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## Driver Education Policy

### Purpose

This Driver Education policy has been developed in order to clarify the obligations of Vermont schools to meet the requirements of [16 V.S.A §1045-1048](#) and State Board of Education Rules Sections 2350-2352 and make driver education available to students who are regularly enrolled in a public or approved independent school. This policy was designed with input from a variety of stakeholders to establish processes and expectations for public and approved independent school program implementation.

### Driver Education Policy

- Driver Education shall be made available at no cost to all students enrolled in a public high school, approved independent school, or home study program who reside within the supervisory union/supervisory district (SU/SD). Superintendents are charged in [16 V.S.A. § 1046](#) to arrange for the establishment of driver education for all public and approved independent schools located within the SU/SD that so request.
- Schools that are using a private driver education school or who offer a voucher program shall pay 100% of the fee to the private driver education school in advance. Students/families shall not be asked to pay such fees in advance for later reimbursement.
- Students who have the opportunity to take driver education at the school in which they are regularly enrolled before they graduate but choose to take driver education at a private driving school shall be solely responsible for the fee charged by the private driving school.
- Each student must possess an official Learner's Permit prior to registering for a public-school driver education program. If a student possesses only a temporary permit issued by the Vermont Department of Motor Vehicles, then the school offering driver education shall not enroll the student in their driver education program until after they have received their official learner's permit. This requirement applies even if the (SU/SD) chooses to use a private driver education school to provide instruction to its students.
- Each student shall not have less than 6 hours of in-vehicle observation of another student driver, in addition to their 6 hours of behind-the-wheel instruction and 30 hours of classroom instruction.
  - No more than 2 hours of classroom instruction, and 1 hour of behind-the-wheel instruction shall be provided to a student in one day, including in summer programs.

- The required components of the driver and traffic safety education instructional program (i.e., classroom instruction, behind-the-wheel driving instruction and in-vehicle observation) shall be provided in an integrated and concurrent manner throughout the duration of a course. In practice, this means:
  - Schools that provide quarter courses shall ensure that classroom and behind-the-wheel instruction are completed by all students in no more than two consecutive quarters.
  - Schools that provide semester courses shall ensure that classroom and behind-the-wheel instruction are completed by all students in no more than two consecutive semesters.
  - Schools that offer summer programs shall ensure that classroom and behind-the-wheel instruction are completed by all students enrolled in the summer program during the time the summer program is offered.
  - In all cases, when extenuating circumstances (e.g., IEP requirements, medical conditions) prevent a student from completing the behind-the-wheel instruction in an integrated and concurrent manner, more time shall be provided.
- Behind-the-wheel instruction of students on the Interstate Highway System in Vermont shall be conducted no earlier than the third hour of the total 6 clock hours of behind-the-wheel instruction for each student.
- Of the 30 hours of driver and traffic safety education direct classroom instruction, no more than 6 hours shall be provided by guest speakers who are not Vermont licensed educators. Of the 6 hours, no more than 2 hours shall be provided by a single guest speaker. The Vermont licensed educator must be present and available at all times during classroom instruction.
- All applicable safety, insurance and other legal requirements shall be met by driver and traffic safety education programs according to [23 V.S.A. § 921](#).
- A driver and traffic safety education instructor may not engage in the use of any form of two-way communication device while conducting behind-the-wheel instruction. Such devices include but are not limited to: mobile or cellular telephones, two-way radios, laptop computers, citizen band radios or text messaging devices, except under extenuating circumstance when communication between the teacher and the administration regarding the safety of returning to school is critical.
- The Agency of Education shall be allowed the opportunity to conduct ongoing review of facilities, vehicles, and records necessary to monitor driver and traffic safety education programs' compliance with statute, State Board of Education Rules and Agency of Education Driver Education Policy. Review or monitoring does not imply non-compliance.
- Public school districts shall receive a reimbursement of \$71 for each student that completes a driver education program, including students who are enrolled in private driving school at the district's expense. "Completes" means that the student has received a grade of pass or fail for the course.
- Public schools that are using an AOE-endorsed instructor and providing Driver Education as a part of their regular school day offerings must complete an AOE Program Approval form, which must be signed by the instructor and the Superintendent.

## **Accommodations for Students with Disabilities**

The Americans with Disabilities Act applies to driver and traffic safety education programs and services. Students with disabilities who attend driver and traffic safety education may be entitled to accommodations (including appropriate supplemental aids and services) at no cost, as long as their disabilities do not prevent them from driving safely and unless providing such supplemental aids or services would essentially alter the nature of the program.

SU/SDs are responsible for determining the process of providing services to eligible students who need specialized driving training, as well as for paying additional costs associated with such training per students' Individualized Education Programs (IEPs). In order to develop and implement appropriate driving accommodations for each eligible student with disabilities, collaboration between special education staff and driver education staff should begin well before a student's enrollment in driver education. The AOE recommends that collaboration and planning begin in the school year prior to the year in which a student plans to enroll in driver education. IEP teams should consider adding "community mobility" to IEP/transition plans as community mobility may include earning a driver's license. Collaboration and consultation will be written in the Program Supports and Modifications section of the IEP.

Driver and traffic safety education teachers may be eligible for training necessary to work with a student with a disability if such training is written into the student's IEP.

Per Department of Motor Vehicle statute, all drivers must pass a vision test and meet a minimum threshold of knowledge for a learner's license as well as knowledge and skills for a driver's license to be issued. Reasonable learning accommodations are allowed to master the cognitive material.

All students must demonstrate this minimum threshold of ability to participate in behind-the-wheel driving instruction. When there is a concern for students with disabilities, a safety evaluation shall be conducted at LEA expense to determine if the student is ready and able to participate in behind the wheel driving. Screening and assessment may be conducted, as appropriate to the student's needs, by a trained professional within the SU/SD or as part of a referral process to a driver's rehabilitation program.

Reasonable accommodations shall be made, as appropriate, for individuals to safely operate a vehicle, which may, among other things, include temporary hand controls, spinner knobs, and seat and pedal modifications.

Accommodations, including assistive technology, may be required and are the responsibility of the SU/SD. The accommodations may require the expertise and training of an occupational therapist or rehabilitation center. Ultimately, it is the SU/SD's responsibility to ensure that students have access to a driver education program car with necessary adaptations, as appropriate, to learn how to drive.