

MINUTES OF THE
GEORGIA DRIVER’S EDUCATION COMMISSION MEETING

May 10, 2022 at 1:00 pm

Georgia Governor’s Office of Highway Safety
7 Martin Luther King Jr., Drive, Suite 643, Atlanta, Georgia 30334.

Chairman Allen Poole called the May 10, 2022, Called Meeting of the Georgia Driver’s Education Commission to order at 1:00 p.m. Those in attendance and constituting a quorum were as follows:

Board Members in Attendance	Board Members not in Attendance
Mr. Allen Poole, Chairman	
Mr. Spencer R. Moore, Vice Chairman	
Dr. Malika Reed Wilkins	

Non-Members in Attendance were as follows:

Mr. Josh Turner, Georgia Driver’s Education Commission
Ms. Kisha Bell, Georgia Driver’s Education Commission
Ms. Pamela Farr, Georgia Driver’s Education Commission
Mr. Robert Hydrick, Governor’s Office of Highway Safety
Ms. Amy Radley, Georgia Attorney General’s Office

Suspend the Approval of Minutes:

Chairman Allen Poole welcome everyone in attendance at the meeting. Vice Chairman Spencer R. Moore made a motion to suspend the approval of the April 11, 2022 meeting minutes. Dr. Malika Reed Wilkins seconded the motion. The motion passed unanimously

Approval of Agenda:

Chairman Poole presented May 10, 2022 Agenda. Dr. Wilkins made a motion to approve the agenda. Vice Chairman Moore seconded the motion. There was no further discussion. The motion passed unanimously.

Initial Adoption – Changes to Criteria for Georgia Driver’s Education Grant Scholarship Program

Chairman Poole made Commission Members aware of a change in the proposed document that was originally sent in the meeting packet. The change is in paragraph A-3 regarding documentation for Georgia first responders disabled in the line of duty. Specially, “letter of disability from the State Board of Worker’s Compensation” was changed to “letter of disability.” Chairman Poole recognized Mr. Josh Turner to present the proposed changes to the criteria for the Georgia Driver’s Education Grant Scholarship Program. Mr. Turner summarized the proposed changes as follows:

1. Public safety professional” was changed to “Georgia first responder” throughout the document.
2. The term “provider” was changed to “Authorized Provider” in Section A to eliminate confusion from applicants on which driver training providers can redeem the scholarship voucher.

3. Paragraph A-3 was amended to include children or dependents of Georgia first responders who were disabled in the line of duty and to applicants who are in state custody under the care of the Georgia Department of Family and Children Services.
4. Paragraph A-3 was further amended to use O.C.G.A. § 35-8-7.4(a) to define Georgia first responder.
5. Paragraph A-3 was amended to update documentation requirements for applicants in Tier 1 to include a letter of disability for applicants who are the child or dependent of Georgia first responder's disabled in the line of duty and a letter of documenting state-custody for applicants in the custody of the Georgia Department of Family and Children Services.
6. Paragraph A-4 was amended to change the financial need eligibility from 125% to 175% of the Free and Reduced Price Meal Eligibility program.
7. Paragraph A-5 creating a third priority level for all other applicants who do not meet the criteria set forth in the first and second priority level was deleted.
8. Paragraph A-6 was amended by deleting the award process for third priority level applicants.
9. Paragraph A-7 was amended to provide reconsideration of a rejected application for the following two months after the application was rejected.

Vice Chairman Moore questioned why the Commission is considering the proposed changes and how these proposed changes were originated. Mr. Turner stated that while the legislation to extend the sunset provision was being considered in the Senate Public Safety Committee, and after consultation with the GDEC Commission members, he verbally agreed to make these changes to the eligibility criteria to members of the Senate Public Safety Committee to address their concerns.

Furthermore, Mr. Turner stated that the Student Eligibility for the Georgia Driver's Education Commission is not defined in the Commission's Rules but are simply referenced in the Rules and that state law authorizes the Commission to establish the criteria. However, Mr. Turner explained that out of abundance of transparency, the Commission will treat the changes to the Criteria with the same requirements as a rule change, including notifying the General Assembly of the changes by letter to the Legislative Counsel as required by changes to Rules. Additionally, Mr. Turner announced that the Commission would conduct a Public Hearing on May 23, 2022 at 10:00 am and consider final addition on June 10, 2022.

Mr. Turner asked Ms. Amy Radley, Assistant Attorney General, to confirm and she stated that these changes are not a change to the rules, only a change to something referenced in the rules and it is always better to do more than not enough. Ms. Radley stated that the board members do not have to attend the Public Hearing on May 23, 2022 and that Mr. Turner will provide a transcript of the Public Hearing before the meeting on June 10 for final consideration.

Chairman Poole asked if there were any discussion regarding the changes that have been proposed. Ms. Pamela Farr asked when will these changes go into effect and if the changes go into effect on July 1, 2022 if students that applied in May and June of 2022 would be eligible for reconsideration. Mr. Turner stated the changes will go into effect on July 1, 2022 and apply to students who submit applications on or after July 1, 2022.

Vice Chairman Moore asked how many students would be impacted by these changes. Mr. Turner stated that changing the Free and Reduced Price Meal threshold from 125% to 175% would change the maximum family income for a family of four to approximately \$89,000 annually. Additionally, there are

approximately 1,800 students in state custody through the Department of Family and Children Services that are eligible for this program annually, but DFCS staff anticipated that the actual number applicants would be far lower than the number eligible. Mr. Turner stated that the unknown variable is how many students qualify who are children of Georgia first responders disabled in the line of duty.

Vice Chairman Moore made a motion for Initial Adoption of the proposed changes to the Student Eligibility Criteria for the Georgia Driver's Education Grant Scholarship Program effective July 1, 2022. Dr. Wilkins seconded the motion. There was no further discussion. The motion carried unanimously.

A copy of the proposed changes and the notice to the Legislative Counsel are attached to these minutes.

Adjournment

Dr. Wilkins made a motion to adjourn. Vice Chairman Moore seconded the motion. There was no further discussion. The motion to adjourn passed unanimously.

Respectfully submitted,
Kischa Bell
Operational Analyst
Georgia Driver's Education Commission



Georgia Driver's Education Commission

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www.gahighwaysafety.org/gdec/

Mr. Rick Ruskell, Esq.
Legislative Counsel
Georgia General Assembly
316 State Capitol
Atlanta, Georgia 30334

Re: Georgia Driver's Education Grant Scholarship Program; Scholarship Criteria

Dear Mr. Ruskell:

The OCGA § 15-21-178 authorizes the Georgia Driver's Education Commission to disperse funds for driver training "pursuant to criteria to be set by the commission." The Commission launched the Georgia Driver's Education Grant Scholarship Program in 2017 and thereafter adopted criteria that govern the program. The criteria is referenced in the Rules and Regulations of the Commission (Rule 163-1-2.-01). At its May 10, 2022 meeting, the Commission considered changing the criteria previously adopted and, while the changes are not to "rules" per se, the Commission is notifying you of the proposed changes to the criteria and that the Commission will hear from the public regarding those proposed changes.

The Commission will conduct a public hearing on May 22, 2022, at 10:00 a.m. to provide the public an opportunity to be heard on the proposed changes to the scholarship criteria. The Commission will then discuss and vote on final adoption of the proposed changes to the scholarship program criteria on June 10, 2022 at 2:00 pm.

Enclosed are a copy of the proposed changes and the Public Notice for the Public Hearing and Called Meeting when the proposed changes will be considered for final adoption.

Please don't hesitate to reach out to me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Allen Poole", is written over a white background.

Allen Poole
Director, Governor's Office of Highway Safety
Chairman, Georgia Driver's Education Commission

AP/jt
Enclosures



Georgia Driver's Education Commission

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PUBLIC NOTICE: GEORGIA DRIVER'S EDUCATION COMMISSION

The Georgia Driver's Education Commission will meet on June 10, 2022 at 2:00 pm at the Governor's Office of Highway Safety located at 7 Martin Luther King, Jr., Drive, Suite 643 to amend criteria governing the Georgia Driver's Education Grant Scholarship Program in accordance with O.C.G.A. § 15-21-174. On May 23, 2022 at 10:00 a.m. in the same location, a public hearing will be held to allow time for public comment on the proposed changes to the criteria prior to the Commission meeting on June 10, 2022 to vote on adopting said changes. Commission members and members of the public may attend both meetings in person or virtually. The link to attend virtually will be posted by 10:00 am on May 20, 2022 at www.gahighwaysafety.org. Any person that wishes to comment may also send an email with comments to gdec@gohs.ga.gov or may mail comments to: Georgia Driver's Education Commission – Public Comments, 7 Martin Luther King, Jr. Drive, Suite 643, Atlanta, Georgia 30334. Emailed and mailed comments should be received no later than 10:00 am on May 23, 2022. All public comments will be provided to Members of the Commission prior to the June 10, 2022 meeting for their consideration.

**Georgia Driver's Education Commission
Driver's Education Grant Scholarship Program
Eligibility Requirements (Adopted 9/26/16 and Amended on 11/16/16ⁱ, 3/21/17ⁱⁱ, 6/26/17ⁱⁱⁱ,
9/26/17^{iv}, 3/27/18^v, 3/26/19^{vi}, ~~and 6/28/19^{vii}~~, and 6/10/22^{viii})**

A. Student Eligibility

1. The student must be a resident of the State of Georgia and actively enrolled in school.
2. The student must be between the ages of fifteen and seventeen and possess a valid Georgia instructional driving permit or driver's license.
3. First priority will be given to grant scholarship applicants who are a child or dependent of a ~~public safety professional~~Georgia first responder disabled or killed in the line of duty or member of the United States military killed in ~~the line of duty~~action and to applicants who are in state custody under the care of the Georgia Department of Family and Children Services. -If the applicant is a child or dependent of a ~~public safety professional~~Georgia first responder killed in the line of duty, the applicant must identify said professional and provide a copy of the student applicant's birth certificate or other government issued documentation proving the student was a dependent of the identified ~~public safety professional~~Georgia first responder. For purposes of this grant scholarship program, the Georgia Driver's Education Commission will rely on the Georgia Public Safety Memorial Committee to identify ~~and define a Georgia first responder~~public safety professionals killed in the line of duty. For purposes of this grant scholarship program, the Georgia Driver's Education Commission will rely on O.C.G.A. § 35-8-7.4 (a) to identify and define a Georgia first responder. If the applicant is a child or dependent of a Georgia first responder disabled in the line of duty, the applicant must provide of letter of disability. -If the applicant is a child or dependent of United States military personnel killed in ~~the line of duty~~action, the applicant must provide DD Form 1300 (Report of Casualty) as documentation. If the applicant is under the care of the Georgia Department of Family and Children Services, the applicant must submit a letter documenting custody from the Georgia Department of Family and Children Services. Grant scholarship allocations in this priority level will be evenly distributed among Georgia's United States congressional districts.
4. Second priority will be given to scholarship applicants who can demonstrate a need based on family income. Financial need eligibility will be based on ~~425~~175% of the Free and Reduced Price Meal Eligibility program for the State of Georgia as published by the Georgia Department of Education. The Commission authorizes agency staff to make necessary technical adjustments to the Georgia Driver's Education Grant Scholarship Program application and award process to ensure that the eligibility level is appropriately adjusted as the financial need eligibility for the Free and Reduced Price Meal program is increased or decreased by the Georgia Department of Education. Grant scholarship

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Commented [TJ1]: 35-8-7.4 (a): As used in this Code section, the term "first responder" means any firefighter of a municipal, county, or volunteer fire department, a peace officer as defined in Code Section 35-8-2, and an emergency medical technician as defined in Code Section 16-10-24.2.

35-8-2: "Peace officer" means, for purposes of this chapter only:

(A) An agent, operative, or officer of this state, a subdivision or municipality thereof, or a railroad who, as an employee for hire or as a volunteer, is vested either expressly by law or by virtue of public employment or service with authority to enforce the criminal or traffic laws through the power of arrest and whose duties include the preservation of public order, the protection of life and property, and the prevention, detection, or investigation of crime;

(B) An enforcement officer who is employed by the Department of Transportation in its Office of Permits and Enforcement and any person employed by the Department of Juvenile Justice who is designated by the commissioner to investigate and apprehend delinquent children and any child with a pending juvenile court case alleging the child to be a child in need of services;

(B.1) Personnel who are authorized to exercise the power of arrest, who are employed or appointed by the Department of Juvenile Justice, and whose full-time duties include the preservation of public order, the protection of life and property, the detection of crime, the supervision of delinquent children in the department's institutions, facilities, or programs, or the supervision of delinquent children under intensive supervision in the community;

(C) Personnel who are authorized to exercise the power of arrest and who are employed or appointed by the Department of Corrections, the Department of Community Supervision, the State Board of Pardons and Paroles, municipal correctional institutions employing 300 or more correctional officers, county probation systems, and county correctional institutions; and

(D) An administrative investigator who is an agent, operative, investigator, or officer of this state whose duties include the prevention, detection, and investigation of violations of law and the enforcement of administrative, regulatory, licensing, or certification requirements of his or her respective employing agency.

Law enforcement support personnel are not peace officers within the meaning of this chapter, but they may be certified upon voluntarily complying with the certification provisions of this chapter.

16-10-24.2: "Emergency medical technician" means any person who has been certified as an emergency medical technician, cardiac technician, paramedic, or first responder pursuant to Chapter 11 of Title 31.

allocations in this priority level will be evenly distributed among Georgia's United States congressional districts.

5. ~~Third priority will be given to all applicants who do not meet the criteria set forth in the first priority and second priority outlined above. Grant scholarship allocations in this priority level will be evenly distributed among Georgia's United States congressional districts. Paragraph reserved.~~
6. Grant scholarships will be awarded monthly. Grant scholarship applications are due on the last day of every month. Grant Scholarship awards and denials will be issued on the 1st day of each following month and will be sent by electronic mail. The number of grant scholarships available to be awarded will be determined by staff and entered into the grant scholarship management system. Grant scholarships will be awarded based on the priority levels defined above. All of the applicants in the first priority will be awarded before the second priority applicants, ~~and all of the second priority applicants will be awarded before third priority applicants are awarded a grant scholarship.~~ If more grant scholarship applications are submitted than grant scholarships available in each priority level, grant scholarships will be awarded using a computer generated random selection method from the priority level applications. The grant scholarship will be awarded in the form of a voucher to the student. The student may then take said voucher to an eligible ~~provider~~ Authorized Provider. The Authorized Provider will then submit the voucher to the Commission for reimbursement as set forth herein.
7. Students are only eligible to apply for a grant scholarship one time. If a student's application is rejected, the application will be reconsidered for the following two months and given priority over new applicants.
8. Scholarships are only valid for students who agree to complete a standard 30/6 driver's education course in which the student receives a minimum of thirty (30) hours of classroom training and six (6) hours of behind the wheel training. Additionally, the student's parent or guardian must be a co-applicant and agree to complete forty hours of supervised driving with the student. Additionally, the scholarship must be awarded prior to the start date of the driver's education course.
9. Students will only be awarded one scholarship. In the event of a failure or withdrawal from the course, the student will not be eligible to apply for another scholarship.
10. Grant Scholarship awardees must identify the provider of choice from a list of authorized providers and redeem the grant scholarship with the provider within 30 days of the grant scholarship award notice. Further, the driver's education course must be completed within 180 days of the grant scholarship award date. If a scholarship is not redeemed after 30 days of notice of the award and the course is not completed within 180 days of notice of the award of the grant scholarship by the student, the grant scholarship is forfeited and the student loses the scholarship and eligibility to apply again in the future. Students and providers may petition the Chairman of the Georgia Driver's Education Commission, or his designee, for a one-time 60 day extension of these deadlines. Additional requests will

be considered with a proven medical reason from a physician necessitating the addition time extension.

B. Provider Eligibility

1. Provider eligibility is open to the following types of providers:
 - a. Public and private high schools that are licensed by the Georgia Department of Driver Services.
 - b. Private driving schools (commercial for profit, and not for profit) that are licensed by the Georgia Department of Drivers Services and that have been licensed for a minimum of two years.
 - c. Technical Colleges, Colleges, Universities and State Agencies that are authorized to provide driver's education by their governing bodies and that meet the minimum standards for drivers training and driver's education set forth by said governing body.
2. In order to participate in the scholarship program, providers must submit a completed Provider Application and meet the minimum qualifications set forth in these requirements. All providers must agree to abide by the State of Georgia vendor requirements including, but not limited to, compliance with the Statewide Sexual Harassment Prevention Policy in accordance with Executive Order 01.14.19.02, the submission of a Form W-9, Vendor Management Form, E-Verify documents and agree to receive payments by Automated Clearing House (ACH) transfer.
3. Private driving schools must be in compliance with the Georgia Department of Revenue.
4. Government-owned driving schools must be in compliance with all Georgia Department of Audit and Accounts regulations.
5. Public and private high schools and private driving schools must be in good standing with the Georgia Department of Driver Services (DDS). Additionally, public and private high schools must submit a copy of the most recent audit report conducted by DDS and a corrective action plan if one was issued. If a public or private high school or private driving school has received a moderate or severe risk assessment within the previous year from DDS, the driver training school must provide the subsequent audit report demonstrating that the concerns raised in the DDS audit report have been satisfactorily addressed before they will become an authorized provider in the program.
6. Technical Colleges, Colleges and Universities, and State Agencies who participate in the scholarship program must be in good standing with their governing body and the Georgia Driver's Education Commission and agree to general oversight including the enforcement of driver's education standards adopted by the governing body and annual program reviews or audits.
7. Providers must agree to auditing and general oversight as required by the Georgia Driver's Education Commission.

8. Providers must agree that the scholarship grants may only be applied toward a standard 30/6 driver's education course in which the student receives a minimum of 30 hours of classroom instruction and 6 hours of behind the wheel instruction. For the purpose of this scholarship criteria, classroom instruction means in-person training conducted by an approved instructor. Virtual classroom instruction does not qualify for eligibility in this grant scholarship program.
9. The provider must agree that the reimbursement to the provider by the Commission based upon a scholarship grant to a student applicant for the 30/6 course will not exceed \$500.00. Further, the provider must agree that it will not impose any additional fee to the student for the 30/6 course. The Commission agrees that contracts will not be amended to accommodate fee increases.
10. The provider must agree that request for reimbursement of the scholarship grant submitted to the Georgia Driver's Education Commission will be the same cost or less than that cost charged to the general public for driver's education for a 30/6 driver's education course.
11. The provider must agree to submit an OCRA Certificate to the Commission within 30 days after completion of the course by the student grantee as proof that the course was completed. The provider must further agree that reimbursement to the provider by the Commission for any scholarship grant will be made after proof has been provided to the Commission after completion of the course. In the event that the student fails the driver's education course, the provider must submit a copy of the Student Log detailing the student's attendance in the course and a statement detailing the reason for failure in order for payment to be made to the provider. In the event that the student grantee withdraws from the course or fails to timely complete the driver's education course, the provider may charge the Georgia Driver's Education Commission up to \$4.00 per hour of classroom education completed and up to \$62.50 per hour of behind the wheel training completed. Providers must submit student logs detailing classroom hours and behind the wheel training completed in order to be compensated for students who have withdrawn from the course or have failed to timely complete the driver's education course. The total amount reimbursed for a student who withdraws or fails will not exceed \$491.00.
12. The provider may not set in place additional eligibility requirements for the students in addition to those set forth by the Georgia Driver's Education Commission.

ⁱ Paragraph A-4 amended to increase the maximum income level for second priority of scholarship awards for financial need to 125% of the free and reduced priced meals for students in the State of Georgia. Paragraph A-4 and A-5 amended to provide that grant scholarship allocations in priority level one and priority level two will be evenly distributed among Georgia's United States congressional districts. Paragraph A-7 amended to delete the provision allowing students reapply for the scholarship up to six times and including that students are only eligible to apply for a grant scholarship one time. Paragraph B-7 amended to delete the provision permitting the provider to charge the

grant scholarship student and co-grant awardee parent up to half of the price of the driver's education course for students who withdraws or fails to timely complete the course and includes the provision for providers to charge hourly rates to the Commission for students who withdraw from the course or fail to timely complete the course.

ii Paragraph A-1 was amended to include a driver's license in addition to a learner's permit for student eligibility criteria. Paragraph A-9 was amended to delete the provision that the provider may charge the student applicant and co applicant for up to half of the price of the driver's education course. Paragraph B-5 was amended to require public or private high school or private driving school's previously receiving a moderate or severe risk assessment within the previous year from DDS to provide subsequent audit reports demonstrating that the concerns raise in the DDS audit report have been satisfactorily addressed before they will become an authorized provider in the program. Paragraph B-8 was amended to clarify that that virtual classroom programs do not qualify for eligibility.

iii Paragraph A-3 was amended to require DD Form 1300 (Report of Casualty) as documentation for dependents of United States military personnel killed in the line of duty instead of Form DD 214 and DEERS records. Paragraph A-8 was amended to require that the scholarship must be awarded prior to the state date of the driver's education course. Paragraph B-9 was amended to include that the providers agree not to impose any additional fee to the student.

iv Paragraph A-10 was amended to include a provisions for students to request a one-time 60 day extension to the 180 day deadline for course completion. Paragraph B-9 was amended to clarify that the Commission will not consider contract amendments with providers for fee increases.

v Paragraph A-4 was amended to update the income eligibility levels for Tier 2 applicants to reflect updated free and reduced cost meal eligibility set by the Department of Education.

vi Paragraph A-4 was amended to delete the chart used to determine financial need eligibility and language added authorizing agency staff to make necessary adjustments to the needs-based income level to ensure that financial need eligibility is consistent with 125% of the Free and Reduced Price Meal Eligibility program for the State of Georgia as determined by the Georgia Department of Education as changes are published.

vii Paragraph A-6 was amended to change the award date of scholarships from the 20th of each month to the first day of each month. Paragraph B-2 was amended to include the Statewide Sexual Harassment Prevention Policy contractor requirements to the minimum qualifications for driver training schools to participate in the program.

viii “Public safety professional” was changed to “Georgia first responder” throughout the document. Additionally, the term “provider” was changed to “Authorized Provider” in Section A to eliminate confusion from applicants on which driver training providers can redeem the scholarship voucher. Paragraph A-3 was amended to include children or dependents of Georgia first responders who were disabled in the line of duty and to applicants who are in state custody under the care of the Georgia Department of Family and Children Services. Paragraph A-3 was further amended to use O.C.G.A. § 35-8-7.4(a) to define Georgia first responder. Additionally, Paragraph A-3 was amended to update documentation requirements for applicants in Tier 1 to include a letter of disability for applicants who are the child or dependent of Georgia first responder's disabled in the line of duty and a letter of documenting state-custody for applicants in the custody of the Georgia Department of Family and Children Services. Paragraph A-4 was amended to change the financial need eligibility from 125% to 175% of the Free and Reduced Price Meal Eligibility program. Paragraph A-5 creating a third priority level for all other applicants who do not mee the criteria set forth in the first and second priority level was deleted. Paragraph A-6 was amended by deleting the award process for third priority level applicants. Paragraph A-7 was amended to provide reconsideration of a rejected application for the following two months after the application was rejected.

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Summary of Proposed Changes to Georgia Driver's Education Commission's Driver's Education Grant Scholarship Program Eligibility Requirements

1. Public safety professional” was changed to “Georgia first responder” throughout the document.
2. The term “provider” was changed to “Authorized Provider” in Section A to eliminate confusion from applicants on which driver training providers can redeem the scholarship voucher.
3. Paragraph A-3 was amended to include children or dependents of Georgia first responders who were disabled in the line of duty and to applicants who are in state custody under the care of the Georgia Department of Family and Children Services.
4. Paragraph A-3 was further amended to use O.C.G.A. § 35-8-7.4(a) to define Georgia first responder.
5. Paragraph A-3 was amended to update documentation requirements for applicants in Tier 1 to include a letter of disability for applicants who are the child or dependent of Georgia first responder's disabled in the line of duty and a letter of documenting state-custody for applicants in the custody of the Georgia Department of Family and Children Services.
6. Paragraph A-4 was amended to change the financial need eligibility from 125% to 175% of the Free and Reduced Price Meal Eligibility program.
7. Paragraph A-5 creating a third priority level for all other applicants who do not mee the criteria set forth in the first and second priority level was deleted.
8. Paragraph A-6 was amended by deleting the award process for third priority level applicants.
9. Paragraph A-7 was amended to provide reconsideration of a rejected application for the following two months after the application was rejected.