

**OFFICE OF CHIEF ACCOUNTABILITY OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**September 23, 2021**

**OFFICE OF SAFE AND ORDERLY SCHOOLS**

- I. Approval of the supplemental curriculum to the Mississippi Driver Education Course as developed by the Department of Public Safety in accordance with Miss. Code Ann. §§ 37-25-5 and 37-25-29 effective with school year 2022 – 2023

Background Information: In accordance with Miss. Code Ann. § 37-25-29, the Department of Public Safety (DPS) developed a program of study on how persons should properly respond when stopped by law enforcement officers. The prescribed supplemental course of study was developed by the DPS in collaboration with other state law enforcement organizations and state agencies.

This supplementation curriculum shall be taught to students as part of the state driver education and training program and as part of a driver education program taught to students attending nonpublic schools.

Upon approval by the State Board of Education in accordance with Miss. Code Ann. § 37-25-5, the supplemental curriculum shall be implemented as part of the Driver Education course curriculum effective with the 2022 – 2023 school year.

Recommendation: Approval

Back-up material attached



## **SUPPLEMENTAL DRIVER'S EDUCATION CURRICULUM**

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**PUPIL TRANSPORTATION ADMINISTRATOR**

**DIVISION OF PUPIL TRANSPORTATION**

**SECTION ONE**

**DISCUSSION:**

This course section is designed to be dialogue-driven to fully engage students and assess their overall understanding of law enforcement interactions, traffic safety, and safe practices when involved in traffic stops.

**OVERVIEW:**

Instructors should facilitate the open discussion forum to cover driver safety and Mississippi law enforcement interactions and traffic safety concepts. Instructors should encourage students to ask questions and articulate their overall understanding and perception of law enforcement. Instructors should allow students to express their views and refrain from judging their respective experience/encounters. Additionally, Instructors should convey the concept of mutual respect.

**QUESTIONS: (Cover course definitions)**

1. Why do you think law enforcement exists?
2. Have you had any interactions with law enforcement officers?
3. What did you think or feel during and following such interaction(s)?

**DISCUSSION GUIDELINES:**

- Be kind and respectful to others
- Use full sentences
- Don't use too much jargon
- Treat others as you wish to be treated
- Use language that supports others

**WRITING ASSIGNMENTS:**

The goal of this assignment is to help you understand the purpose of traffic safety, the roles of law enforcement, and interactions between citizens and law enforcement officers. Please write a one-page summary of the course discussion and what you learned during this session.

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_

## LEO INSTRUCTOR'S GUIDE

### **Section One** (Continued)

Instructors should review the following to ensure students understand concepts, laws, and definitions:

#### **Miss. Code Ann. §63-1-41**

“Every licensee shall have the required license in his immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a justice court judge, a peace officer or license examiner or other authorized employee of the commissioner.”

#### **Miss. Code Ann. §63-3-201. Breach as misdemeanor (See §63-3-203)**

“It is unlawful and, unless otherwise declared in this title with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden by this chapter or to fail to perform any act required in this chapter.”

#### **Miss. Code Ann. §63-3-203. Not complying with police officer's orders**

“No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control, or regulate traffic.”

#### **Definitions:**

**Traffic Regulation** – TR is a major job of the police. Police regulate the flow of vehicles, investigate accidents, and enforce traffic laws. Besides helping maintain order, enforcement of traffic laws educates the public by promoting safe driving habits and provides a visible service to the community.

**Traffic Stop** – A stop can occur when an officer observes a traffic violation, including defective safety equipment, or when there is a basis for reasonable suspicion concerning the involvement of the car, its driver, or its passenger(s) in a crime.

**Consent Search** – A permissible warrantless search of a person, vehicle, home, or other location based on a person with proper authority or the reasonable appearance of proper authority voluntarily granting permission for the search to take place.

**Citation** – A citation, or summons, to appear in court. Commonly referred to as a “ticket,” a citation is often issued to a person accused of committing a traffic offense or other minor violation.

**The Police Role** – The primary roles of police are enforcing laws, maintaining public order, and managing public safety. The primary duties of police include the investigation, apprehension, and detention of individuals suspected of criminal offenses.<sup>1</sup>

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<sup>1</sup> <http://bis.ojp.gov/topics/law-enforcement>

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_\_

## **SECTION TWO**

### **DISCUSSIONS:**

This course section is designed to be dialogue-driven to engage students and introduce traffic stop protocols. In this section, students will learn the ideal initial actions to take place during traffic stops and recommended safety guidelines for traffic stops. (If applicable, please use MDE approved course support materials to enhance learning objectives)

### **OVERVIEW:**

Instructors should facilitate the open discussion forum to cover law enforcement equipment activation to initialize a stop. Instructors shall verbally explain (recommended?) driver actions for safety during initial vehicle contact, stop, and information exchange. Instructors should encourage students to ask questions and articulate their overall understanding and perception of traffic stops. Instructors should allow students to express their views and refrain from judging their respective experience/encounter. Additionally, Instructors should convey the concept of mutual respect.

### **QUESTIONS:**

1. What should you do if a police vehicle initiates emergency lights behind you?
2. Where should you attempt to stop your vehicle?
3. Why is it important to always know where your necessary documentation (license, registration, proof of insurance) is located?

### **DISCUSSION GUIDELINES:**

- Be kind and respectful to others
- Use full sentences
- Don't use too much jargon
- Treat others as you wish to be treated
- Use language that supports others

### **WRITING ASSIGNMENTS:**

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_

## LEO INSTRUCTOR'S GUIDE

The goal of this assignment is to help you understand the aspects of a traffic stop and safety recommendations for participating in a traffic stop. Please write a one-page summary of the course discussion and what you learned during the session.

### **SECTION TWO** (Continued)

Section two is a vital part of this course. Instructors should take time to review educative material and also cover safe locations for traffic stops during low-light and/or night-time hours.

#### **Finding a Safe Location**

Students should understand the importance of acknowledging emergency light activation by slowing the vehicle and initiating hazard lights to show emergency officials compliance and stopping intentions. (Instructors must ask students if they know where hazard-lights are typically located and its symbol indicator)

Instructors must articulate and reassure students that it is permissible to find a safe location only after slowing the vehicle and initiating hazard lights acknowledging the officer's presence. Instructors must also explain finding safe areas must be reasonable in timing, and the vehicle should stop at the most convenient and available site.

#### **A safe location can be the following:**

Exiting a highway system and parking at a business location (gas station) that is well lit.

Finding an area deemed safe and adequate in spacing for the driver and enforcement vehicle.

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_\_

### **SECTION THREE**

#### **DISCUSSIONS:**

This course section is designed to be dialogue-driven to fully engage students, introduce traffic stop simulations, consensual search, and actions after receiving a citation. In this section, students will voluntarily participate in simulated traffic stops with the course assigned instructor. (Please use a desk in the classroom space for simulation.)

#### **OVERVIEW: (Cover course definitions)**

Instructors should facilitate the open discussion forum to cover all aspects of the traffic stop, information exchange, and safety guidelines. Instructors shall verbally explain ideal driver actions for safety during initial vehicle contact, stop, and information exchange. Instructors should define consensual searches. Instructors should encourage students to ask questions and articulate their overall understanding and perception of traffic stops. Instructors should allow students to express their views and refrain from judging their respective experience/encounter. Additionally, Instructors should convey the concept of mutual respect.

#### **QUESTIONS:**

1. What did you see during this practical demonstration?
2. What should you do after receiving a citation?
3. How should you re-enter traffic following a traffic stop?

#### **DISCUSSION GUIDELINES:**

- Be kind and respectful to others
- Use full sentences
- Don't use too much jargon
- Treat others as you wish to be treated
- Use language that supports others

The instructor did not deviate from module standards, and all content on this page was covered.

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**WRITING ASSIGNMENTS:**

Please write a one-page summary of the course discussion, including your learning experience and what could be done better to assist future students during this course.

**SECTION THREE**

Once you have stopped your vehicle after being signaled to do so by law enforcement, you should turn off the ignition and, if it is dark outside, turn on the internal light of your vehicle so that the officer can see what is happening inside the vehicle and know that you are not presenting a threat. You should then roll down the window where the officer is approaching and place your hands on the steering wheel of the vehicle. Avoid sudden movements, and keep your hands where the officer can see them. Before reaching for anything, such as your driver's license, proof of insurance or registration, advise the officer what you are doing.

Instructors are encouraged to show a traffic citation from their respective agency to cover the contents of a ticket, contact numbers for court communications to contest, and agency contact information to file a compliment or complaint regarding their interaction with the law enforcement officer(s) during the traffic stop. Instructors should articulate the importance of including a guardian to make telephonic contact with the agency to communicate with supervisory personnel to remedy a complaint.

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_



# LEO INSTRUCTOR'S GUIDE

UNIFORM TRAFFIC TICKET		DRIVING UNDER THE INFLUENCE	
STATE OF MISSISSIPPI			
JURISDICTION DISTRICT	COURT CODE		
IN THE COURT DESIGNATED BELOW, THE AFFRANT HEREIN, BEING DULY SWORN, UPON OATH DOES DEPOSE AND SAY: AT THE FOLLOWING LOCATION, TIME AND DATE:			
LOCATION	DISTRICT	HIGHWAY STREET	
DAY	DATE	TIME OF STOP	ADROBITY
		AM P.M.	<input type="checkbox"/> YES <input type="checkbox"/> NO
NAME (PRINT NAME UNDER NAME LAST FIRST)			
ADDRESS			
CITY		STATE	ZIP CODE
DRIVER LICENSE NUMBER	COLOR	STATE	SEX RACE DATE OF BIRTH
VEHICLE LICENSE NUMBER	STATE	YEAR	MAKE MODEL VEHICLE TYPE
<p>THAT THE AFORESAID PERSON DID UNLAWFULLY AND AGAINST THE DIGNITY AND SOVEREIGNTY OF THE STATE OF MISSISSIPPI WILLFULLY OPERATE A MOTOR VEHICLE IN THIS STATE:</p> <p><input type="checkbox"/> Under the influence of intoxicating liquor in violation of Section 63-11-201(a), Miss. Code Ann. (1972).</p> <p><input type="checkbox"/> Under the influence of any other substance which impairs the person's ability to operate a motor vehicle in violation of Section 63-11-201(b), Miss. Code Ann. (1972).</p> <p><input type="checkbox"/> Having ten one-hundredths percent (10%) or more alcohol in his or her blood, to-wit: _____, in violation of Section 63-11-201(c), Miss. Code Ann. (1972).</p> <p><input type="checkbox"/> Under the influence of any drug, to-wit: _____, the possession of which is unlawful under the Mississippi Controlled Substances Act, in violation of Section 63-11-201(d), Miss. Code Ann. (1972).</p> <p><input type="checkbox"/> That said person had previously been convicted of a violation of Section 63-11-201(a), Miss. Code Ann. (1972) _____, and that said person is being charged as a _____ offender within five (5) years, under Section 63-11-201(i), Miss. Code Ann. (1972).</p> <p><input type="checkbox"/> Violates pursuant to Commercial Driver's License Law</p> <p><input type="checkbox"/> Required placed under Hazardous Materials Transportation Act.</p>			
FURTHER, AFFRANT STATES THAT HE OR SHE HAS PROBABLE CAUSE TO BELIEVE, AND DOES BELIEVE, THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW.			
AFFRANT/OFFICER'S SIGNATURE _____		UNIT # _____	
SWORN TO BEFORE ME, THIS THE _____ DAY OF _____, 19 _____			
(NAME AND TITLE)			
APPOINTMENT DATE BEFORE THE _____ COURT, COUNTY OF _____			
On the _____ DAY OF _____, 19 _____ AT _____ A.M. P.M.			
CASE # _____ PAGE # _____		ORIGINAL/AFFIDAVIT THIS COPY MUST BE FILED WITH THE COURT OR COURT CLERK	
DOCKET # _____			
MS-004-4      © & Publication - P.O. BOX 6688 - DALLAS, TEXAS 75266			

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_\_

**QUESTIONS:**

1. Why should you slow down below the speed limit and turn on hazard lights as you exit a highway to pull over after a law enforcement officer activates their emergency lights/siren behind you?

For your safety. It indicates to the officer that you've seen their flashing lights and are pulling over or looking for safe place to pull over.

2. Why should you place your hands on the steering wheel while an officer is approaching your vehicle during a traffic stop?

For the officer's safety and your own. It signals to officer that you are not armed.

3. When should you retrieve your driver's license, registration and insurance? Why?

After the officer has approached your vehicle. You should notify the officer of the location of your items and advise the officer that you are going to get the items.

Certain movements such as reaching and searching for required documents before the officer approaches the vehicle, could be interpreted as a threat to the officer's safety or indicate possible criminal activity.

4. If you are involved in a traffic stop as a passenger, you may leave if you are not detained.

True False

5. An officer will always approach your vehicle from the driver side.

True False

6. You can be arrested for not stopping when the vehicle performing a stop is a marked law enforcement vehicle.

True False

7. What should you do once the officer has indicated that the stop is complete?

You should give the appropriate signal and re-enter traffic safely. Do not wait for the officer to re-enter traffic first.

8. Drivers can find a safe location to stop the vehicle after slowing and initiating a turn signal or hazard lights.

True False

9. What are your rights during a traffic stop initiated by law enforcement?

- a. You may exercise your right to remain silent, as guaranteed by the 5th Amendment.

The instructor did not deviate from module standards, and all content on this page was covered.

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LEO INSTRUCTOR'S GUIDE

- b. You may continue to exercise your right to remain silent throughout the traffic stop. The person exercising their right to remain silent should tell the officer, "I am exercising my right to remain silent."

The instructor did not deviate from module standards, and all content on this page was covered.

Initials \_\_\_\_\_

West's Annotated Mississippi Code  
Title 37. Education  
Chapter 25. Driver Education and Training

Miss. Code Ann. § 37-25-5

§ 37-25-5. Promulgation of rules; administrative budget

Currentness

The State Superintendent of Public Education shall prepare and recommend to the State Board of Education, and the board shall adopt rules and regulations governing the establishment, conduct and scope of driver education and training programs in secondary schools of this state, subject to the requirements and exceptions set forth in this chapter. Said program shall be established and maintained only in accordance with such rules and regulations. The state driver education and training program in secondary schools of this state shall include a program of study for alcohol and safety education as it pertains to driver and highway safety and shall also include instruction relating to organ and tissue donation and organ and tissue donation procedures, and shall include instruction on the litter laws of the state and the responsibilities of the driver and all passengers to dispose of litter in the proper container. The state driver education and training program in secondary schools of this state shall also include a program of study, developed by the Department of Public Safety under Section 37-25-29, on how persons should properly respond when stopped by law enforcement officers.

The State Superintendent of Public Education shall prepare an administrative budget from funds made available under this chapter which budget shall be approved by the State Board of Education. It shall be the responsibility of the State Superintendent of Public Education to administer this program in accordance with rules and regulations established by the State Board of Education and to appoint the necessary supervisors of safety education and the necessary clerical personnel.

**Credits**

Laws 1962, Ch. 341, § 3; Laws 1970, Ch. 361, § 1; Laws 1985, Ch. 470, § 1, eff. July 1, 1985. Amended by Laws 2002, Ch. 481, § 1, eff. July 1, 2002; Laws 2017, Ch. 430 (H.B. No. 907), § 11, eff. July 1, 2017.

Miss. Code Ann. § 37-25-5, MS ST § 37-25-5

The Statutes and Constitution are current with laws from the 2021 Regular Session effective through July 1, 2021. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

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West's Annotated Mississippi Code  
Title 37. Education  
Chapter 25. Driver Education and Training

Miss. Code Ann. § 37-25-29

§ 37-25-29. How persons should properly respond when stopped by law enforcement officers; incorporation into driver education and training programs

**Currentness**

(1) The Department of Public Safety shall develop a program of study on how persons should properly respond when stopped by law enforcement officers to be taught to students as part of the state driver education and training program and as part of a driver education program taught to students attending nonpublic schools.

(2) Any program developed by the Department of Public Safety under this section shall incorporate in that curriculum the constitutional rights that drivers have when encountering a law enforcement officer, including, but not limited to, consent to search and refusal to provide information not pertinent to the traffic stop.

**Credits**

Added by Laws 2017, Ch. 430 (H.B. No. 907), § 10, eff. July 1, 2017.

Miss. Code Ann. § 37-25-29, MS ST § 37-25-29

The Statutes and Constitution are current with laws from the 2021 Regular Session effective through July 1, 2021. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

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