

# **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 ten days 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/or provide documentation.**

### A. Curriculum

- **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** - Curriculum guide must be submitted to the Division for review and approval by Sept 1, 2007.
  - Must be submitted for approval every three years
  - Must include the following elements:
    - Philosophy
    - Goals and objectives
    - Scope and sequence
    - Major instructional activities
    - Suggested teaching strategies
    - Lists of available materials and resources
    - Procedures for student and program evaluation
    - Written lesson plan with coordinated flow chart for each classroom and behind-the-wheel session
    - 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** - Lesson plans must include the following elements:
  - Title of lesson or module
  - Prerequisites
  - Overall objectives
  - Performance objectives
  - Materials and resources
  - Instructor and student activities
  - Time breakdown
  - Methods of assessment
  - Assignments

- **Program Timelines**
  - Minimum 30 hours classroom instruction, not exceeding 6 hours per week or 3 hours per day
  - Minimum 6 hours behind-the-wheel instruction, not exceeding 90 minutes driving per day, per student
  - Minimum 6 hours practice driving observation, not exceeding 3 hours observation per day, per student
  - Minimum program length: 35 days
  - Maximum program length: 180 days
  - Summer programs may be conducted over shorter time OAR 737-015-0030(10)
  
- **Classroom/Behind-the Wheel Concurrent** - Behind-the-Wheel instruction may not precede Classroom instruction. Beginning 9/1/08, concurrent instruction is required. Demonstrate this on your flowchart.
  
- **Parent Involvement**
  - Parent night/meeting required
  - Five hours supervised home practice must be conducted before completion of the course
  
- **Assessment** - Skill assessment of each student driver is required.
  
- **Other Required Elements** - Program must include the following elements:
  - 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** - The following policies must be written and adopted:

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

**C. Crash Records**

- 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**

- Current instructional materials must be provided to each student
- Motor vehicles used for instruction must meet the following requirements:
  - Dual control
  - 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
  - Insurance
  - 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**

- Records from all instructors who have worked in the past year will be reviewed (whether or not they are still employed).
- The following must be retained for each instructor:
  - Copy of current driver license
  - Copy of 5-year certified court print abstract showing driving record; must be provided every year. Driving record must meet requirements of OAR 737-015-0070(2)(a-c).
  - Copy of applicable course certificates: Foundations, Fundamentals of Classroom, Fundamentals of Behind-the-Wheel. Simulation training is required if applicable.
  - Copy of current CPR/First Aid card
  - Copy of resume or job application
  - Record of employment date
  - Beginning September 2009, verification of 15 CEU/PDU within the past 2 years
  - Beginning September 2009, verification of 30 hours DE teaching experience within the past 2 years
- Instructor records must be maintained 5 years

#### **F. Recordkeeping**

- 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. The following must be retained for each student (Retain 10 years):
    - Dates the course was taken
    - Final grade achieved (if completed)
    - Verification student had permit on first day of class
    - Student's mailing address
    - Student's progress
    - Record of home practice
    - Time involvement
    - Evaluation results
    - Attendance
  - Instructor records, including past instructors (Retain 5 years)
  - Copy of current curriculum guide
  - Crash reports relating to driver education motor vehicles
  - Required written policies

#### **G. Retention of Records**

- 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**

- 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.
- See OAR 737-015-0100(5) for allowable program costs.
- Documentation of program costs may be reviewed during compliance review.
- Reimbursement may only be claimed for those students who have completed the course prior to issuance of their provisional driver license and are under the age of 18.
- Reimbursement records must be retained 10 years.

#### **I. Classroom/Behind-the-Wheel Observation**

- The quality assurance specialist may observe both classroom and behind-the-wheel instruction. **Please provide quality assurance specialist with a copy of the lesson plan prior to observed class.**



## J. Vehicle Inspection

- Motor vehicles used for driver education instruction may 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.

## 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 the 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 20<sup>th</sup>, 5-day response to the Division is due Wed the 27<sup>th</sup>.*

- **Final Compliance Report** - After the Division has evaluated all data collected, the Final Compliance Report will be mailed 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**

At least 5 days after the compliance review, the provider will receive a **Final Compliance Report** from the Division.

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.
- Signature of a responsible person
- Response to each item of noncompliance
- Date of compliance review or a copy of quality assurance specialist's 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

or

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.

## X. Resources

- **ODOT Transportation Safety Division website**  
[http://www.oregon.gov/ODOT/TS/drivers\\_ed.shtml/](http://www.oregon.gov/ODOT/TS/drivers_ed.shtml/)  
Select "DE Compliance Audit Resources"
  - **Oregon Administrative Rules (OAR)**
  - **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 Specialist
    - Phone 503.986.4291
    - email: [shari.c.davis@odot.state.or.us](mailto: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](mailto:mary.b.deferrari@odot.state.or.us)
  - John Harvey, Program Manager
    - Phone 503.986.4413
    - email: [john.l.harvey@odot.state.or.us](mailto:john.l.harvey@odot.state.or.us)
  - Driver Education Program FAX: 503.986.4341
  
- **OTSEA (Oregon Traffic Safety Education Association) website**  
<http://www.otsea.org>  
Select "Coordinator's Corner"