MEMORANDUM

DATE: April 14, 2020

TO: Michigan Driver Education Providers

FROM: Driver Programs Section
       Office of Investigative Services

SUBJECT: Driver Education and Executive Order No. 2020-42

This memo replaces the March 24 memorandum that approved temporary use of virtual classrooms to provide portions of Segment 1 and Segment 2 driver education courses and provides additional information. The temporary approval of virtual classrooms for Segment 1 and Segment 2 courses is extended to include any course with a first class held on or before April 30, 2020. Providers should not schedule online courses to begin after April 30.

Virtual classrooms used for distance learning

Recognizing that instructors will not hold classes in person, the Michigan Department of State (MDOS) has approved the emergency, temporary use of distance learning to provide the classroom instruction portions of Segment 1 and Segment 2 driver education courses, except for the final written exam, for customers of courses beginning in March or April.

The final written exam will not be conducted online. The online classwork may be completed up to the point where the student is prepared to take the final written exam. The online instruction may be given without integration of behind-the-wheel instruction. Once the Stay Home, Stay Safe order is lifted on May 1, then providers will arrange to conduct the necessary behind-the-wheel instruction, class review, and to administer the final written exam.

Providers seeking to implement virtual classroom distance learning must submit to drivered@michigan.gov, in advance, signed certification that the system and methods they will be using meets all the standards outlined below.

Requirements

Following are the requirements that must be met to provide driver education through distance learning.

- Distance learning must take place in a “Virtual Classroom” format, presenting the same material as in the provider’s approved classroom curriculum.

- Classes must be led by an instructor with a current teen specialty classification who has completed training offered online by the creator of the online teaching tool.
Providers may use a second person who is not certified as an instructor—a proctor—to assist the instructor. The proctor may be used to provide technical assistance and to monitor student participation. The proctor may not provide instruction unless they are a currently certified instructor with a teen specialty classification.

Class size will be restricted to no more than 20 students.

Students must have the ability to interact with the instructor in real time.

Instructors must have the ability to identify students participating through visual confirmation. Student computers or cell phones must have cameras to allow the instructor to visually confirm the student’s participation throughout the class. The cameras must always be on and the students must always be visible.

Student attendance must be monitored constantly throughout the class session and attendance taken at the beginning of the class, end of the class and after any breaks. Any student missing at any attendance taken during class or during any observation by the instructor or proctor shall not receive credit for the class. Anyone not enrolled in the course should be removed from the class presentation.

Students must be seated in a chair and should have a desk or table to work on. Lying on a bed or couch is not acceptable.

Students may not be engaged in activity unrelated to the classroom, including but not limited to walking, holding a pet, speaking to other persons, or using another electronic device (unless the device is being used for class work).

When an instructor or proctor observes a student engaging in activity unrelated to the classroom, the student must be given a verbal warning. Upon a second occurrence of unrelated activity during a class session, the instructor must terminate the student from the class. The student shall not receive credit for the class. Whether the class may be retaken or if the student is terminated from the course depends on the provider’s policy as stated in the written agreement with the student.

Class sessions must be recorded and be made available to MDOS for review upon request until at least six months after the class session.

A schedule of all class sessions must be submitted to drivered@michigan.gov in advance of the class offering. The email must provide real-time access info to each class session.

Technical assistance must be available during class sessions. If the instructor cannot provide technical assistance, then an alternative must be available. Any time spent dealing with technical issues does not count towards the required classroom instruction time.

Course fees may not be greater than the provider’s regular fees for the course.

Program completion reports (DES-102) are still required but will not be submitted until course completion. A course is considered completed after each student enrolled in a course has had opportunity to complete behind-the-wheel instruction and a proctored final written exam.
• No later than the day after the first class session using virtual classroom distance learning in a course, the provider must email a list of enrolled students to drivered@michigan.gov. That list must be updated after the last class session using virtual classroom distance learning in a course, identifying which students dropped from the course. A blank spreadsheet template will be provided by MDOS to complete the list; if you have not received one, please email drivered@michigan.gov to request a copy.

• All courses begun using virtual classroom distance learning must be completed by June 30, 2020 and program completion reports (DES-102) must be mailed or emailed to be received by MDOS by July 10, 2020.

Requirements for offering the review.

• The provider must give at least seven days notice to each student when the provider is prepared to present a proctored, final written exam.

• During those seven days, the provider must offer a two-hour review session for Segment 1 (and one-hour review session for Segment 2) to prepare the student for the final written exam. The review session must be in-person.

• Students are required to attend the review session and the provider must record and report the attendance by email to drivered@michigan.gov.

• If a class transitions to in-person after the emergency order has been lifted, the in-person class will meet this requirement if at least two hours of classroom instruction are conducted.

Requirements for administering the written final exam.

• Providers may hold the proctored final written exam at a location other than their approved classroom locations, if the location is one typically used for gatherings such as a hotel conference room or a theater auditorium, and if MDOS gives approval. A request for approval should provide enough information to satisfy MDOS that the location is suitable. Email the approval request to drivered@michigan.gov. The approval is to conduct the written final exam only, not for use as a classroom.

• Providers are not restricted to conducting the proctored final written exam separately to each class cohort. They may allow students from multiple class cohorts to take the exam at a scheduled presentation of the exam.

• A certified instructor must administer and proctor the written final exam.

• The number of students that may take the exam at one time is limited by the number of proctors. No more than 36 students may take the exam with one instructor. No more than 72 students may take the exam with the instructor and one additional proctor. No more than 108 students with two additional proctors, etc.

• The provider must arrange opportunity for each student to take the proctored, final written exam by June 30, 2020.

Requirements for administering the behind-the-wheel instruction.
• The provider must arrange opportunity for each student to complete the required behind-the-wheel instruction by June 30, 2020.

MDOS strongly recommends the following but is not requiring the practices at this time.

• Use two monitors. Instructors can better manage the class if they use one monitor to observe and interact with the students and a second for presenting material to the students.

• Use shorter class sessions to keep students better engaged. Example: Split the traditional two-hour class session into two one-hour sessions; present one in the morning and one in the afternoon. Another example: three sessions of 40 minutes each, with 20-minute breaks between sessions.

The approval of virtual classroom distance learning is in response to the Stay Home, Stay Safe order only and that approval will expire on April 30, 2020. Courses started by that date may continue to be presented using a virtual classroom.

Questions should be directed to drivered@michigan.gov.

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**Other important information**

The requirements and deadlines in this memo are based on the current expiration of the Stay Home, Stay Safe order (EO 2020-42), which is April 30. Providers should assume that virtual classroom distance learning will not continue or be approved again if the governor extends the Stay Home, Stay Safe order beyond April 30.

MDOS intends to increase the number of classroom observations to check compliance with the requirements due to concerns identified in observations to date. MDOS will notify providers of problems observed that violate the requirements stated in this memo (as well as the March 24 memo). Providers will have four business days to respond in writing to MDOS with a plan of action to remedy the violations. If MDOS is not satisfied with the plan, or if the provider has repeated violations, MDOS may terminate the provider’s approval to conduct virtual classroom distance learning.