

Video-Correspondence Boating Education Course Criteria

Section 5103(e)(1) of the Fish and Boat Code, 30 Pa.C.S. § 5103(e)(1), requires that the Pennsylvania Fish and Boat Commission (PFBC) promulgate regulations that establish criteria for courses of instruction in boating safety education. The following criteria will be used to approve video-correspondence boating safety education courses for the purpose of issuance of Pennsylvania boating safety education certificates to Pennsylvania boat operators.

Overview

1. The video-correspondence boating education course (video course) is a video and/or DVD-based course that allows students to study boating and boating safety and take a certification examination at home.
2. The video course includes:
 - A printed or digital boater education student manual.
 - A boater education video and/or DVD.
 - A certification examination to take at home, or at any remote location.

Providers

Video courses shall be offered by providers that meet the requirements of the PFBC. Individuals or organizations that desire to provide a video course that is approved for Pennsylvania boaters shall be willing to enter into an agreement with the PFBC containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. Prior to entering into an agreement with the PFBC, providers shall submit a request in writing to the PFBC's Director of Boating and shall demonstrate to the PFBC's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the PFBC's Boating Director:

1. A description of the provider and its capabilities including a description of type and number of staff and their responsibilities.
2. Proof of ability to manage certification data securely and digitally. This will be demonstrated by providing either:
 - An existing computer-based database management system designed to manage certification data, or
 - Detailed specifications and a project plan to deliver such a computer-based system.

3. Copies of certification by the Payment Card Industry (PCI) to demonstrate provider's secure handling of students' credit card data.
4. Proof that provider's course(s) have been approved by NASBLA.
5. A sample of the completed video course, the completed student manual, and a sample of the completed boater education video.

Course Content

1. The course must be approved by the National Association of State Boating Law Administrators (NASBLA). Information on NASBLA approval is available on the NASBLA web site at <http://www.nasbla.org/> or by calling the NASBLA office at 859-225-9487
2. In addition to NASBLA requirements, course content will include:
 - o A description of boating in Pennsylvania.
 - o PFBC regulatory responsibilities.
 - o Types of boats, boat motors, and boat hulls.
 - o Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
 - o Long distance communication on the water.
 - o Boat handling.
 - o Process for passage through river locks.

Student Manual

Overview

The digital and/or printed student manual will be a four-color student text, tailored to the Commonwealth of Pennsylvania, covering all of the Pennsylvania state-specific boating laws and regulations, navigational rules and aids, risk management, and responsibilities of boat operators.

Course provider will:

1. Write all text used in the student manual.
2. Provide all graphics used in the student manual.
3. Procure any photographs needed for the student manual.
4. Design the cover and page layout of the student manual.
5. Make any and all revisions requested by the PFBC to any state-specific pages of the student manual.
6. Provide a complete color proof of the student manual to the PFBC for approval prior to distribution.

7. Update the student manual to reflect changes in Pennsylvania laws and information as requested by the PFBC with each subsequent edition.

Text quality and content

1. Text will be written in a clear, reader-friendly, and consistent style.
2. Boating terms will be defined.
3. The student manual will have additional pages available for Pennsylvania-specific information, which may include a quick reference chart of Pennsylvania-specific required equipment, an in-manual certification examination (see “certification examination”), an examination response form, or any other information desired by the PFBC.
4. The student manual will include chapter review exercises to aid students in retention of the material.

Graphics quality

1. The student manual will contain graphics to illustrate important information. All graphics will be full-color and realistic.
2. The student manual will, in addition, contain photographs to illustrate important information. All photographs will be high-resolution color photographs showing only current model boats.
3. All graphics and photographs illustrating persons in boats will show the persons properly wearing U.S. Coast Guard approved PFDs, unless the graphic or photograph is marked clearly as a prohibited situation.

Cover design and page layout quality

1. The student manual cover will be designed to give a Pennsylvania-specific, attractive, and contemporary look.
2. Layout of the student manual’s text pages will be consistent throughout and have an attractive, easy-to-read, and contemporary look.

Video and/or DVD

Overview

1. The video and/or DVD must be a companion to the student manual. It must be available in VHS or DVD formats. The boater education video must contain up-to-date legal requirements, be at least 60-minutes in length and closed-captioned. It will cover, at a minimum, federal boating laws, required equipment, navigational rules and aids, and how to handle boating emergencies. The boater education video and/or DVD will follow the chapters in the student manual.

Video quality

1. Video will be contemporary and professionally presented.
2. Audio and video tracks on the boater education video will be of good quality.

3. Video will be produced with professional equipment.
4. DVD version will have a menu allowing play of each chapter.

Certification Examination

1. The video course will include a comprehensive certification examination. The course provider will provide PFBC with a pool of at least 300 questions written to NASBLA Education Standard 9, and PFBC may choose state-specific questions from the pool of at least 30 such questions developed by Course provider and written to NASBLA Education Standard 9.
2. Video course will include at least one (1) examination response form.
3. Video course will be designed to meet NASBLA requirements for examination security.
4. Course provider will provide grading of the certification examination and notify students of their scores.

Certification

1. The video course registration process will contain PFBC defined personal data fields to be collected from student applicants.
2. The registration process will check that all required data fields have been supplied by the student, and the process will allow data for fields such as hair color or race to be selected from a PFBC-specified list of allowed values.
3. Students passing the course certification examination with a minimum grade of 80% will be issued a temporary boating safety education certificate. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the PFBC and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, signature of instructor and date, signature of student and date, instructions on how to obtain a permanent boating safety education certificate at a later date.

Exhibit A

Video course promotion and advertising

1. All promotion of the video course will be done ethically and honestly and will not mislead the public in any way. Promotions will not include contests or give-away promotions
2. Course provider will not receive direct or indirect compensation for providing an advertisement or link to another website from within the Internet course unless approved in advance in writing by the PFBC.

General Course Provider Tasks and Qualifications

The course provider will:

1. Employ sufficient staff to develop, maintain, operate and manage the course.
2. Issue temporary boating safety education certificates approved by the PFBC to students successfully completing the video course.
3. Generate any reports on the student data and financial transactions that are requested by the PFBC including, but not limited to, year to date and monthly reports showing student demographics and fees collected.
4. Handle the purchase of PFBC boating safety education certificates by successful students as part of the video course certification process and transfer the associated fees and certificate-purchaser data to the PFBC, electronically or in any agreed format to by the course provider and the PFBC, on at least a monthly basis.
5. Pay PFBC fees by check or electronic fund transfer.
6. Provide an E-mail address that allows users to contact the course provider and respond to all inquiries within 24 hours. (Automated responses merely stating that the user's E-mail has been received will not satisfy this requirement.)
7. Respond to PFBC and public queries promptly.
8. Answer all technical questions related to using the video-correspondence course, and also any questions related to boating safety, laws, or other information that can be answered from the course material.
9. Forward any questions that cannot be answered with confidence to a designated PFBC contact.
10. Allow the PFBC to use graphics, text, animations and video from the video-correspondence course for other PFBC boating courses or education efforts.
11. Maintain a complete backup of the student data for a period of five (5) years and make available to the PFBC, upon request, a complete copy of the digital files of the student data.

12. Provide a bond of a \$20,000 in the form specified by the PFBC to indemnify the PFBC against any loss or damage of monies that course provider collects on behalf of the PFBC (for example, fees collected for purchases of the PFBC-required boating safety education certificates) upon execution of the agreement between the course provider and the PFBC.
13. Collect all student data fields desired by the PFBC.
14. Adhere strictly to a privacy policy that ensures that student data will not be transferred to any party other than the PFBC and will not be used by course provider for any purpose except to issue students' certification cards. In the event course provider fails to adhere to this privacy policy, course provider agrees to pay the PFBC the sum of \$100 for each name or other piece of student data transferred or used in violation hereof. The course provider will state this privacy policy clearly in the video-correspondence course material.

Transfer of Data, Fees and Reports

The course provider will:

1. Pay all certification fees and administrative fees by check or electronic fund transfer on a monthly basis or other term as required by the PFBC.
2. Transfer student data to the PFBC digitally and securely in the form and format established by the PFBC.
3. Generate any reports on the student data and financial transactions that are requested by the PFBC including, but not limited to, year to date and monthly reports showing student demographics and fees collected.

Video Course Ordering and Fulfillment

The course provider will:

1. Fulfill orders of the video course and mail them to purchasers within five (5) business days of receipt of an order.
2. Provide a toll-free telephone service for the public to order the video course.
3. Set up the video course registration process to collect the student data fields requested by the PFBC.

Adherence to Payment Card Industry Security Standards

Course provider will obtain and maintain certification by the Payment Card Industry (PCI) to ensure course provider's secure handling of students' credit card data. The PCI audits will cover course provider's web server, data management system, and associated networks. Additionally, course provider will meet those same payment card security standards with respect to course provider's handling of students' personal data. Detailed requirements are found in the document

titled “Payment Card Industry (PCI) Data Security Standard” and can be downloaded from www.pcisecuritystandards.org.

Course Fees

Course provider may charge users a fee not to exceed \$40 (not including shipping and handling) for the video course materials and to take the first certification examination. Additional examination fees for video course with more than one examination may not exceed \$10 per examination.

Boating Safety Education Certification Fee

Students who take the video-correspondence course must be given the option by the course provider of paying the \$10 fee required to obtain Pennsylvania boating safety education certification as follows:

1. Some students who purchase the video-correspondence course may choose to never send in their certification examination, and therefore, the \$10 fee cannot be collected at the time of purchase. However, the fee can be collected at the time the student mails in his/her certification examination for grading to the course provider.
2. The course provider will allow students to pay the PFBC’s boating safety education certification fee by indicating this on the examination response form. The student, at his/her option, may pay the \$10 fee to the course provider for the boating safety education certificate, in addition to the existing (if any) examination processing fee. The course provider will process the \$10 fee as follows:
 - If the student passes the examination, the course provider will transfer the \$10 fee to the PFBC on a monthly basis.
 - If the student fails his/her first or second examination, the course provider will send the student a failure notice and a new examination response form, which the student may return at no additional charge (if applicable). The course provider will hold the \$10 fee awaiting the next attempt. If the student passes on his/her next try, the course provider will transfer the \$10 fee to the PFBC.
 - If the student fails his/her third attempt at the examination, the course provider will send the student a final failure notice and refund the \$10 fee to the student.

Administrative Fee to PFBC

The course providers will pay the PFBC an administrative fee of \$5 for each video course certification examination submitted by a student to the course provider.