



TO: District Superintendents  
Superintendents of Schools  
Public School Administrators  
Nonpublic School Administrators  
Charter School Administrators

From: Shannon Tahoe, Interim Commissioner

Date: March 25, 2020

Re: Updated Guidance on Driver and Traffic Safety Education in Response to COVID-19

### **Background**

On March 16, 2020 Governor Cuomo signed an executive order directing all schools in New York State to close by March 18 for two weeks in response to the Novel Coronavirus (COVID-19) emergency. The Office of Career and Technical Education (CTE) has recently received an influx of questions from school districts regarding their driver's education programs. In order to address current state-wide school closures and the possibility of extended school closures, the Office of CTE has put forth the following guidance with respect to driver and traffic safety education (DTSE).

### **Recommendations for Schools**

According to the NYS DTSE Guidelines, driver's education courses must provide each student with a minimum of 24 hours of classroom instruction and a minimum of 24 hours of laboratory instruction (including six hours behind-the-wheel, six hours in-car observation, and 12 hours of additional laboratory instruction) in order to obtain an MV-285 Certificate of Completion of Driver Education Course. At this time, there are many students across the state who have completed various numbers of hours in classroom and laboratory instruction. Consistent with NYS DTSE guidelines, schools must develop, distribute and publish written guidance regarding their make-up session policy. However, NYSED recognizes the complexities of responding to the COVID-19 emergency.

After consultation with the Department of Motor Vehicles, they have agreed to allow the following flexibilities to enable students to finish their programs. As needed, schools may utilize online instruction to assist students in meeting the 24-hour requirements for classroom instruction. The Department of Motor Vehicles recognizes that online instruction may not be the optimum method of instruction for driver's education courses, so schools may only allow

students who have completed 75% (18 hours) or more of classroom instruction to utilize this option. Consistent with the NYS DTSE guidelines, schools must also ensure that students do not participate in more than 90 minutes of classroom and laboratory instruction per day. Online learning may only be utilized for the classroom instruction portion of the program. Under normal circumstances, all classroom and laboratory instruction must be provided concurrently. However, in response to school and district closures as a result of COVID-19, school districts may allow students enrolled in driver's education courses in the spring 2020 semester to finish their laboratory instruction during the summer 2020 session or the fall 2020 semester.

NYSED also reminds schools and DTSE instructors that it is within a DTSE instructor's discretion, as explained by the New York State Department of Motor Vehicles (DMV), to issue MV-278 Pre-Licensing Course Completion Certificate to any student that has completed all [instructional content required for a pre-licensing driving course](#). The MV-278 will allow students to schedule their DMV road tests but does not qualify students for a Class D operator's license if they are younger than 18 years old. Moreover, students who have a junior driver's license or junior driver's permit are subject to the [restrictions for junior drivers until they turn 18](#). Prior to taking a road test, [parents must certify that the student has completed 50 hours of supervised driving](#). Driving hours with a DTSE instructor can be combined with parent-supervised hours to reach the required 50 hours.

Whether a school chooses to utilize the recommendations detailed above is a local decision, and NYSED strongly urges schools to consult with their local counsel before making any decisions.

If you have any additional questions or concerns, please direct them to [EMSCDRVED@nysed.gov](mailto:EMSCDRVED@nysed.gov) at the Office of Career and Technical Education.