**Section 252.25 Eligibility of Students**

a) Pursuant to Section 27-24.2 of the School Code, no student shall be permitted to enroll in a driver education course provided by a public school district or a nonpublic school unless he or she has either:

1) received a passing grade in at least eight courses (which may include courses completed in grade 8) during the previous two semesters or, in the case of block scheduling that reduces the number of courses taken per semester, in at least half the courses taken during the previous two semesters; or

2) received a waiver of this requirement, pursuant to Section 27-24.2 of the School Code, from the superintendent of the public school district or the chief administrator of the nonpublic school in which the student is or will be enrolled full time during the semester for which enrollment in driver education is sought. A record of any waiver granted shall be entered into the affected student's temporary student record as defined in 23 Ill. Adm. Code 375.10, or its equivalent in the case of a nonpublic high school.

b) Courses

1) For the purposes of this Section, a "course" means a sequence of instructional activities or unit of schoolwork for which a grade is given and listed in a student's academic transcript.

2) For the purpose of determining eligibility under this Section, any coursework completed by a student during a summer term falling within the 12-month period immediately preceding the beginning of the semester for which enrollment in driver education is sought shall be counted towards the eight courses for which passing grades are needed.

c) Verification of Eligibility

1) Each public school district or nonpublic school offering a driver education course shall be responsible for verifying the eligibility of all students seeking enrollment in such courses.

2) Public school districts and nonpublic schools offering a driver education course shall establish procedures for verifying the eligibility of students enrolled there full time when eligibility is based upon the records created by, or transferred to, such schools. If the public school district or nonpublic school previously attended by a student fails to transfer records in time to permit the student's enrollment in driver education, then unofficial records or a signed statement from the parent or guardian of the student shall be used to certify eligibility.

3) When a student requests enrollment in a driver education course offered by an entity other than the school district or nonpublic school he or she attends, the school district or nonpublic school offering the course shall be responsible for requesting confirmation of the student's eligibility pursuant to this Section.

A) Confirmation may be obtained either in writing or via electronic means addressed to the official records custodian designated by the school pursuant to Section 4(a) of the Illinois School Student Records Act [105 ILCS 10/4(a)].

B) The response shall indicate only whether or not the student is eligible and shall not indicate what grades a student received or whether the student received a waiver.

C) Failure of a school district or nonpublic school to respond to a request for eligibility verification within 15 calendar days shall be construed as a positive response and the student in question shall be considered eligible for driver education. The requesting school district or nonpublic school shall inform the sending district or nonpublic school, in writing, of the attempts made to verify eligibility and the lack of response. This notification shall indicate that, in the absence of a response, the student is considered to be eligible provided that a signed statement by the student's parent or guardian is on file. A copy of the notification shall be placed in the student's temporary record.

D) A student enrolled in a home school who wishes to enroll in a driver education course offered by a public school district or nonpublic school shall present, and each such entity shall accept as verification of the student's eligibility, a signed statement stipulating:

i) that the student is enrolled in a home school;

ii) that he or she is eligible pursuant to subsection (a) of this Section; and

iii) that the signature presented is that of the individual who administers the school attended by the student.

(Source: Amended at 34 Ill. Reg. 3018, effective February 18, 2010)