A BILL TO BE ENTITLED
AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO PROVIDE
ADDITIONAL FISCAL AND TECHNICAL OVERSIGHT OF THE DRIVER
EDUCATION PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE
PROGRAM EVALUATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-215 reads as rewritten:

"§ 115C-215. Instruction in driver training and safety education. Administration of driver
education program by the Department of Public Instruction.

There shall be organized and administered under the general supervision of the
Superintendent of Public Instruction a program of driver training and safety education in the
public schools of this State, said courses to be noncredit courses taught by instructors who meet
the requirements established by the State Board of Education. Instructors shall not be required
to hold teacher certificates.

(a) In accordance with criteria and standards approved by the State Board of Education,
the State Superintendent of Public Instruction shall organize and administer a standardized
program of driver education to be offered at the public high schools of this State for all
physically and mentally qualified persons who (i) are older than 14 years and six months, (ii)
are approved by the principal of the school, pursuant to rules adopted by the State Board of
Education, (iii) are enrolled in a public or private high school within the State, and (iv) have not
previously enrolled in the program. The State Board of Education shall use for this purpose all
funds appropriated to it for this purpose, and may use all other funds that become available for
its use for this purpose.

(b) The driver education curriculum shall include the following:

(1) Instruction on the rights and privileges of the handicapped and the signs and
symbols used to assist the handicapped relative to motor vehicles, including
the "international symbol of accessibility" and other symbols and devices as
provided in Article 2A of this Chapter.

(2) At least six hours of instruction on the offense of driving while impaired and
related subjects.

(3) At least six hours of actual driving experience. To the extent practicable, this
experience may include at least one hour of instruction on the techniques of
defensive driving.

(c) The State Board of Education shall establish and implement a strategic plan for the
driver education program. At a minimum, the strategic plan shall consist of goals and
performance indicators, including the number of program participants as compared to the
number of persons eligible to participate in the program, the implementation of a standard
curriculum for the program, expenditures for the program, and the success rate of program
participants in receiving a drivers license.

(d) The State Board of Education shall adopt a salary range for driver education
instructors who are public school employees and who do not hold teacher certificates.

Driver education instructors who are public school employees and who hold teacher
certificates shall be paid on the teacher salary schedule. A day of employment for driver
education instructors who hold teacher certificates shall be the same number of hours required
of all regular classroom teachers as established by the local board of education.

(e) The State Board of Education shall adopt rules to permit local boards of education
to enter contracts with public or private entities to provide a program of driver education at
public high schools. All driver education instructors shall meet the requirements established by
the State Board of Education; provided, however, driver education instructors shall not be
required to hold teacher certificates.”

SECTION 2. G.S. 115C-216 reads as rewritten:

§ 115C-216. Boards of education required to provide courses in operation of motor
vehicles.

(a) Course of Training and Instruction Required in Public High Schools. – The State
Board of Education and local boards of education are required to provide as a part of the
program of the public high schools in this State a course of training and instruction in the
operation of motor vehicles, in accordance with G.S. 20-88.1 shall offer noncredit driver
education courses in high schools using the standardized curriculum provided by the
Department of Public Instruction.

(b) Inclusion of Expense in Budget. – The local boards of education of every local
school administrative unit are hereby authorized to include as an item of instructional
service and as a part of the current expense fund of the budget of the several high schools under
their supervision, the expense necessary to install and maintain such a course of training and
instructing eligible persons in such schools in the operation of motor vehicles to offer the driver
education course.

(c) Repealed by Session Laws 1991, c. 689, s. 32(c)."

SECTION 3. G.S. 20-88.1 reads as rewritten:

§ 20-88.1. Driver education.

(a) In accordance with criteria and standards approved by the State Board of Education,
the State Superintendent of Public Instruction shall organize and administer a program of driver
education to be offered at the public high schools of this State for all physically and mentally
qualified persons who (i) are older than 14 years and six months, (ii) are approved by the
principal of the school, pursuant to rules adopted by the State Board of Education, (iii) are
enrolled in a public or private high school within the State, and (iv) have not previously
enrolled in the program. The State Board of Education shall use for such purpose all funds
appropriated to it for said purpose, and may use all other funds that become available for its use
for said purpose.

The driver education program established pursuant to this section must include the
following:

(1) Instruction on the rights and privileges of the handicapped and the signs and
symbols used to assist the handicapped relative to motor vehicles, including the "international symbol of accessibility" and other symbols and devices as provided in Article 2A of this Chapter.

(2) At least six hours of instruction on the offense of driving while impaired and
related subjects.

(3) At least six hours of actual driving experience. To the extent practicable, this
experience may include at least one hour of instruction on the techniques of
defensive driving.
The State Board of Education shall adopt a salary range for driver education
instructors who are public school employees and who do not hold teacher certificates.

Driver education instructors who are public school employees and who hold teacher
certificates shall be paid on the teacher salary schedule. A day of employment for driver
education instructors who hold teacher certificates shall be the same number of hours required
of all regular classroom teachers as established by the local board of education.

The State Board of Education shall adopt rules to permit local boards of education
to enter contracts with public or private entities to provide a program of driver education at
public high schools. All driver education instructors shall meet the requirements established by
the State Board of Education; provided, however, driver education instructors shall not be
required to hold teacher certificates.

All expenses incurred by the State in carrying out the provisions of this section the
driver education program administered by the Department of Public Instruction in accordance
with G.S. 115C-215 shall be paid out of the Highway Fund.

The Division shall prepare a driver license handbook that explains the traffic laws of
the State and shall periodically revise the handbook to reflect changes in these laws. At the
request of the Department of Education, Public Instruction, the Division shall provide free
copies of the handbook to that Department for use in the program of driver education offered at
public high schools.

SECTION 4. (a) The State Board of Education shall report to the Joint Legislative
Program Evaluation Oversight Committee by July 15, 2011, on the status of the
implementation of Section 7.12 of S.L. 2010-31, which mandates the creation of a standard
curriculum to be used for the driver education program in the Department of Public Instruction.

For the 2011-2012 school year, no State funds shall be used for
driver education programs that do not use the standard driver education curriculum created in
accordance with Section 7.12 of S.L. 2010-31.

SECTION 5. The State Board of Education shall establish a pilot program to
deliver driver education by electronic means. At least five local school administrative units
shall participate in the pilot program. Funds appropriated for driver education shall be used to
implement the pilot program. The State Board shall report on the implementation of the pilot
program to the Joint Education Oversight Committee and the Joint Legislative Program
Evaluation Oversight Committee by February 15, 2012. The report shall include the cost per
student of delivering the instruction and the success rate of program participants in receiving a
drivers license.

SECTION 6. The State Board of Education shall report to the Joint Legislative
Education Oversight Committee and to the Joint Legislative Program Evaluation Oversight
Committee by February 15, 2012, on the following:

(1) The most cost-effective method of delivering driver education in the short-
and long-term. In making this determination, the State Board of Education
shall consider the results of the pilot program implemented pursuant to
Section 5 of this act.

(2) The strategic plan adopted by the State Board of Education in accordance
with G.S. 115C-215.

SECTION 7. This act is effective when it becomes law.