

**16 NCAC 06E .0303 DRIVER EDUCATION CONTRACTS**

(a) Local boards of education may enter into contracts with public or private entities or individuals to provide a program of driver education for students.

(b) Contracts shall be awarded on a competitive basis through requests for proposals to contract. Local boards of education shall establish the process for soliciting proposals, the number of proposals required, and the time and place for receiving and opening proposals. In addition, local boards of education shall determine whether bid bonds or performance bonds shall be required. Decisions to award contracts shall be based on quality, safety, costs and such other reasonable factors as local boards of education may establish.

(c) A contract may not be awarded to an entity not licensed by the Division of Motor Vehicles as a commercial driving school pursuant to G.S. 20-322. A contract may be awarded to an individual not licensed as a commercial driving school by the Division of Motor Vehicles if he or she is certified by the SBE in driver education or hold non-certified instructor status.

(d) All contracts shall specifically require the contractor to adhere to the requirements of these Rules, 16 NCAC 6E .0301 - .0303. In addition, all contracts shall prescribe:

- (1) the term of the contract, which may not exceed one year;
- (2) the procedure for renewal of the term of the contract, if any, except that a contract may not be renewed for more than two successive one-year terms;
- (3) the grounds for termination of the contract, including automatic termination in the event of revocation of the license required by G.S. 20-325;
- (4) whether school facilities or vehicles are to be leased or used by the contractor and, if so, the terms and conditions or the lease;
- (5) whether the contractor will provide transportation home for students;
- (6) the types of vehicles and equipment to be provided by the contractor, if any; and
- (7) such other terms and conditions, including the purchase of insurance by the contractor, as the local board of education may determine to be reasonable and appropriate.

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