

CR 85-113

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF PUBLIC INSTRUCTION)

I, State Superintendent of the Department of Public Instruction and custodian of the official records of said department, do hereby certify that the annexed rule relating to uniform marking standards for driver education vehicles, minimum standards for department approval and state aid for driver education programs was duly approved and adopted by this Department on the first day of the month following publication in the Wisconsin Administrative Register.

I further certify that said copy has been compared by me with the original on file in this Department and the same is a true copy thereof, and of the whole of such original.

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Revisor of Statutes
Bureau

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the official seal of the Department at General Executive Facility (GEF) 3, 125 South Webster Street, P.O. Box 7841, in the city of Madison, this 11th day of March, 1986.


Herbert J. Grover
State Superintendent
State Department of Public Instruction

ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING RULES

- 1 To repeal PI 14.10 and create PI 21, relating to uniform marking
2 standards for driver education vehicles, minimum standards for department
3 approval and state aid for driver education programs.

Analysis Prepared by the Department of Public Instruction

The repeal of s. PI 14.10 and the creation of ch. PI 21 is proposed to update and clarify the rules pertaining to driver education aid under s. 121.41(1), Stats., and the rules pertaining to department of public instruction approval of driver education programs under s. 343.06(3), Stats.; to establish uniform marking standards for driver education vehicles as required by s. 341.267(1)(b), Stats.; to consolidate in one chapter the previously approved rules pertaining to driver education programs; to require refresher courses for students to extend over a minimum of 10 hours; to require that students receive a passing grade in order to receive a driver education certificate; to require CESAs to have their driver education plans approved by the department before beginning to teach the course; and to provide that aid be paid to school districts for programs taught by CESAs only if the instructors are licensed to teach driver education and are CESA or school district employes.

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- 4 Pursuant to the authority vested in the Department of Public Instruction by
5 ss. 227.014(2), 341.267(1)(b) and 343.06(3), Stats., the State Superintendent of
6 Public Instruction hereby creates rules interpreting ss. 121.41(1), 341.267(1)(b)
7 and 343.06(3), Stats., as follows:
8 SECTION 1. Sec. PI 14.10 is repealed.
9 SECTION 2. Chapter PI 21 is created to read:

Chapter PI 21

DRIVER EDUCATION PROGRAMS

1
2
3 PI 21.01 APPLICABILITY AND PURPOSE. This chapter establishes uniform marking
4 standards for vehicles used as driver education vehicles pursuant to s. 341.267(1)(b), Stats.,
5 establishes minimum standards which all high school driver education programs must meet
6 to obtain department approval under s. 343.06(3), Stats.; establishes standards for issuance
7 of Wisconsin driver education certificates; and establishes minimum standards which driver
8 education programs must meet to be eligible to receive state aid under s. 121.41(1), Stats.

9 PI 21.02 DEFINITIONS. In this chapter:

10 (1) "Behind-the-wheel instruction" means that portion of the driver education program
11 in which the student is actually driving a vehicle.

12 (2) "CESA" means a cooperative educational service agency, under ch. 116, Stats.

13 (3) "CHCEB" means county handicapped children's education boards, under ch. 115,
14 Stats.

15 (4) "Classroom instruction" includes both individual or group teaching and learning
16 activities which involve study of the inter-relationship of persons and the motor vehicle
17 within the traffic environment.

18 (5) "Department" means the department of public instruction.

19 (6) "Laboratory instruction" means that portion of the program which provides students
20 the opportunity for driving experiences and includes behind-the-wheel instruction, observa-
21 tion instruction, and simulation instruction.

22 (7) "Multiple-vehicle driving range instruction" or "range instruction" means that
23 portion of the program on which the student is driving a vehicle on a designated off-street
24 facility on which a number of motor vehicles operate simultaneously.

25 (8) "Observation instruction" means the instruction which occurs during the time a
26 student is a passenger in a vehicle in which another student is receiving behind-the-wheel
27 instruction.

1 (9) "On-street instruction" means that portion of the program in which a student is
2 driving a vehicle on public streets or highways in a dual-controlled vehicle under the
3 supervision of a driver education teacher, or is a passenger in the vehicle while another
4 student is driving.

5 (10) "Private school" means an institution which operates a high school level edu-
6 cational program and meets the criteria under s. 118.165(1), Stats. or has been determined
7 to be a private school under s. 118.167, Stats.

8 (11) "Simulation instruction" means the use of synthetic training devices to prepare
9 a student for driving a real motor vehicle.

10 (12) "VTAE" means a vocational, technical and adult education district established
11 under ch. 38, Stats.

12 PI 21.03 UNIFORM MARKING STANDARDS. (1) All motor vehicles used as driver
13 education vehicles in programs operated by public school districts, private schools, CHCEBs,
14 CESAs and VTAEs shall be marked with signs as follows:

15 (a) The sign inscription shall read STUDENT DRIVER or DRIVER EDUCATION. The
16 letters of the inscription shall be at least 2 inches in height and the inscription shall be
17 visible from the front, back and both sides of the vehicle.

18 (b) The school shall choose one of the following combinations of size and type of
19 signs:

20 1. Signs which are at least 9 inches by 18 inches placed on each side of the vehicle,
21 and signs which are at least 6 inches by 12 inches placed on the front and rear of the
22 vehicle;

23 2. Signs which are at least 9 inches by 18 inches placed on each side of the vehicle,
24 and a 2-sided sign which is at least 9 inches by 18 inches placed on the roof of the vehicle;
25 or

26 3. A 3-sided sign on which each side is at least 5 inches by 16 inches placed on the
27 roof of the vehicle.

1 (c) The sign shall be school bus yellow with black lettering.

2 (2) The markings shall be removed when the vehicle is being operated for other than
3 behind-the-wheel instruction or necessary maintenance and storage.

4 (3) The school's name shall be on the sign. If the vehicle is a dealer-loan vehicle,
5 the dealer's name may be on the sign. The school's name and dealer's name may be in
6 letters less than 2 inches in height.

7 PI. 21.04 MINIMUM STANDARDS FOR DEPARTMENT APPROVAL UNDER
8 s. 343.06(3), STATS. A public school, private school, CHCEB, or CESA driver education
9 program shall be approved by the department under s. 343.06(3), Stats., if the program
10 uses vehicles which meet the requirements of s. PI 21.03 and the program meets the following
11 requirements:

12 (1) COURSE STANDARDS.

13 (a) A driver education course shall include the following:

- 14 1. At least 30 hours of classroom instruction,
- 15 2. At least 6 hours of observation instruction, and
- 16 3. At least 6 hours of actual on-street behind-the-wheel instruction.

17 a. Multiple-vehicle driving range instruction may be substituted for up to 4 hours of
18 the required 6 hours of on-street instruction using a formula that 2 hours
19 of multiple-vehicle driving range instruction is equivalent to one hour of on-street instruc-
20 tion.

21 b. Simulation instruction may be substituted for up to 3 hours of the required 6
22 hours of on-street instruction using a formula that 4 hours of simulation instruction is
23 equivalent to one hour of on-street instruction.

24 c. When both simulation and range laboratory instruction methods are used, the
25 program must include at least 2 hours of actual on-street behind-the-wheel instruction.

26 (b) During the regular school year, the classroom course shall extend over at least 6
27 weeks for each student. During a summer school program, the classroom course shall
28 extend over at least 3 weeks for each student.

1 (c) The on-street driving instruction shall extend over at least 3 weeks for each
2 student. No student may spend more than one hour per day actually behind-the-wheel in
3 the on-street instruction. The one hour limitation does not include observation instruction.

4 (2) REFRESHER COURSE. If more than one year and one month elapses between
5 completion of the classroom instruction and commencement of the laboratory instruction,
6 a refresher course of classroom instruction shall be required. The refresher course shall
7 be at least 10 hours, and shall include a course of study deemed appropriate by the school
8 district.

9 (3) TEACHER REQUIREMENTS. Teachers of the classroom instruction, simulation
10 instruction, range instruction, and on-street instruction shall possess a valid license to
11 teach driver education issued by the department as required in s. PI 3.21(2).

12 (4) APPROVAL PROCEDURES. A public or private high school, CHCEB, or CESA
13 shall submit its driver education course plan to the department for approval on forms
14 provided by the department. The course may not be taught until the plan is approved.
15 Any proposed change in a course which has been approved by the department shall be
16 submitted to the department for approval prior to its implementation.

NOTE: Form PI 1709 DRIVER EDUCATION PROGRAM APPROVAL, may be obtained
from Bureau for Pupil Services, Department of Public Instruction,
125 South Webster Street, P.O. Box 7841, Madison, WI 53707.

17 PI 21.05 ISSUANCE OF WISCONSIN DRIVER EDUCATION CERTIFICATES. (1)
18 Annually, public school districts, private schools, CHCEBs, and CESAs shall certify to the
19 department the number of students who have satisfactorily completed the approved driver
20 education program.

NOTE: Form PI 1715 APPLICATION FOR DRIVER EDUCATION CERTIFICATES.

21 (2) The department shall provide a Wisconsin driver education certificate for each
22 student who was certified to have satisfactorily completed the approved driver education
23 program, as provided by s. 343.06(3), Stats.

NOTE: Form PI 1714 WISCONSIN DRIVER EDUCATION CERTIFICATE.

1 (3) In this section, "satisfactorily completed" means the student received a passing
2 grade and participated in at least the required number of hours of instruction as required
3 in PI 21.04(1).

4 PI 21.06 DRIVER EDUCATION AID. (1) To be eligible to receive state aid under
5 the provisions of s. 121.41(1) Stats., a driver education program shall meet the require-
6 ments of ss. PI 21.03 and PI 21.04, and the requirements of this section.

7 (2) Aids shall be paid for eligible students as defined in sub. (3) who are residents of
8 Wisconsin and who, during the preceding year, completed an approved driver education
9 course. In this section, "completed" means the student participated in at least the required
10 number of hours of instruction as required in s. PI 21.04(1).

11 (3) Aids shall be paid for the following categories of eligible students:

12 (a) During the school year, students enrolled in a high school.

13 (b) During the summer program, any person not over 19 years of age.

14 (4) During a cooperative program between a public and a private high school in
15 which the private high school offers either the classroom or laboratory phase of the total
16 program and the public high school offers the other instructional phase of the total program,
17 the aids shall be paid to the public school district.

18 (5) School districts and CHCEBs applying for this aid shall report annually the number
19 of students successfully completing the approved driver education course and other detailed
20 information, including expenditures for salaries, equipment, and supplies for the course,
21 on the annual report to the state superintendent.

NOTE: Form PI-1505 SCHOOL DISTRICT ANNUAL REPORT, required by s. 120.18,
Stats., or Form PI 1550 CHCEB ANNUAL REPORT, authorized by s. 115.28(13),
Stats.

22 (6) Aids shall be paid for programs taught in part by a public high school and in part
23 by a VTAE school. Such programs shall be established by action of both the board of edu-
24 cation of the district operating the high school and the local VTAE board which are involved.
25 Each board shall be responsible for that portion of the program taught as a part of its
26 curriculum. However, the entire program shall be reported for approval by the public

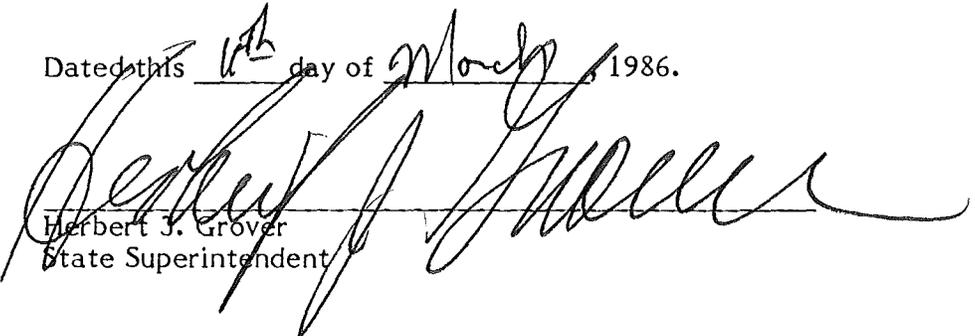
1 school district and aid shall be claimed by and paid to the public school district. Any
2 distribution of the aid may be made locally as agreed upon between the respective boards.
3 The responsibility for distributing the aid to the respective districts shall be specified in
4 the action establishing the cooperative program.

5 (7) Aids paid for programs taught by a CESA under an agreement between a CESA
6 and a public school district shall be claimed by and paid to the public school district. Aids
7 may be paid only if the instructors are licensed as required by s. PI 21.04(3) and are CESA
8 or school district employees.

9 (8) Aids shall be paid to VTAEs for programs which are approved by the board of
10 vocational, technical and adult education under s. 343.06(3), Stats.

The rules contained in this order shall take effect on July 1, 1986.

Dated this 17th day of March, 1986.


Herbert J. Grover
State Superintendent

CORRESPONDENCE/MEMORANDUM

-----STATE OF WISCONSIN
Department of Public Instruction

TO: Gary Poulson, Assistant Revisor
Revisor of Statutes Bureau

FROM: Mary Jo Cleaver, Administrative Rules Coordinator
Bureau for Policy and Budget

SUBJECT: CHR 85-113, PI 21 Driver Education Programs

DATE: March 13, 1986

Attached please find a copy of CHR 85-113 relating to uniform marking standards for driver education vehicles, minimum standards for department approval and state aid for driver education programs.

This rule was filed with the Secretary of State on March 13, 1986. It should be effective on July 1, 1986.

Attachment