

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 751*

Short Title: Driver Ed Performance Indicators (PED). (Public)

Sponsors: Senator Hartsell (Primary Sponsor).

Referred to: Education/Higher Education.

May 15, 2014

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH AND UTILIZE PERFORMANCE INDICATORS TO MEASURE THE EFFICIENCY AND EFFECTIVENESS OF THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION, IN COLLABORATION WITH THE DIVISION OF MOTOR VEHICLES, TO ESTABLISH A FOLLOW-UP INFORMATION MANAGEMENT SYSTEM TO MONITOR THE PERFORMANCE OF CURRENT AND CERTAIN PAST PARTICIPANTS IN THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, TO STUDY THE FEASIBILITY OF DELIVERING DRIVER EDUCATION THROUGH ELECTRONIC MEANS; AND TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO ESTABLISH STANDARDS FOR USE BY ALL DEPARTMENTS, AGENCIES, BUREAUS, DIVISIONS, AND INSTITUTIONS OF THE STATE WHEN CONDUCTING AND COMPLETING PILOT PROJECTS REQUESTED BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

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

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

...

(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 projected to be 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 as reported by the Division of Motor Vehicles. Vehicles, and the development and implementation of a follow-up information management system in accordance with G.S. 115C-217 for monitoring the performance of current and past program participants. The strategic plan shall also outline specific roles and duties of an advisory committee consisting of employees of the Division of Motor Vehicles and the Department of Public Instruction and other stakeholders in driver education.

(c1) The State Board of Education shall establish and utilize performance indicators to measure the efficiency and effectiveness of the driver education program. The State Board of Education shall collect data from the local school administrative units and utilize data made



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1 available by the Division of Motor Vehicles that the State Board of Education deems necessary
2 to (i) establish the performance indicators and (ii) determine whether the performance
3 indicators have been met. Nothing in this subsection shall be construed to allow the disclosure
4 of information deemed confidential by federal or State law.

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6 **SECTION 1.(b)** In establishing the performance indicators required by
7 G.S. 115C-215(c1), as enacted by Section 1(a) of this act, the State Board of Education shall
8 consult with the Highway Safety Research Center Institute of the University of North Carolina
9 at Chapel Hill and the Division of Motor Vehicles on performance indicator design, data
10 collection procedures, and reporting methodologies. At a minimum, the performance indicators
11 shall be designed to allow determination of the following:

- 12 (1) The resources available to administer the driver education program,
13 including the amount and type of funding available, the number of staff and
14 instructors employed or contracted to provide services, and the number and
15 type of facilities used and available for use.
- 16 (2) The number of persons served by, and the number of services provided
17 through, the driver education program, including the number of students
18 enrolled in the driver education program, the number of courses provided,
19 and the amount of time provided for classroom and behind-the-wheel
20 instruction.
- 21 (3) Whether the driver education program has achieved the goals set in the
22 strategic plan established in G.S. 115C-215, including the number of
23 students participating in the driver education program as compared to the
24 number of students eligible to participate in the driver education program,
25 the number of students successfully completing the driver education
26 program, and the number of students who completed the driver education
27 program and successfully received a drivers license.
- 28 (4) Whether the driver education program is administered in a cost-efficient
29 manner, including the cost per student participating in the driver education
30 program and the cost per student completing the driver education program.

31 **SECTION 1.(c)** The State Board of Education shall submit an interim report on its
32 progress establishing performance indicators to measure the efficiency and effectiveness of the
33 driver education program to the Joint Legislative Program Evaluation Oversight Committee on
34 or before October 1, 2014, and a final report identifying and explaining the performance
35 indicators by March 15, 2015.

36 **SECTION 1.(d)** The State Board of Education shall establish the performance
37 indicators required by G.S. 115C-215(c1), as enacted by Section 1(a) of this act, by no later
38 than March 1, 2015.

39 **SECTION 2.(a)** Chapter 115C of the General Statutes is amended by adding a new
40 section to read:

41 **"§ 115C-217. Driver education follow-up information management system.**

42 (a) Definition. – For purposes of this section, the term "program participants" means
43 current and former participants up to 22 years of age in the driver education program
44 administered by the Department of Public Instruction in accordance with G.S. 115C-215.

45 (b) Establishment. – As part of the strategic plan established and implemented by the
46 State Board of Education under G.S. 115C-215 for the driver education program, the
47 Department of Public Instruction, in collaboration with the Division of Motor Vehicles, shall
48 develop, implement, and maintain a follow-up information management system for monitoring
49 the performance of program participants. The system shall provide for the automated
50 collection, organization, dissemination, and analysis of data obtained by the Department of
51 Public Instruction and the Division of Motor Vehicles on program participants.

1 (c) Confidentiality. – In developing the system, the Department of Public Instruction
2 shall ensure that data collected about program participants is confidential, not open for general
3 public inspection, and maintained and disseminated in a manner that protects the identity of
4 individual persons from general public disclosure. Nothing in this subsection shall be construed
5 to allow the disclosure of information deemed confidential by federal or State law.

6 (d) Data. – The data collected shall include the following:

7 (1) An identification of the local school administrative unit that provided driver
8 education to the program participant whose performance is being monitored.

9 (2) The success rate of program participants in receiving a drivers license.

10 (3) The number of traffic violations committed and citations received by
11 program participants.

12 (4) The number of traffic accidents a program participant was involved in as a
13 driver, including whether the accident involved a fatality.

14 (5) Any other data deemed necessary by the State Board of Education to
15 measure the effectiveness of the driver education program.

16 (e) Procedures and Guidelines. – The Department of Public Instruction shall adopt
17 procedures and guidelines for the development and implementation of the follow-up
18 information management system authorized under this section.

19 (f) Local School Administrative Units. – Local school administrative units shall submit
20 any data requested by the Department of Public Instruction on program participants. The
21 Department of Public Instruction shall provide training for local school administrative units on
22 submitting data to ensure data quality and consistency. The Department of Public Instruction
23 may withhold up to ten percent (10%) of State funds allotted for driver education from any
24 local school administrative unit that fails to submit data requested by the Department of Public
25 Instruction under this subsection. Any funds withheld under this subsection shall revert and
26 remain unexpended and unencumbered until appropriated by the General Assembly in a
27 subsequent fiscal year.

28 (g) Evaluation. – The Department of Public Instruction shall provide information from
29 the follow-up information management system to the State Board of Education in a format
30 prescribed by the State Board of Education. Based on this information, the State Board of
31 Education shall evaluate the effectiveness of the driver education program to determine if
32 specific program goals and performance indicators have been met.

33 (h) Report. – The Division of Motor Vehicles shall include data collected and analyzed
34 through the follow-up information management system in any annual report published under
35 G.S. 20-88.1.

36 (i) Funding. – The Department of Public Instruction shall ensure that funding and staff
37 resources for the follow-up information management system are not diverted to other programs
38 or systems administered by the Department of Public Instruction."

39 **SECTION 2.(b)** G.S. 20-88.1 is amended by adding a new subsection to read:

40 "(e) The Division shall collect and submit data on participants in the driver education
41 program in accordance with G.S. 115C-215 and G.S. 115C-217."

42 **SECTION 2.(c)** G.S. 20-166.1(k) reads as rewritten:

43 "(j) Statistics. – The Division may periodically publish statistical information on motor
44 vehicle accidents based on information in accident reports. The Division may conduct detailed
45 research to determine more fully the cause and control of accidents and may conduct
46 experimental field tests within areas of the State from time to time to prove the practicability of
47 various ideas advanced in traffic control and accident prevention. Any annual report made
48 under this subsection shall include data collected and analyzed through the follow-up
49 information management system established in accordance with G.S. 115C-217, including a
50 comparison of traffic violation rates and traffic accident rates between drivers under the age of
51 22 who completed the driver education program administered by the Department of Public

1 Instruction in accordance with G.S. 115C-215 and drivers under the age of 22 who did not
2 participate in the driver education program. Nothing in this subsection shall be construed to
3 allow the disclosure of information deemed confidential by federal or State law."

4 **SECTION 2.(d)** The Department of Public Instruction shall develop and
5 implement the follow-up information management system required by G.S. 115C-217, as
6 enacted by Section 2(a) of this act, by no later than March 1, 2015.

7 **SECTION 3.(a)** The Department of Transportation, in consultation with the
8 Department of Public Instruction and any other State agency the Department of Transportation
9 deems necessary to consult with, shall study the feasibility of delivering driver education
10 through electronic means. At a minimum, the study shall examine the following:

- 11 (1) The cost and feasibility of delivering the classroom component of driver
12 education through electronic means, including the number of instructors that
13 may be required to provide live instruction to participants as they progress
14 through the electronic program.
- 15 (2) Recommendations for improving the administration of the driver education
16 program, including whether the administration of the driver education
17 program should be transferred to the Department of Transportation from the
18 Department of Public Instruction.
- 19 (3) The future roles of the following entities in the further development and
20 administration of the driver education program: the State Board of
21 Education, the Department of Public Instruction, and local school
22 administrative units.

23 **SECTION 3.(b)** For purposes of studying the cost and feasibility of delivering the
24 classroom component of the driver education program through electronic means, the
25 Department of Transportation shall issue a Request for Qualifications to individuals and
26 organizations identified by the Department of Transportation as potential providers of the
27 classroom component of the driver education program through electronic means. The Center
28 for the Study of Young Drivers in the Highway Safety Research Center Institute of the
29 University of North Carolina at Chapel Hill and the Department of Public Instruction shall
30 assist the Department of Transportation in preparing the Request for Qualifications and
31 evaluating the responses of organizations. In addition, and from funds available, the
32 Department of Transportation may contract with a technical advisor who has expertise in the
33 delivery of education through electronic means to assist in preparing the Request for
34 Qualifications and evaluating the responses of organizations. The technical advisor must not be
35 a potential provider, or employed by a potential provider, of the classroom component of the
36 driver education program through electronic means. Any contract entered into under this
37 subsection shall meet the requirements of Article 3C of Chapter 143 of the General Statutes,
38 and the length of the contract shall not extend past the submission date of the final report in
39 Section 3(d) of this act.

40 **SECTION 3.(c)** The Department of Public Instruction and local school
41 administrative units shall provide in a timely fashion all information requested by the
42 Department of Transportation while conducting the study under Section 3(a) of this act.

43 **SECTION 3.(d)** The Department of Transportation shall submit an interim report
44 on its analysis, findings, and recommendations to the Joint Legislative Program Evaluation
45 Oversight Committee on or before December 1, 2014, and a final report by March 15, 2015.

46 **SECTION 4.(a)** Article 10 of Chapter 143 of the General Statutes is amended by
47 adding a new section to read:

48 **"§ 143-162.3. Pilot project standards.**

49 (a) Establishment. – By March 1, 2015, the School of Government at the University of
50 North Carolina at Chapel Hill, in cooperation with other State universities, shall establish and
51 publish standards for conducting and completing pilot projects requested by the General

1 Assembly. At a minimum, the standards shall provide a range of optional methods for
2 conducting and completing pilot projects that takes into consideration time and resources
3 available.

4 (b) Requirement. – Unless specifically exempted by law, all departments, agencies,
5 bureaus, divisions, and institutions of the State shall conduct and complete pilot projects
6 requested by the General Assembly after March 1, 2015, in accordance with the standards
7 established by the School of Government at the University of North Carolina at Chapel Hill in
8 subsection (a) of this section.

9 (c) Updates. – The School of Government at the University of North Carolina at Chapel
10 Hill may update the standards established for pilot projects in subsection (a) of this section as it
11 deems necessary. The School of Government at the University of North Carolina at Chapel Hill
12 shall provide all departments, bureaus, divisions, and institutions of the State with 90 days
13 written notice prior to enacting any updates to the standards established for pilot projects in
14 subsection (a) of this section."

15 **SECTION 4.(b)** The School of Government at the University of North Carolina at
16 Chapel Hill shall not finalize the standards it establishes for pilot projects until after
17 consultation with the Joint Legislative Program Evaluation Oversight Committee. By January
18 1, 2015, the School of Government at the University of North Carolina at Chapel Hill shall
19 submit a detailed report of the standards it established for pilot projects to the Chairs of the
20 Committee and to the Director of the Program Evaluation Division of the General Assembly. If
21 the Committee does not hold a meeting to hear the consultation within 90 days of receiving the
22 submission of the detailed report, the consultation requirement is satisfied.

23 **SECTION 5.** This act is effective when it becomes law.