

# National Association of State Boating Law Administrators

## Education & Awareness Committee Meeting Minutes

April 18-19, 2009

Panama City Beach, Florida

*Please note that final work on committee charges (with the exception of the two grant projects) must be finished and delivered to the subcommittee chairs no later than Friday, June 5.*

Committee chair Fred Messmann (NV) welcomed members and guests in attendance.

State members and guests in attendance included Fred Messmann (NV), Marty Law (OR), Betsy Woods (TN), Pam Dillon (OH), Tim Smalley (MN), Brian Rehwinkel (FL), Erika Nighswonger (KS), Emily King (OH), Dan Martin (PA), Brandi Bradford (TX), Ed Huntsman (AZ), Joe McCullough (AK), Mark Brown (OK), John Annino (CT), Tony Cardoza (NH), George Agganis (MA), Kim Jackson (ID), Terry West (GA), Erica Shipman (AL), Liz Lodman (MT), Anne Rogers (MD), Ann Evans (UT), MariAnn Koloszar (OR), James Hatton (DC), Stephen Verchinski (NM) and Richard Moore (FL).

Associate members and guests in attendance included Kurt and Cindy Kalkomey (Boat Ed), Kerry Moher (BoaterExam.com), Steve Nolan (BoaterExam.com), Chris Edmonston (BoatUS), Ruth Wood (BoatUS), Amanda Suttles (BoatUS), Rachel Burkholder (NSBC), Virgil Chambers (NSBC), Robin Freeman (USCG-AUX), Anne Lockwood (USCG-AUX), Stephanie Hussey (RBFF), Bruce Rowe (Forever Resorts), Gene Molteni (USPS), Bob Sweet (USPS), Jo Mogle (US Sailing), Jeremy Oyen (ACA), Bill Gossard (NTSB), Guy Sorensen (Chesapeake Marine Training Institute), Mark Wilson (Foundation for Rowing Education), Krista Kendall (Transport Canada), Naim Nazha (Transport Canada), Wayne Stacey (USCG), Kim Jenkins (NASBLA), John Johnson (NASBLA), Ron Sarver (NASBLA), Tom Hayward and Gail Kulp (NASBLA)

**The meeting was opened with Fred Messmann calling the meeting to order. Brief introductions were made of the subcommittee chairs and other people around the room.**

Ohio BLA, Pam Dillon, was introduced as acting vice-chair in the absence of Dave Dahms.

NASBLA President Richard Moore addressed the committee and thanked them for their work. He also emphasized the importance of their work in that it would be used by the Association to develop policy. Finally, he spoke about the work of including the state-specific information into boating safety courses and the need to streamline this process to make it easier on the state members and the course providers.

Gail Kulp presented a prototype of a boating safety course that pulled state-specific information from a database. Although this example was meant to look like an online course, it was made clear that NASBLA does not intend to create a course. Instead, this prototype was made to look like a course so that everyone could see the finished product. The site contained state-specific information from four states (Florida, Nevada, Oregon and Tennessee) covering four different content areas (PFDs, education requirements, boat registration and alcohol use). A link to the prototype website can be found online at <http://web.missouri.edu/~reidda/dev/nasbla/index.php/home>. In addition, two separate video clips are available to explain how to navigate the site. These video clips are available online at <http://tinyurl.com/nasbla070> and <http://tinyurl.com/nasbla071>. Discussion took place during and after the presentation. This presentation was also made on April 17 for the Course Providers Workshop. More details on this meetings are listed at the end of this report.

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*The subcommittees met separately for the remainder of the day and for the first hour the following morning. The entire committee reconvened the following day so that the subcommittees could report on their progress towards completion of the charges. In the minutes listed below, the notes only reflect the final reports made to the entire committee and do not show discussions or work completed while the subcommittees were working separately.*

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### **Marketing & Outreach Subcommittee**

Since the subcommittee chair, Ed Lyngar, was unable to attend the meeting, NASBLA staffer, Tom Hayward, led the subcommittee report.

A presentation was made by Bruce Rowe of Forever Resorts during the subcommittee meeting. Bruce asked for assistance from the marketing subcommittee on the Pre-Rental package and set of checklists. NASBLA will also help in revising the PWC Orientation checklist for use.

Pam Dillon, representing the NASBLA RBS Grants subcommittee, also requested and received assistance from the marketing subcommittee in getting state-specific materials and information to the legislatures to help educate them on boating safety information.

#### **1. Develop a national campaign on boating and alcohol awareness (RBS 2.2, 2.6)**

Brandi Bradford reported on the status of this charge. The committee has been working to implement and organize Operation Dry Water in its first year. This event will take place during the weekend of June 26-28 and will be a law-enforcement-focused weekend including saturation patrols and BUI checkpoints. A logo, slogans, press release kits, list of national statistics and an audio PSA are all being created for use by the states. The goal this year is to monitor state

participation in it and use a measurement tool to gauge success. A website will be available for states to get information and materials. The address is [www.operationdrywater.org](http://www.operationdrywater.org). The funding to support this project has been made possible from the USCG and PCI marketing firm.

Next year, NASBLA will continue this project and also create a national BUI campaign (similar to the National Safe Boating Council's "Wear It" Campaign).

**2. Develop a strategy for disseminating boating safety information to limited English proficient (LEP) audiences. (NASBLA 2.2, 2.3) (RBS 2.4)**

Tom Hayward reported that the subcommittee had changed the wording of the charge from non-English speakers to Limited English Proficient (LEP). The subcommittee developed a strategy statement and template for states to use. These materials include a survey that can be used by the states to help them assess their needs in terms of their LEP populations. Other materials in the project report will include examples of publications created by other states, audio and video PSAs created by other states, a resource list including how to contract with translation companies, and examples of successful outreach programs.

**3. Increase state participation in the National Safe Boating Council's "Wear It" Campaign. (NASBLA 1.3, 1.5) (RBS 2.2, 2.3, 2.6)**

Brian Rehwinkel reported that a document has been created by the NSBC which includes links, information and ideas of ways that states can participate in the campaign. In addition, emails will be sent to the state education coordinators with press kit information on National Safe Boating Week.

Standing Charges:

**1. Suggest and solicit content to be added to the online MARC library of RBS outreach materials on the NASBLA website. (NASBLA 1.4, 1.5, 2.3, 3.5) (RBS 2.2, 2.3, 2.4)**

Tom Hayward reported that materials continue to be solicited and added to the Marketing and Advertising Resources Catalog (MARC) library. There will also be a newsletter articles soliciting contributions in the NASBLA May newsletter.

A request from the membership was made to include the state education requirements in a location where it was easier to find online and this can be easily done.

**Education Standards & Best Practices Subcommittee**

Marty Law is the subcommittee chair and he led the report by asking the charge leaders to make reports for their work.

**1. Provide an oversight, advisory committee for the Risk-Based Analysis of the National Boating Education Standards as part of the FY-09 Grant Project. (NASBLA 1.4, 2.2, 2.4) (RBS 1.4.1, 5.3, 5.5, 8.2)**

Gail Kulp reported that the advisory committee met with the researchers for three GoToMeetings prior to the in-person meeting on April 18. There were 18 committee members in attendance for this meeting. The researchers included Dr. Stuart Cottrell (Colorado State University), Dr. Alan Graefe (Penn State University) and Dr. Bill Hug (California University at Pennsylvania). During the meeting, the researchers explained that their work up until this point involved reviewing and analyzing 10 years of USCG accident/fatality data to determine trends or to see if there was an increase or decrease in statistics. They then matched the data to the standards and the advisory committee discussed each standard in terms of the accident/fatality statistics to determine what content should remain and what content could be changed or deleted from the standards.

The next steps include studying the USCG data to determine if there is anything new that should be added to the standards. In addition, further (in-depth) analysis based on length of boat will be made to determine if there is any more details to shed light on the data. A meeting will be held on June 29 in Lexington, Kentucky to begin working on a draft of the revised standards. From there, the advisory group will work with the researchers to determine the appropriate weight for the standards within the course and the final exam. A best practices checklist will also be developed based on the standards.

**2. Develop a set of best practices for advanced (on-water, skills-based) boating education courses. (NASBLA 2.2, 2.3) (RBS 3.3, 3.4)**

Ed Huntsman reported that a total of 42 courses were identified in a survey conducted by the subcommittee last year. A total of 15 courses were received by the subcommittee for review. The list of courses is found below:

1. Canadian Yachting Association Introduction to Boating
2. Canadian Yachting Association Learn to Intermediate Powerboat
3. Canadian Yachting Association Learn to Basic Powerboat
4. Canadian Yachting Association Learn to Outboard Powerboat
5. Chapman's Basic Power Boating (Course 1000)
6. Chapman's Boating Essentials (Course 100)
7. Chapman's Powerboat Handling (Course 200)
8. USCG Auxiliary On-Water Training
9. US Power Squadrons Advanced Certifier 1
10. US Power Squadrons Boat Operator Certification
11. US Sailing Basic Powerboat Cruising Course
12. US Sailing Cruising Powerboat Standards
13. US Sailing Safe Powerboat Handling Course
14. US Sailing Safety and Rescue Boat Handling Course

## 15. US Sailing Powerboat Instructor Certification

Pam Dillon reported that definitions were created by a subcommittee for the National Boating Safety Advisory Council (NSBAC) which separated advanced and on-water education into two different areas.

-Advanced Education is defined as any course of instruction that goes beyond a basic boating safety course that is NASBLA-approved.

-On-Water Education is defined as any course of instruction that is boat-based for skills development, regardless of the level of the course content.

It was noted that there were no courses listed by the American Canoe Association (ACA). Jeremy Oyen of the ACA was solicited to submit a review of these courses for the committee checklists and he agreed to do so.

The review of the materials will lead to the creation of a checklist of universal elements that all of these courses had in common. This checklist will become the list of best practices. In addition, the subcommittee will develop a position paper to encourage boat dealers to persuade buyers to take an on-water course.

The charge group members have reviewed the courses and made notes that will be discussed at the committee meeting. These notes will be compiled into a list of the best practices which include curriculum components, instructor competence and certification, liability insurance, context of the course setting, a list of necessary materials and equipment to teach a course as well as other topics.

### **3. Determine if any changes are needed in the National Boating Education Standards with regards to boating terminology found in NASBLA- approved boating safety courses. (NASBLA 2.2, 2.3) (RBS Objective 4)**

Joe McCullough reported that changes in the standards language are not necessary. The Standards are intended to provide guidance to the course providers in what topics must be included in the boating safety courses, not how to include that content. In addition, the preamble to the Standards states that terminology should be clearly defined within the course materials. In regard to the issue of life jackets vs. Personal Flotation Devices, the correct legal term is Personal Flotation Device (PFD), not "life jacket." It is important that both of these terms be used in the courses so that boaters are aware of both terms. The subcommittee will write a briefing paper explaining this issue as well as encouraging course providers to add a glossary to their courses which defines a set of words.

**4. Develop an instructor training course for the new Paddlesports Standards (NASBLA 2.2, 2.3, 2.4) (RBS 8.2)**

Emily King reported that the charge group has nearly completed the work for this charge. The instructor training course curriculum is complete and was modeled after the course offered by the National Safe Boating Council for the National Boating Education Standards. The curriculum is for a three-day course which will include both classroom and on-water aspects. A sample lesson plan is in development. The curriculum will go before the NASBLA membership in September for a vote and the first course will be held in October in Ohio. The course will also be offered in conjunction with the IBWSS next year in Daytona Beach, Florida.

It is important to note that there is no NASBLA requirement for instructors to take either the National Boating Education Standards instructor training course nor will there be any requirement for instructors to take the Paddlesports Standards instructor training course. With that said, there are a number of states and private organizations which do require instructors to be certified and these courses provide a set of materials so that states do not have to create them on their own.

Emily also brought up the fact that the subcommittee should begin thinking about how to track the number of students being educated in paddlesports courses because this may be captured on the USCG Performance Report Part II in the future.

**5. Develop a strategy for disseminating boating safety information to limited English proficient (LEP) audiences. (NASBLA 2.2, 2.3) (RBS 2.4)**

Stephen Verchinski reported that he had researched the top 10 languages represented nationally by each state and wishes to survey the education coordinators in order to determine what content should be included in the materials as well as to request that states send copies of already-created materials.

A committee member noted that the Marketing subcommittee had already accomplished all of this and questioned why two subcommittees had been charged with the same thing. It was explained that both subcommittees were charged with the same task so that they would be able to work together to complete the task. The Standards subcommittee would create a template for the content and the Marketing subcommittee would develop a strategy for getting the content to the LEP audiences.

**6. Develop and implement a training program for new state education coordinators. (NASBLA 2.2, 3.3) (RBS 8.2)**

Erika Nighswonger reported that this was a continuation of a charge from three years ago. The subcommittee has created a draft outline of the curriculum which

will be for a 5 hour training course that will take place prior to the Education Committee meeting and start of IBWSS. The program will provide support, information, a mentor program, committee process details, explanation of boating safety courses and introduction to course providers, list of resources (media, activities, national statistics, etc.), explanation of awards given, conference information and a directory of all of the education coordinators. A final copy will be ready by June.

Standing Charge:

- 1. Create new test questions and add them to the existing NASBLA Testing Pool. Conduct training on how to write effective test questions in order to recruit more people to help with this charge in the future. (NASBLA 2.2)**

A training session will be held on the afternoon of April 19 to teach state committee members how to write NASBLA test questions. Emily King and Jo Mogle will conduct the training session.

**Boating Course Administration Subcommittee**

- 1. Provide an oversight, advisory committee for the creation of a set of best practices that may lead to a set of Delivery & Presentation Standards (also known as Standard 10) as part of the FY-09 Grant Project. (NASBLA 2.2, 2.3, 2.4)**

Emily King reported that the advisory committee had two GoToMeetings with the grant researcher working on this project. The researcher is Dr. Joi Moore from the University of Missouri. Dr. Moore conducted a study of boaters at the Miami and Minneapolis boat shows to determine the usability and ease of navigation for three online boating safety courses. The participants were asked to locate the same content information on three different sites and then answer questions about how easy it was to find the content and what they thought of the content once they found it. Over 90 people participated in this study. The researcher is still in the process of analyzing data before the second study of the courses in a lab setting will take place. This combined data will help determine what constitutes as a best practice for online learning and will lead to the creation of a set of presentation and delivery standards. The advisory group will meet with the researcher on June 30 in Lexington, Kentucky to discuss the results of the data and to begin to develop the list of best practices.

- 2. Develop a definition for “Reciprocity” and determine how this relates to the concept of “adequate education.” (NASBLA 1.4, 2.2)**

Tony Cardoza reported that a survey is in the process of being conducted to further define reciprocity. As of the meeting, 34 states had completed the survey, but the data shows that 100% of those states will accept a course completion card

if it is issued by a state agency and includes the NASBLA logo. Therefore, the subcommittee will likely recommend that all states issue their own certificates.

Tony also reported that the subcommittee has consulted with the Government Affairs Committee (RBS State Grants Subcommittee). They have learned that the USCG definition for “adequate education” is over 35 years old and that the USCG is at work updating that definition as well as many others. Emily King made a motion to request that the NASBLA Executive Board strongly urge the USCG to expedite the vetting process on the definition and complete their work so that it can be shared with the RBS community in a timely fashion. Brandi Bradford seconded the motion and the entire committee was in favor of this action.

**3. Develop a plan to monitor boating safety courses offered on the Internet. (NASBLA 2.2, 2.3, 2.4)**

John Annino reported that there were a number of arguments and issues with completing this charge, but that the subcommittee realized that the charge would not be here if problems with monitoring courses didn't exist. Therefore, the subcommittee determined that a monitoring plan would allow for random, unannounced reviews of courses in which the use of the NASBLA logo and adherence to the Standards and the Terms & Conditions would be reviewed. A part-time person would need to be hired by NASBLA to provide this service and the position would be funded by a combination of a flat fee collected from all providers and a series of fines levied for infractions. Any course provider who was found to be in violation of the rules could face a fine or have the NASBLA-approval of his course suspended for a period of time. The committee is currently developing a set of guidelines to be used to determine minor vs. major infractions and what punishments should be imposed for those cases. If a provider's approval status were to be suspended, when that time period ends, the provider may need to submit to a full review of the course again.

The subcommittee will continue to refine their monitoring plan and will write a briefing letter explaining the new process that can be shared with all of the NASBLA-approved course providers.

**Other Committee Business**

1. A course providers' workshop was held on Friday, April 17. There were 15 people in attendance representing two online courses, one private course provider, US Sailing, the US Power Squadrons, seven state agencies and a number of RBS partners.

The workshop began with a review of the 2007 workshop outcomes and a discussion of the parking lot issues that were listed at the time along with progress on addressing these issues. The prototype website for state-specific information

inclusion was presented to the attendees. In addition, the workshop included discussion on the monitoring plan for online courses, the work on the creation of a set of delivery and presentation standards through the grant research project and an introduction to the new Paddlesports Education Standards.

Four parking lot issues were created at the conclusion of the workshop. These are listed below:

1. Create a document confirming that course material has been “bought” by one provider from another provider.
  2. Create a set of best practices or a checklist that states can use to implement their own instructor training courses.
  3. Should the monitoring fee be assessed per course or per course provider?
  4. Allow for recognition to be posted for courses that have been monitored so that they can advertise that the yearly review ensures content accuracy.
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2. Tim Smalley reported that there had been a number of submissions for the Seal of Safe Boating Practices in the past year. He noted that it was important for a draft version of the product to be submitted so that suggestions and edits could be made. If the submission is received as a draft and is approved, then the final product can include the Seal of Safe Boating logo. This will be made clearer on the application document as well.
  3. Dan Martin spoke about a problem he is having with New Jersey and asked for help from other states or NASBLA. New Jersey does not require boating safety courses to be NASBLA-approved and their state certificates do not have the NASBLA logo on them. Therefore, this makes it difficult for boaters wishing to boat in other states and also makes it difficult for the state agencies to know whether the certificates should be honored for reciprocity. In addition, New Jersey also includes a class on their driver’s license for boating, but there is no requirement for students to complete a course to get this endorsement. Therefore, this does not qualify for proof of course completion.
  4. Fred Messmann announced that he was retiring in June after spending over 20 years as the Nevada Boating Law Administrator. Although he will miss the work with the state and NASBLA, he assured the committee that he would still be active in the boating safety community.
  5. Pam Dillon was named the acting chair so that the committee would have a strong leader in place after Fred’s retirement began.

**Final work on committee charges (with the exception of the two grant projects) must be finished and delivered to the subcommittee chairs no later than Friday, June 5. This will allow time for voting to take place on action items before the final products are due to be delivered to the NASBLA Executive Board on June 29.**

There being no further business or work to discuss, the committee adjourned.

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After the committee formally adjourned and had lunch, a test writing workshop was held to train state members and other attendees how to write effective NASBLA test questions. Emily King and Jo Mogle led the workshop. The information discussed came directly from the Standards and included the following:

- A. Each item in the examination will be a four-option multiple-choice question composed of a premise (or stem); a key (or correct alternative); and three distractors (or incorrect alternatives). Questions must be complete sentences.
  - B. A premise that states an opinion of an author or source, rather than reflecting a fact or principle, should use the statement, “According to. . . .”
  - C. The alternatives must be in a logical order if one exists.
  - D. A test item must be a grammatical and logical completion of the premise or a concise reply to the question asked.
  - E. Avoid overlapping alternatives.
  - F. Alternative must not combine options such as ‘all of the above’, ‘none of the above’, ‘a and b’, or ‘(1) or (2).’
  - G. When possible, avoid developing questions using negative words, i.e.: no, not, never. Also, NEVER use double negatives.
  - H. Avoid repeating information in all the alternatives that can be included in the premise.
  - I. Alternatives should not be distinguishable from the correct answer based on length.
  - J. Each test item must be linked to a NASBLA Standard and a recognized reference.
  - K. The test should include clearly written directions to the candidates on how to respond to the questions.
  - L. The correct answer for the test items should be equally distributed (or as nearly so as possible) among each of the options, i.e. 25% of the answers should be option a, 25% should be option b, 25% should be option c, and 25% should be option d.
  - M. There should be no more than three items in a row with the same option as the correct answer.
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At the National Safe Boating Council (NSBC) Membership Meeting that afternoon, it was announced that Fred Messmann will be the Deputy Director of the NSBC following his retirement from the Nevada Department of Wildlife.