

53A-13-202 Driver education funding -- Reimbursement of school districts for driver education class expenses -- Limitations -- Excess funds -- Student fees.

- (1)
 - (a) Except as provided in Subsection (1)(b), a school district that provides driver education shall fund the program solely through:
 - (i) funds provided from the Automobile Driver Education Tax Account in the Uniform School Fund as created under Section 41-1a-1205; and
 - (ii) student fees collected by each school.
 - (b) In determining the cost of driver education, a school district may exclude:
 - (i) the full-time equivalent cost of a teacher for a driver education class taught during regular school hours; and
 - (ii) classroom space and classroom maintenance.
 - (c) A school district may not use any additional school funds beyond those allowed under Subsection (1)(b) to subsidize driver education.
- (2)
 - (a) The state superintendent of public instruction shall, prior to September 2nd following the school year during which it was expended, or may at earlier intervals during that school year, reimburse each school district that applied for reimbursement in accordance with this section.
 - (b) A school district that maintains driver education classes that conform to this part and the rules prescribed by the board may apply for reimbursement for the actual cost of providing the behind-the-wheel and observation training incidental to those classes.
- (3) Under the state board's supervision for driver education, a school district may:
 - (a) employ personnel who are not licensed by the board under Section 53A-6-104; or
 - (b) contract with private parties or agencies licensed under Section 53-3-504 for the behind-the-wheel phase of the driver education program.
- (4) The reimbursement amount shall be paid out of the Automobile Driver Education Tax Account in the Uniform School Fund and may not exceed:
 - (a) \$100 per student who has completed driver education during the school year;
 - (b) \$30 per student who has only completed the classroom portion in the school or through the electronic high school during the school year; or
 - (c) \$70 per student who has only completed the behind-the-wheel and observation portion in the school during the school year.
- (5) If the amount of money in the account at the end of a school year is less than the total of the reimbursable costs, the state superintendent of public instruction shall allocate the money to each school district in the same proportion that its reimbursable costs bear to the total reimbursable costs of all school districts.
- (6) If the amount of money in the account at the end of any school year is more than the total of the reimbursement costs provided under Subsection (4), the superintendent may allocate the excess funds to school districts:
 - (a) to reimburse each school district that applies for reimbursement of the cost of a fee waived under Section 53A-12-103 for driver education; and
 - (b) to aid in the procurement of equipment and facilities which reduce the cost of behind-the-wheel instruction.
- (7) A local school board shall establish the student fee for driver education for the school district. Student fees shall be reasonably associated with the costs of driver education that are not otherwise covered by reimbursements and allocations made under this section.

Amended by Chapter 23, 2003 General Session

