredited by the U.S. Department of Education. They do accept completed GED's.
18. **Do students have to pay a fee to have their driver's license reinstated after revocation due to No Pass/No Drive?** No, a fee will not

be required, unless the license has been suspended for one year, when the student will have to take the written and eye exams again.

19. **What happens to the time lost in the graduated licensing process, while my learner's permit is revoked?** A student loses just the time the permit was revoked, and starts again where it was. They do not have to start the graduated licensing process again from the beginning.
20. **Does the law apply when a student turns 18 or graduates, and how does the student get his/her driver's license reinstated?** No, it doesn't apply if a student turns 18 or graduates (at any age), and it will be the student's responsibility to go to the circuit court clerk's office to begin the process of having his/her driver's license reinstated (by showing proof of age).
21. **When an out-of-state student transfers into a Kentucky school, do grades and absences from other states apply?** No, the law is not reciprocal and applies only after the student enrolls in a KY school.
22. **Why would a school district report a home-schooled student compliant?** This would be done for formerly enrolled public school students, who withdrew to be home-schooled. The district is only reporting them to make them compliant again, because home schools do not have web portal access.
23. **What if I get a message saying "record not found" when I report a student?** Then one of three things has occurred: The school has entered incorrect student information (nicknames, incorrect SS#); the student received his/her driver's permit or license prior to August 1, 2007 (No Pass/No Drive does not apply to these students); or the student has not yet applied for a driver's permit or license and the Division of Driver Licensing has no data on the student.
24. **What happens after a student is reported on the web portal?** The Transportation Cabinet automatically generates an official letter to the parents of the student within 10 days, so nothing else is needed, and you don't need to print a letter yourself. A school letter may be sent if desired.
25. **If a student withdraws from a school and waits two weeks to enroll in a different school, are those 10 school days considered unexcused absences?** No. A student must be officially enrolled in a school before absences (excused or unexcused) begin to accrue.