NEW YORK STATE DEPARTMENT OF EDUCATION
DRIVER AND TRAFFIC SAFETY EDUCATION GUIDELINES

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I. COURSE APPROVAL

1. The New York State Education Department (NYSED) must approve all Driver and Traffic Safety Education (DTSE) courses offered by public and nonpublic secondary schools, colleges, and BOCES prior to the commencement of instruction. (See V&T law 507 item 1)

NOTE:
All forms can be downloaded at
www.p12.nysed.gov/cte/de/forms.html

2. To receive course approval, schools, colleges or BOCES must complete, sign, and submit a *Driver Education Course Approval Form*. The signature of the local school/college administrator on this form certifies that the course/program is administered by the institution submitting the form, and will be conducted in accordance with these guidelines. Schools will be notified in writing if the course has been approved.

3. Course approval is issued for up to three years. During that time, programs must maintain an updated local copy of the course approval form. All program changes (new licenses, updated teacher credentials, new teachers, etc.) must be recorded in the institution's copy of the Course Approval Form.

   Note: Programs found to be non-compliant may be subject to suspension or revocation of "program approval.

II. PROGRAM ADMINISTRATION

1. Programs must be administered and operated by the school, college, or BOCES that has been granted program approval. Outside service providers such as, DMV licensed commercial driving schools, may not perform administrative duties within the program.

2. Public school programs must be administered by an individual who holds a New York State educational administrative certification. (SBL, SDL, SAS, or SDA)

3. DTSE programs may not be administered by individuals teaching within the program.

4. Contracts between the approved school, college, or BOCES and DMV licensed driving school to provide behind-the-wheel services, are to be drafted by the approved program provider's counsel. (See section XII: Commercial Driving School Participation)

5. The Board of education must approve all contracts, stating that said contract has been reviewed by district counsel and meets all criteria set by the district and recommended by the NYSED (see Commercial Driving School Contract Required Components). This acknowledgement will be reflected in both the board minutes (also naming school counsel) as well as in the contract itself.

6. The signatures of the Board of Education President (or Board approved designee), and the contractor (DMV licensed commercial driving school) are required on the contract itself.

7. Covered schools who hire DTSE teachers and/or DMV licensed commercial driving school instructors for an approved NYS-DTSE course must comply with the fingerprinting requirement for prospective school employees set forth in 8 NYCRR Part 87. An employee of a DMV licensed commercial driving school is considered to be placed within the "covered school" if the arrangements for the course are made through the "covered school".

8. Public school programs must maintain an up-to-date LENS account which includes all teachers and instructors serving in their program.

III. COURSE LOCATION

1. All laboratory and classroom instruction must originate and terminate at the public or nonpublic secondary school, college or BOCES as designated on the application (Form DE-1) for course approval.

2. Classroom and laboratory instruction must be conducted within New York State.

3. The location and size of the classroom should provide an environment suitable for instruction; however, no class size shall exceed 36 students.

4. No laboratory or classroom instruction shall be conducted in a one-on-one setting

5. Independent study, projects, or homework may not count towards the minimum 24 hours of classroom or 24 hours of laboratory instruction. All instruction being used to fulfill this required seat time must be conducted under the direct supervision of the program approved lecture teacher or in-car instructor. (Note: At the local level, a program may include additional requirements to their course. Such additional requirements may include independent study or projects.)

6. No laboratory or observation instruction can be given in any DMV road test area. (See DMV Commissioner's Regulations part 2, section 2.2(b))

IV. SCHEDULING AND CLASSROOM ENROLLMENT

1. Courses must be conducted in accordance with an established curriculum.

2. Schools must develop, distribute, and publish written guidance regarding their make-up session policy.

   Note: Any "make-up" sessions offered must adhere to all requirements in this document such as, but not limited to, Section III, Item 5, Section IV, item 4, etc.

3. All classroom and laboratory instruction must be provided concurrently.

4. A period of classroom or laboratory instruction may not exceed 90 minutes.

5. A student may not participate in more than 90 minutes of classroom and 90 minutes of laboratory instruction per day.

6. Laboratory and classroom instruction must be conducted between 6:00 am – 8:00 pm.

7. A maximum of four students and a minimum of two students may be scheduled for behind-the-wheel and/or in-car observation per period per instructor.

   Note: On a case by case basis, where (special needs based) reasonable accommodations are being made, a single student may receive behind-the-wheel and/or in-car observation instruction with two or more appropriately credentialed educators.

V. COURSE REQUIREMENTS

1. The course must provide each student with a minimum of twenty-four (24) clock hours of classroom instruction and a minimum of twenty-four (24) clock hours of laboratory instruction.

   A. Laboratory instruction must include a minimum of six (6) clock hours of actual behind-the-wheel driving and a minimum of six (6) clock hours of in-car observation.

   B. The remaining twelve (12) hours of laboratory instruction may include a combination of additional behind-the-wheel instruction, in-car observation, simulation instruction, and/or range instruction.

	Total Hours	Laboratory Instruction (LI)		Additional LI
		Hours Behind-The-Wheel *	Hours In-Car Observation *	Behind-The-Wheel * In-Car Observation * Simulation ** and/or Range **
Classroom **	24	n/a	n/a	n/a
Laboratory	24	6	6	12 in any combination

* DMV licensed commercial driving schools may be contracted for these hours.

2. ** Only an approved NYS-DTSE teacher employed by the public or nonpublic secondary schools, college, or BOCES offering the course may conduct the classroom, simulation, and/or range modes.

3. All students are required to wear seatbelts during all forms of in-car instruction. This includes Behind-The-Wheel, In-Car Observation, and Range modes.

VI. COURSE DESIGNATION

Credit-Bearing

1. One-half (½) unit of elective credit may be granted to students who complete an approved NYSED-DTSE course offered by a public or nonpublic school as part of the regular school curriculum and taught by an appropriately certified teacher holding a NYS-DTSE approval.

> ***NOTE:***
>
> *NYS-DTSE courses can be offered as credit-bearing and/or tuition-based programs.*

   A. Students must earn a final grade of 65 or better in order to receive credit for the course. The final grade for purposes of granting credit is determined by an average of the student's classroom and laboratory grades.

   B. No public school student may be required to pay tuition or fees for a NYSED-DTSE course offered for credit by the student's home school district.

   C. A credit bearing course must provide seat time commensurate with the Commissioners Regulation definition for a unit of study in addition to the required 24 clock hours of instruction and 24 clock hours of behind the wheel training required to receive an MV-285 course completion certificate.

2. To be eligible for a *Student Certificate of Completion* (MV-285), a student must earn a grade of 65 or better in both the classroom and laboratory instruction components of the course.

Tuition-Based

3. A NYS-DTSE course may be offered outside the regular school day and a fee may be charged. In doing so, however, the school, college or BOCES must ensure that:

A. the course is supplemental to and not part of a regular school curriculum;

B. the course does not count as credit toward a local or Regents diploma; and

C. no student is denied access if he/she cannot pay the fee within his/her home school district as determined through an established financial hardship review process developed by the school district.

4. To be eligible for a *Student Certificate of Completion* (MV-285), a student must earn a passing designation or grade of 65 or better in both the classroom and laboratory instruction components of the course.

VII. VEHICLES

1. All automobiles for instruction must be registered to the school where the course is given,

the commercial driving school that is contracted to provide laboratory instruction or other entity providing the vehicle(s) through a contract.

2. Automobiles used for instruction must be maintained in sound mechanical condition and must meet NYSDMV inspection standards as outlined in the New York State Vehicle Safety/Emissions Inspection Program.

3. A valid insurance certificate, valid vehicle registration, and standard accident report must be kept in the vehicle.

4. The vehicle must be equipped to provide all occupants with maximum protection. Equipment shall include: dual control brakes, an additional rear view mirror, an eye check mirror for teacher use, reflective devices (such as flares, triangles, etc.) fire extinguisher, and first aid kit.

NOTE:

A teacher's personal vehicle may not be used for laboratory instruction.

5. School-owned vehicles may be used for other activities, provided all identifying NYS-DTSE signs are removed or covered.

6. The vehicle must display sign(s) that conform to New York State Department of Motor Vehicles (NYSDMV) regulations Title 15 NYCRR, Chapter I, Subchapter A, Part 2.2c

VIII. STUDENTS

Requirements

1. Students must be sixteen (16) years of age on or before the first day of class (lecture or behind-the-wheel). No waivers will be granted.

2. A student must complete at least 24 hours of lecture instruction and 24 hours of behind-the-wheel instruction within an approved DTSE program, and under the direct supervision of an appropriately credentialed DTSE teacher/instructor in order to be eligible to receive an MV-285 course completion certificate.

3. Schools must obtain the written consent of parents or guardians before enrolling a student in the course. This consent does not release the teachers or school authorities from responsibility, but it does ensure that the students are entering the course with the approval of their parents/guardians.

4. Students who are disruptive, aggressive, or who create an unsafe situation, may be disciplined in accordance with the school's discipline policy; such disciplinary action may result in removal from the program.

5. Students must pass knowledge, and traffic sign and symbol tests given by the instructor before commencing any laboratory instruction. These tests shall be equivalent to tests given by the NYSDMV. A school may waive these tests if the student holds/presents a valid Permit or License.

6. Students that do not have a valid Permit or License must present evidence of passing a vision test (20/40 or better) administered within the last 12 months.

7. Students must not have any physical or mental disability which would interfere with the safe operation of a motor vehicle that cannot be controlled or corrected with reasonable accommodations to ensure the safe operation of a motor vehicle. School districts that offer an approved Driver & Traffic Safety Education course to their students are responsible for providing those services under equal access provisions of Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act to students with disabilities. Schools may not deny an otherwise qualified student with a disability, access to Driver & Traffic Safety Education solely because reasonable accommodations are necessary.

   Please see note under section IV, item 7 for related information.

8. Schools may establish local policy which requires students to obtain a Permit as a condition of enrollment.

   Note: All students should be encouraged to obtain a Permit in order to practice and improve driving skills with a licensed driver (at least 21 years of age) when classes are not in session.

9. Schools may establish local policy which requires students to submit a current health examination as a condition of enrollment.

10. Schools may establish local policy to determine student eligibility for enrollment in the course. Such policy should be equitable for all students to attain admittance in the program.

Certificate of Completion (MV-285)

11. A *Student Certificate of Completion* (MV-285) will be issued to students who:
    A. Successfully complete an approved NYS-DTSE course in good standing;
    B. Achieve a grade of 65 or better in classroom instruction and 65 or better in laboratory instruction; and
    C. Meet the 24 hour classroom and 24 hour laboratory course attendance requirements.

12. Students must secure a DMV Client ID number in order to receive an MV-285 Certificate of Completion. The Client ID number is required as part of the application process via form MV-285 R.

    Note: Students may secure a DMV Client ID number by securing one of the following documents: a NYS Drivers' License, a NYS Drivers' Permit, and/or a NYS Non-Driver Identification Card.

13. It is the responsibility of the designated school administrator or administrative staff member to verify that a student has met all requirements prior to issuing the *Student Certificate of Completion* (MV-285).

IX. DMV ISSUED CERTIFICATES OF COMPLETION

MV-285

1. Requests for MV-285 forms should be made on school letter head, and include:
   - the school name,
   - telephone number,
   - number of certificates requested,
   - number of certificates on hand (if any) along with certificate numbers
   - number of student completers,
   - start and completion date of the class,
   - signature of principal or superintendent,
   - name & telephone number of the school's DTSE administrator,
   - and be mailed to:

NYS-Department of Motor Vehicles
Utica Processing Center
MV-285 / MV-278
207 Genesee Street, Suite 6
Utica, NY 13501

2. A completed MV-285R must be submitted (typed or printed) to the DMV at the Utica address listed above no later than two weeks after the course is concluded.

3. The NYS-DTSE approved school, college, or BOCES is responsible for the security of MV-285 forms.

4. Unused MV-285 forms need not be returned to the NYSDMV. They must be used in sequential order in the following semester or year, or issued as duplicates when originals have been lost or stolen.

5. If a school, college, or BOCES ceases to offer driver education, all remaining MV-285 forms must be returned to the NYSDMV Utica office at the address above. They may not be transferred to, or used by, any other school or program.

6. Schools may not stockpile MV-285 forms. Schools should hold a small number of blank forms in reserve for the purpose of issuing duplicates to students upon request. Notification via form MV-285R must be submitted within two weeks of duplicate issuance.

   Note: As a general rule, the number of forms in reserve should not exceed 10% of the forms issued in the previous cohort.

7. The *Student Certificate of Completion* (MV-285) must be signed by an administrator authorized by the school.

MV-278

8. A *Pre-licensing Course Completion Certificate* (also known as Form MV-278) is a certificate issued by: (a) a commercial driving school, secondary school (high school or BOCES) or college to an individual who has taken a DMV-approved 5-Hour Pre-licensing Course; or (b) by a secondary school or college to an individual who has received classroom instruction that meets all requirements established in the Pre-Licensing Course Instructor's Manual (form MV-277) through a Driver & Traffic Safety Education Program. These certificates enable the recipients to schedule a road test with the DMV.

   Note: An MV-278 issued as part of a DTSE program must be issued by the DTSE program and not a driving school that was contracted for Behind-The-Wheel training.

9. In order for approved NYS-DTSE teachers (MV-283 card holders) to receive authorization to issue the *Pre-Licensing Course Completion Certificates* (MV-278), the approved school must submit a completed *Authorization and Approval for Pre-Licensing Form* or MV-278.7 to the Department of Motor Vehicles at:

   NYS-Department of Motor Vehicles
   Utica Processing Center
   MV-285 / MV-278
   207 Genesee Street, Suite 6
   Utica, NY 13501

10. The New York State Department of Motor Vehicles will impose a one dollar fee for each issued *Pre-Licensing Course Completion Certificate* (MV-278). The MV-278.8ssc is used by secondary schools, colleges and BOCES to order MV-278 pre-licensing course completion certificate books.

11. The MV-278.5N (*Roster and Control*) must be completed by schools to record information about MV-278 certificates issued to students who complete the pre-licensing course requirements.

    Note: Students must present a NYS Photo Learner Permit to the instructor before a Pre-Licensing Course Completion Certificate (MV-278) can be issued. Moreover, the Client ID number from the student's Photo Learner Permit must be included on the MV-278.5N (*Roster and Control*). (Please see MV-277 Pre-Licensing Course Instructor's Manual page C-1.)

X. PARENTAL OR GUARDIAN PARTICIPATION

Motor vehicle crashes are the number one cause of death for young drivers. According to research conducted by the Children's Hospital of Philadelphia, parents play a crucial role in modeling, teaching and monitoring their teens' driving. Teens whose parents take an active role in promoting safety by monitoring their teen's activities and setting rules in a helpful, supportive way are half as likely to be in a crash and 71% less likely to drive intoxicated than teens who describe their parents as less involved.

1. Schools should encourage parental/guardian involvement by utilizing effective practices at the local program provider's discretion which best meet the needs of the students and their parents/guardians such as:

A. orientation, open house, and/or completion ceremony, with parents/guardians;
B. completion of traffic safety night in order to receive parking privileges;
C. guest speakers, and/or videos;
D. resource lists, hand-outs and checklists;
E. brochures, and other paper or electronic contact regarding progress, evaluation, and/or follow up;

For more information refer to the NYSDMV Resources For The Younger Driver website Parents page.

2. Students enrolled in a NYS-DTSE program are required to complete the same number of behind-the-wheel practice hours that are required under the New York State Graduated Driver Licensing Law (GDL) for a Junior Permit holder of the same age that has not participated in NYS-DTSE.

Note: Behind-the-wheel driving hours a student completes may be recorded on the Certification of Supervised Driving form MV-262. The instructor's signature must be included to validate these hours. This does not include in-car observation hours.

XI. DTSE TEACHER

Qualifications

1. To become approved by the NYSDMV as a DTSE (MV-283 lecture) teacher, the NYSED must verify teacher credentials prior to recommending approval to the NYSDMV. The following is used by the NYSED to secure such verification:

A. application for *Approval as Teacher of Driver and Traffic Safety Education* (DE-2);
B. an original college transcript documenting completion of appropriate DTSE pre-service teacher courses (12 college credits) no older than five years;
C. copy of NYSED secondary classroom teaching certificate (see parts 4-6 below); and
D. copy of NYS driver's license, or out of state driver's license with certified driving abstract.

Note: Abstracts must not be copies, faxes, or Web based print-outs, and must be dated within 30 days of receipt of form DE-2.

2. The teacher must possess a valid driver's license devoid of any suspensions and/or revocations in the past two (2) years prior to application. The teacher must be experienced as a licensed driver for at least two (2) years and must maintain an acceptable driving record as determined by the NYSDMV.

3. The teacher must be at least 21 years of age to apply for an MV-283 card.

Note: Please see V & T Law 501.5 (a) (ii): Learners' permits. (a) The commissioner shall issue learner's permits as provided in this article. Such permit shall be valid only (ii) when the holder is under the immediate supervision and control of a person at least twenty-one years of age who holds a license valid in this state for the operation of the type of vehicle being operated

4. Applicants who hold a NYS secondary teacher certificate are eligible to receive an MV-283 with an "All Approved" designation, allowing them to deliver NYS-DTSE classroom and laboratory instruction in public and non-public schools. (See items 16-19 in this section below.)

5. Applicants who hold a New York City secondary teacher certificate are eligible to receive an MV-283 with a "Restricted" designation, allowing them to deliver NYS-DTSE classroom and laboratory instruction in NYC public schools, NYS-DTSE laboratory instruction in public schools outside of NYC, or NYS-DTSE classroom and laboratory instruction in non-public schools.

6. Applicants not holding a NYS secondary teacher certificate are eligible to receive an MV-283 with a "Restricted" designation, allowing them to deliver NYS-DTSE laboratory instruction in public and non-public schools and NYS-DTSE classroom instruction in non-public schools. This includes uncertified teachers, Early Childhood teachers, Childhood Education (elementary) teachers, or Student Support Services teachers. (See items 16-19 in this section below.)

7. An applying NYS-DTSE teacher may possess an out-of-state driver's license and maintain an out-of-state residence. All teachers in this category must submit a copy of their certified driving abstract along with their *Application for Approval as Teacher of Driver and Traffic Safety Education* (DE-2).

8. An approved NYS-DTSE teacher who possesses an out-of-state driver's license must furnish their driving abstract to their employer upon being newly hired, prior to their school applying for course approval, and prior to each DTSE course being offered. The NYSDMV and the NYSED reserves the right to request the driving abstract of out-of-state NYS-DTSE teachers at any time.

9. A teacher whose credentials (teacher certification, driver's license, etc.) that were used to acquire their MV-283 card expire, are lost, or revoked must surrender their NYSDMV issued DTSE card/certification (MV-283) as well.

10. NYS-DTSE teachers who voluntarily surrender their out-of-state driver's license must notify the NYSDMV.

11. A NYS-DTSE card/certificate (MV-283) is automatically rescinded once the teacher no longer holds a valid driver license. Individuals must reapply for a NYS-DTSE card/certificate (MV-283) upon driver license restoration.

12. If convicted of any driving alcohol conviction such as Driving While Intoxicated (DWI) or Driving While Ability Impaired (DWAI), approval will be rescinded for a minimum period of two (2) years.

13. All NYS-DTSE teachers may be subject to a periodic review of their driver's license records.

Requirements & Application

14. The procedure for obtaining NYS-DTSE teacher approval is as follows:

A. The applicant must complete form DE-2 and submit it to the NYSED along with all relevant documentation.

B. Upon NYSED and NYSDMV approval, a NYS-DTSE card/license (MV-283) will be issued by the NYSDMV. MV-283 must be carried at all times while delivering DTSE instruction.

NOTE:
Forms for NYS-DTSE Course Approval (DE-1) and DTSE Application for Approval as Teacher of Driver and Traffic Education (DE-2) are available at: http://www.p12.nysed.gov/cte/de/forms.html.

Card

15. There are two NYS-DTSE approval types: Provisional and Permanent.

16. There are two designations for NYS-DTSE approval: Restricted and All Approved (See parts 4-6 above)

17. Completion of the Basic Driver Education Teacher Preparation course(s) is/are a requirement to apply for Provisional approval as a NYS-DTSE teacher. (6 credit hours)

    Note: Individuals submitting transcripts depicting DTSE teacher preparation courses that are older than five years will be required to take a "refresher" course designated by this office.

18. Completion of Basic Driver Education Teacher Preparation, Risk Management, and Trends and Problems in Driver Education are required to apply for Permanent approval as a NYS-DTSE teacher. (12 credit hours)

    Note: Individuals whose Provisional MV-283 credential has been expired for more than five years will be required to take a "refresher" course designated by this office.

19. Basic Driver Education Teacher Preparation (6 credits) is a prerequisite of Trends and Problems in Driver Education (3 credits). MV-283 teacher applications will only be considered by individuals who have taken the courses in this designated order.

20. Provisional approval may be issued for up to four years. An individual may apply for Permanent approval at any time; however, Provisional approval may not be issued to an individual more than once.

Employment

21. Covered schools who hire a DTSE teacher (MV-283 card holder) for an approved DTSE course must comply with the fingerprinting requirement for prospective school employees set forth in 8 NYCRR Part 87.

22. Any teacher performing lecture services within an approved DTSE course must be a direct employee of the school, college, or BOCES.

    Note: Consistent with case law, school districts and BOCES do not have the authority to contract with independent contractors for instructional services.

23. Any teacher performing lecture services within an approved public school, college, or BOCES administered DTSE course must be included in the school's LENS account.

24. Approved NYS-DTSE teachers must conduct themselves in a professional manner. Failure to adhere to any guidelines, regulations, or applicable laws governing driver education programs, or inappropriate conduct in providing instruction can result in the revocation of their NYS-DTSE card/license (MV-283).

XII. COMMERCIAL DRIVING SCHOOL PARTICIPATION

1. All NYS-DTSE courses must be under the direct organization, administration, and supervision of the public or nonpublic school, college, or BOCES administration. Neither DMV licensed commercial driving schools nor any other contract service providers may perform administrative duties of an approved DTSE program.

   Note: Administrative duties include but are not limited to submitting Course Approval Forms, maintaining attendance records, registering students in the program, advertising and promoting the program, etc.

2. Public and nonpublic schools, colleges, or BOCES may contract with a DMV licensed commercial driving school to provide student training for the behind-the-wheel, and in-car observation hours of an approved NYSED-DTSE course. Classroom, simulation, and range instruction may only be delivered by an approved NYS-DTSE teacher (MV-283) under the direct employment of an approved NYS-DTSE program.

   Note: DTSE Lecture services must be provided by a direct employee of the school, college or BOCES. A DMV licensed commercial driving school may not provide lecture teacher services.

3. All NYS-DTSE students' related monetary transactions must be administered by the school, college, or BOCES.

4. DMV licensed commercial driving schools may not advertise or promote their services on school, college, or BOCES grounds, and/or during the delivery of laboratory instruction for which they have been contracted.

5. DMV licensed commercial driving schools may not issue student completion certificates (MV-285) and/or (MV-278) to DTSE students.

6. Certified Driving School Instructors (MV-524 card holders) providing behind-the-wheel or in-car observation instruction in an approved NYS-DTSE course must possess:

   - a valid commercial driving school instructor's card/certificate (MV-524); and
   - a valid driver's license with an acceptable driving abstract.

7. Covered schools who contract with a DMV licensed commercial driving school providing MV-524 instructors must comply with the fingerprinting requirement for prospective school employees set forth in 8 NYCRR Part 87. An employee of a DMV licensed commercial driving school is considered to be placed within the "covered school" if the arrangements for the course are made through the "covered school".

8. Any instructor (MV-524 card holder) performing in-car instruction within an approved public school, college, or BOCES administered DTSE course must be included in the school's LENS account.

9. Certified Driving School Instructors providing behind-the-wheel or in-car observation instruction in an approved NYS-DTSE course must have completed the basic 30 hour instructor's course, as specified by the NYSDMV.

Note: This must be communicated (in writing) to the school, college, or BOCES being contracted with.

10. Personal vehicles may not be used for laboratory instruction.

11. MV-524 card holders may not provide instruction outside of a contract with the DTSE approved school, college, or BOCES, and the DMV licensed commercial driving school documented on their MV-524 card.

12. DMV licensed commercial driving schools supplying a vehicle for laboratory instruction must provide for all costs associated with proper vehicle use, safety, and maintenance. All vehicles must meet the same requirements for vehicles as outlined in Section VII.

13. DMV certified commercial driving school instructors must log the type and number of instructional hours delivered to each student, and then submit that log to the contractor's DTSE administrator upon course completion, or other agreed upon schedule (such as daily, weekly, etc.).

NOTE:

Commercial driving schools may want to consider monitoring (via NYSDMV LENS system http://dmv.ny.gov/dmv-records/license-event-notification-service-lens-accounts) all of their instructors who provide behind-the-wheel or in-car observation instruction in an approved NYS-DTSE course.

XIII. RECORDS RETENTION

In accordance with the *Records Retention and Disposition Schedule* ED-1 section 185.12, 8 NYCRR (Appendix 1), records regarding the delivery of driver education courses must be maintained as follows:

1. Written records for all vehicles used for instruction should be maintained for a minimum of six (6) years. All vehicle records must include: time, mileage devoted to instruction, fuel consumed, and maintenance information.
2. Attendance records for all phases of the DTSE program (lecture, behind-the-wheel, in-car observation, range, and simulation) must be documented and maintained in a secure area on the approved program's campus for a minimum of six years.
3. Attendance records must delineate the teacher of record for each portion of each student's DTSE experience. (e.g. lecture, behind-the-wheel, in-car observation, range, and simulation)
4. A log of instructional hours for each student must be documented and maintained in a secure area on the approved program's campus for a minimum of six years. The log must delineate how many hours were completed in all phases of the program, as well as the teacher who delivered the hours.
5. The MV-285R (Roster), which includes laboratory hours, classroom hours, and total hours in attendance for each student, must be maintained in a secure area on the approved program's campus for a minimum of six years.
6. All DTSE records are subject to an audit by the DMV and the NYSED at any time.

Note: Attendance records may not be maintained by a DMV licensed driving school or other contracted entity. They are the sole responsibility of the school, college, or BOCES.

GLOSSARY OF TERMS AND ACRONYMS

BOCES: Board of Cooperative Educational Services.

CERTIFIED DRIVING ABSTRACT: An official or formal document issued by an out-of-state motor vehicle administrator outlining the driving record and history of the licensee.

CLASSROOM INSTRUCTION: The minimum required 24 hours of instruction delivered by a NYS-DTSE teacher (MV-283) in a classroom setting located at the public or non-public school, college, or BOCES approved via the DE-1.

COURSE DESIGNATIONS: One of two types of New York State Driver & Traffic Safety Education (DTSE) course being offered: *Credit Bearing* or *Tuition Based*.

CREDIT BEARING: A New York State Driver & Traffic Safety Education course being offered as an elective course for ½ unit of credit. The course must meet the unit of study seat time requirements outlined in the Commissioner's Regulations 100.4 located at http://www.emsc.nysed.gov/part100/pages/1001.html#a, as well as the 48 hours of instruction outlined in section V: Minimum Time Requirements.

TUITION BASED: A New York State Driver & Traffic Safety Education course being offered outside the regular school day. The course must meet the 48 hours of instruction outlined in section V: Minimum Time Requirements.

COVERED SCHOOLS: Public School districts, charter schools, BOCES and those nonpublic school districts that have opted into the State Education Department's Criminal History Records Check program for perspective school employees set forth in 8 NYCRR Part 87.

EYE CHECK MIRROR: A convex mirror which allows the instructor to observe the head and eye movements of the trainee in the mirror.

JUNIOR PERMIT: A Learner Permit issued to someone who is under the age of 18. Applicants must be at least 16 years of age and pass a vision and written test provided by the Department of Motor Vehicles.

LABORATORY INSTRUCTION: Behind-the-wheel, in-car observation, simulation, and/or range instruction. NYS-DTSE teachers may deliver instruction in any of the aforementioned modes. NYSDMV driving school instructors holding an **MV-524** (NYSDMV Driving School Instructor Card/Certificate) may deliver the behind-the-wheel and in-car observation modes of laboratory instruction.

1. *Behind-The-Wheel Instruction:* The portion of the driver education laboratory instruction where the enrollee is actually seated behind the wheel of a vehicle, operating it either in real or simulated traffic situations, through the direct guidance of an approved Driver & Traffic Safety Education teacher (MV-283 card holder) or driving school instructor (MV-524 card holder).

2. *In-Car Observation:* The time an enrollee in a driver education course spends in the vehicle, under the direct guidance of an approved driver education teacher/instructor, observing another driver operate the controls of the vehicle.

3. *Range Instruction:* The portion of the driver education laboratory instruction that enables the driver education teacher (MV-283 card holder), positioned outside multiple cars and using electronic or oral communication, to teach and supervise several students simultaneously, each of who is operating a car on an off-street driving range designed specifically for such instruction. Driving ranges must have minimum equipment (i.e., numbers identifying each vehicle on the range, cones for exercises, communication system, written rules for engagement and written lesson plans and evaluation tools). Range hours count towards observation time.

4. *Simulation Instruction:* The portion of the driver education laboratory instruction, under the direct guidance of an approved New York State Driver & Traffic Safety Education teacher, using a system that includes vehicle simulator units with an instructor unit for monitoring performance.

LENS: License Event Notification Service is a Department of Motor Vehicles program that provides notification to employers when drivers enrolled in the program have a reportable event occur on their DMV record. These events include convictions, suspensions, revocations and crashes. For Government agencies (public schools, public colleges, and BOCES) enrollment in this program is free. For more information please visit: http://dmv.ny.gov/lens.htm

NYSDMV: New York State Department of Motor Vehicles. www.dmv.ny.gov

NYS-DTSE: New York State Driver and Traffic Safety Education.

NYSDTSEA: New York State Driver and Traffic Safety Education Association. http://www.nysdtsea.org/

NYSED: New York State Education Department. http://www.nysed.gov/

SECONDARY CLASSROOM TEACHING CERTIFICATE: A New York State license to teach academic content aligned to New York State Learning Standards at the Commencement level.

FORMS AND LICENSES

DE-2: Driver and Traffic Safety Education Teacher Approval form.
http://www.emsc.nysed.gov/cte/de/forms.html

MV-44: Application for Driver License or Non-Driver ID Card.
http://dmv.ny.gov/forms/mv44.pdf

MV-277: Pre-Licensing Course Instructor's Manual. This is the syllabus for the course which identified the required topics and information to be covered as part of the Pre-Licensing Course. www.dmv.ny.gov/org/forms/mv277.pdf

MV-278: NYSDMV Pre-Licensing Certificate, issued upon completion of the pre-licensing course (also known as the 5-hour course).

MV-278.7: Authorization and Approval for Pre-Licensing Form. Schools approved to teach the Pre-Licensing Course must complete and submit this form to the NYSDMV in order for instructors at the approved school to receive authorization to issue Pre-Licensing Course Completion Certificates (MV-278). http://dmv.ny.gov/forms/mv2787.pdf

MV-278.5N ROSTER AND CONTROL: Must be completed by schools to record information about MV-278 certificates issued to students who complete the pre-licensing course requirements.
http://dmv.ny.gov/forms/mv2785n.pdf

MV-278.8ssc: Form used by secondary schools and colleges (high schools, colleges and BOCES) to order MV-278 pre-licensing course completion certificate books.
http://dmv.ny.gov/forms/mv2788ssc.pdf

MV-283: NYSDMV-DTSE Teacher Approval Card.

MV-285: Student Certificate of Completion (casually referred to as the "Blue Card") issued to students who successfully complete the NYSED Driver & Traffic Safety Education (DTSE) course.

MV-285R: Student MV-285 Roster listing the names of students who are eligible to receive MV-285 certificate of completion. http://dmv.ny.gov/forms/mv285r.pdf

MV-524: NYSDMV Driving School Instructor Certificate. For purposes of NYS-DTSE this approval is limited to laboratory (behind-the-wheel, and observation) modes of the course.

Note: This certificate is only valid if the card holder is performing duties for the DMV Licensed Driving School named on the card. It is not a NYSED Teacher Certificate.