

How to Prepare for Your Driver Education Program Compliance Review

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I. Introduction

This document provides an overview of the Driver Education Program compliance review process and is intended to help you prepare. This guidance document describes your responsibilities as a Driver Education Provider and recommends actions that you may take prior to your compliance review to minimize both disruption and review time.

ODOT Transportation Safety Division (hereafter called Division) requires each driver education provider to meet quality standards for curriculum, motor vehicles and materials, instructor qualifications, recordkeeping, and reimbursement.

The provider is responsible for meeting all requirements of the applicable Oregon Administrative Rules (OAR). Please see the Resources section at the end of this document for additional references that will help you prepare for your compliance audit.

II. Scope of the Driver Education Program Compliance Review

During each review, the Division's quality assurance specialist will assess the provider's compliance with Oregon Administrative Rule. During the course of the review, the following may be evaluated:

- Curriculum
- Policies
- Motor vehicle crash records
- Instructor records
- Student records
- Reimbursement records
- Classroom course instruction
- Behind-the-wheel course instruction
- Motor vehicles used for Driver Education

III. Public Providers That Outsource Program

A public school/educational facility that qualifies for reimbursement may contract with an approved driving school to provide classroom instruction and/or behind-the-wheel instruction.

In cases of outsourcing, the public school/educational facility remains responsible for the curriculum and must retain all required records (curriculum guide, policies, student records, instructor records, etc.) To be eligible for reimbursement, the students' DE instruction fees must be paid directly to the public school/educational facility. (The public school/educational facility pays the drive school per their contract).

It is recommended that the public school/educational facility monitor the curriculum and instructors to assure quality.

IV. Prior Notification

Normally, the Division's quality assurance specialist will provide advance notice of at least a week before a review. While scheduling, we will attempt to both minimize inconvenience to providers and to use State resources efficiently.

If follow-up visits are performed, prior notification may not be provided.

V. Compliance Review Duration

For a smaller program, the average on-site review time is half a day. Compliance review time will increase with the size of the operation, number of instructors and number of sites.

To minimize interference to the driver education provider, the Division suggests that you organize and consolidate all records the quality assurance specialist will need, and have them readily available on the day of your review.

VI. Compliance Review Process

The Division's quality assurance specialist will first meet with the provider's Driver Education Coordinator, or other representative designated by the provider. At that time, the Coordinator should request any special sequencing of the records review, classroom/behind-the-wheel observation, and vehicle inspection.

At the close of the compliance review, the quality assurance specialist will again meet with the provider's representative(s) for an exit interview and to provide a Compliance Summary Report.

Your help by pre-planning and your assistance coordinating the various portions of the compliance review will help assure that the review is performed with minimal disruption. If you foresee issues, please contact the Division.

Staff may conduct their usual duties during the compliance review, but should be available if the quality assurance specialist has questions or needs assistance.

VII. Compliance Review Details

Following is a description of program elements that may be evaluated during the review. **Be prepared to demonstrate compliance and provide documentation.**

A. Curriculum OAR 737-015-0030

- **Driver Education Coordinator.** Each provider must appoint a contact person who is responsible for assuring that all requirements are met. Even when work is outsourced, the provider remains responsible for the program and must appoint a DE Coordinator. Contact the Division when contact information changes.

- **Curriculum Guide Approval.** The full curriculum must be regularly updated, and then submitted to the Division for review and approval every three years. The Curriculum guide must include the following:
 - Philosophy
 - Goals and objectives
 - Scope & sequence
 - Major instructional activities
 - Suggested teaching strategies
 - Lists of available materials and resources
 - Procedures for student and program evaluation
 - Written lesson plan for each classroom session
 - Written lesson plan for each behind-the-wheel session
 - A flow chart showing integration between classroom and behind-the-wheel instruction
 - Written drive routes that support each behind-the-wheel lesson plan with specific driving behaviors to be practiced, directions and strategies to improve student performance and habit development.

- **Lesson Plan.** Classroom and behind-the-wheel lesson plans must include the following elements:
 - Title of lesson or module
 - Prerequisites
 - Overall objectives
 - Performance objectives
 - Materials and resources (only those you use!)
 - Instructor and student activities
 - Time breakdown
 - Methods of assessment
 - Assignments

- **Program Timelines.**

	Minimum Required	Do Not Exceed
Classroom seat time	30 hrs	6 hrs/week 3 hrs/day
BTW	6 hrs	90 minutes/day
Observation	6 hrs	3 hrs/day
Program Length	35 days	180 days
At Home Practice	5 hours	No limit

Summer exception: Classroom instruction may be completed over 3 week period, no more than 10 hours classroom instruction per week

- **Classroom/Behind-the Wheel Concurrency.** Concepts must be taught in the classroom before they are practiced behind the wheel. At least 4, but no more than 10 hours classroom instruction must be completed before in-car lessons begin. Your flowchart should reflect this.
- **Parent Involvement.**
 - A parent meeting is required. Perform follow-up for those parents who do not attend.
 - At least five hours supervised home practice must be performed before completion of the course. Be sure to document for each student's records.
- **Assessment.** Skill assessment of each student driver is required.
- **Other Required Elements.** DE Program must include the following:
 - Classroom
 - Driving on all types of Oregon roads
 - Sharing the road with other users in a positive and courteous manner
 - Automobile maintenance
 - Fuel-efficient driving
 - Potential distractions
 - Safety belt use
 - Legal and moral responsibilities
 - Preparing and controlling the vehicle
 - Signs, signals, markings, roadway types and variations
 - Managing intersections
 - Basic maneuvers and traffic flow
 - Management of time and space

- Targeting
 - Line of sight/path of travel
 - Model driving habits
 - Reference points
 - Defensive driving practices
 - Rules of the road
 - Laws of physics and natural laws
 - Physical, emotional, psychological conditions/ effect on driving
 - Alcohol and other drugs/ effect on driving
 - Emergency situations and vehicle malfunctions
- Behind the Wheel
 - Rules and procedures of operating an automobile
 - Visual skills to obtain information and make reduced-risk decisions
 - Vehicle movement to avoid conflict with others
 - Pre-drive procedures
 - Basic maneuvers including starting, stopping, backing, vehicle control, speed control, parking, pulling to and from the curb, right-of-way, push/pull and hand-over-hand steering
 - Complex maneuvers including entering and exiting an intersection, entering and exiting curves, lane change, merging, passing, turns in traffic, city driving, and three-point turnabouts
 - Visual skills including mirror usage, using current and accepted practices including targeting, line of sight, path of travel, model driving habits, and reference point concepts.

B. Written Policies OAR 737-015-0030- The following policies must be written and adopted. Many times these are simple statements included in the parent letter:

- Enrollment criteria
- Student fees and refunds
- Course failures and repeats
- Minimum and maximum course duration

C. Crash Records OAR 737-015-0030

- Reportable motor vehicle crashes that involve a driver education motor vehicle must be reported to the Division within 3 days of the crash.

D. Instruction Materials and Equipment OAR 737-015-0050

- DE Motor vehicles must meet the following requirements:

- Dual brake
 - Regular maintenance
 - Safety and equipment standards of Oregon Vehicle Code
 - Seat belts for driver and all passengers
 - Functional heater and defroster
 - Emergency equipment: fire extinguisher, first aid kit, 3 flares
 - Sign reading: "Student Driver". See OAR 737-015-0050(2)(g) for other approved language.
 - Registration
 - Proof of Insurance (current and in the vehicle, please)
 - Instructor rear view mirror and eye check mirror
 - Headlights used at all times during instruction
- Driving Simulators
 - Not more than ½ behind-the-wheel hours may be provided by driving simulator
 - Four hours of simulation is equal to one hour
 - Driving simulator instruction may not precede classroom instruction (must be concurrent with classroom beginning 9/1/08)
 - Instructor must have appropriate documented training

E. Instructor Qualifications OAR 737-015-0070

- Records from all instructors who have worked in the past year will be reviewed (whether or not they are still employed).
- Retain the following documentation for each instructor:
 - Copy ODL
 - Copy DMV 5-year certified court print
 - Obtain new print every year
 - Review to assure drive record meets requirements in OAR 737-015-0070(2)(a-c).
 - Copy of WOU course certificates: Foundations, Classroom, Behind the Wheel. Simulation training if applicable.
 - **Current** CPR/First Aid card
 - Resume or job application
 - Employment starting date
 - Verification of 15 continuing ed hours within the past 2 years.
 - Verification of 30 hours DE teaching experience within the past 2 years
- Retention: 5 years for instructor records

F. Recordkeeping OAR 737-015-0090

- All applicable recording and reporting forms must be completed and returned to Division before or on the required dates.

- The following records must be retained:
 - Student records, regardless of whether student completes the course. Retain following for each student:
 - Dates of the course
 - Final grade
 - Verification student had permit on first day of class
 - Mailing address
 - Student progress
 - Record of home practice
 - Time involvement
 - Evaluation results
 - Attendance
 - Instructor qualification records, including past instructors
 - Copy of current curriculum guide
 - Crash reports relating to driver education motor vehicles
 - Written policies

G. Records Retention OAR 737-015-0090

- 5 years for instructor records
- 10 years for all other records

Note: this retention schedule became effective April 2007. You will not be held accountable for retention of records prior to the rule change.

H. Reimbursement OAR 737-015-0100

- Each student must obtain Oregon permit prior to first class
- Accurate and complete records must be kept and reports must be submitted to the Division on time. All forms are on TSD web page.
 - Assurance Form
 - Instructor Report
 - Reimbursement Request
- See OAR 737-015-0100(5) for allowable program costs
- Documentation of program costs must be made available during compliance review and otherwise upon request. **Be prepared to show the Compliance Specialist where you got the numbers you used on your reimbursement request.**
- Reimbursement only allowed for students who complete course prior to issuance of their provisional driver license
- Reimbursement only allowed for students under age 18

I. Classroom/Behind-the-Wheel Observation

- The quality assurance specialist may observe a portion of both classroom and behind-the-wheel instruction. **Please provide quality assurance specialist with a copy of the lesson plan at the time of the class observation. For behind-the-wheel, also provide copy of drive route.**

- The quality assurance specialist will observe only a portion of classroom and a portion of behind the wheel lessons. Please advise behind the wheel instructor to adjust drive route at the time of observation so the inspector will be dismissed at the starting location after 15-20 minutes.

J. Vehicle Inspection OAR 737-015-0050

- Motor vehicles used for driver education instruction will be inspected. If vehicles are kept off-site, please make arrangements to have them available at the compliance review site. Contact the Division if circumstances make this difficult. Review 737-015-0050(2) for vehicle requirements.

NOTE: It is the responsibility of the provider to deliver to the Division any records or materials that are not available at the time of compliance review.

VIII. Exit Interview/Compliance Reports

During the exit interview, the quality assurance specialist will review the results of the compliance review and provide a Compliance Summary Report.

If deficiencies are found during the compliance review, they should be corrected as soon as possible. Per Oregon Administrative Rule, **corrections must be made within 30 calendar days of the compliance review date.**

- ***Compliance Summary Report.*** The Compliance Summary Report is a courtesy report provided at the time of the exit interview. It serves as a reminder of items discussed. The Compliance Summary Report must be signed by the provider's DE Coordinator or other representative.

Following compliance review, the provider has a 5-day grace period for taking corrective action on any deficiencies. If a deficiency is corrected and sufficient documentation is received by the Division within 5 days of the compliance review, the deficiency will not be noted on the Final Compliance Report.

Note: "5 days" refers to 5 business days (M-F, excluding major holidays). Example: If compliance review is performed on Wed the 20th, 5-day response to the Division is due Wed the 27th.

- **Final Compliance Report.** After the Division has evaluated all data collected, the Final Compliance Report will be mailed, emailed, or faxed to the provider. This will occur 5 or more business days after the compliance review.

The Final Compliance Report provides a formal report of deficiencies and details any necessary corrective action. Because the Final Compliance Report is written at the Division after full evaluation of the data, and after the program has documented any corrective action, it is possible that the Final Compliance Report will differ from the Compliance Summary Report left at the time of the compliance review.

IX. How to Respond to Deficiencies Noted on Final Compliance Report

If no deficiencies are noted on the Final Compliance Report, no corrective action is required. However, please direct attention to any recommendations or items of concern noted on the report as they represent best practice.

Your written response to deficiencies noted on the Final Compliance Report is due within **30 calendar days of your compliance review date**. Please include the following in your response:

- A detailed letter demonstrating that corrective action is complete. If applicable, include photocopies of records and/or receipts. Appropriate correction may mean making changes to your program to assure the deficiency does not happen again. If so, explain to the Division.
- Signature of a responsible person
- Address each Observation noted on the report
- For items that cannot be corrected within 30 calendar days due to cost or time constraints, submit a detailed plan including timelines for completion.

Mail or fax your response to the quality assurance specialist:

Mary De Ferrari, Quality Assurance Specialist
ODOT-Transportation Safety Division
Driver Education Program
235 Union Street NE
Salem OR 97301-1054

FAX: 503.986.3143, Attn Mary De Ferrari

When satisfactory response has been received, the Division will respond with a letter closing the compliance review.

Be aware that the Division may perform follow-up visits without prior notification.

X. Resources

- **ODOT Transportation Safety Division website**
http://www.oregon.gov/ODOT/TS/drivers_ed.shtml/
Select "Instructor Info and Resources"
 - **Oregon Administrative Rules (OAR), Chapter 737, Division 15**
 - **Provider Assessment Form.** This is a self-assessment form that will help you assure you are in compliance with OAR.

- **ODOT Driver Education Program contact information**
 - Shari Davis, Administrative Assistant
 - Phone 503.986.4291
 - email: shari.c.davis@odot.state.or.us
 - Mary De Ferrari, Quality Assurance Specialist
 - Phone 503.986.6642
 - email: mary.b.deferrari@odot.state.or.us
 - Driver Education Program FAX: 503.986.3143

- **OTSEA (Oregon Traffic Safety Education Association) website**
www.otsea.org
Select "Coordinator's Corner"