I

# **TEXAS PARKS AND WILDLIFE DEPARTMENT HUNTER EDUCATION INSTRUCTOR MANUAL**

# I. PROGRAM, POLICIES AND PROCEDURES

# A. PROGRAM

- 1. HUNTER EDUCATION IN NORTH AMERICA
  - a. Purpose
  - b. History
  - c. Funding
  - d. Standardization: IHEA
  - e. Instructor Training
  - f. Supporting Organizations
  - g. Future
  - h. Summary
- 2. HUNTER EDUCATION IN TEXAS
  - a. Purpose
  - b. History
  - c. Funding
  - d. Supporting Texas Organizations
- 3. TEXAS HUNTER EDUCATION PROGRAM CHRONICLE
- 4. HUNTER EDUCATION INSTRUCTOR AWARDS/LEADERS
  - a. Sportsmen Conservationists of Texas "Volunteer Hunter Education Instructor of the Year" Awards
  - b. Texas Hunter Education "Hall of Fame" Awards
  - c. Hunter Education Program Coordinators

## B. POLICIES (Program Policies)

- 1. FEDERAL/STATE
- 2. TPWD
  - Fees Donations
  - Performance
  - Records
- 3. TEXAS HUNTER EDUCATION PROGRAMS Basic Hunter Education Advanced Hunter Education Outreach and Special Events Area Chief
- 4. HUNTER EDUCATION INSTRUCTORS Volunteers Teachers (Professional Educators) Game Wardens/TPWD Employees Area Chiefs
- 5. INSTRUCTORS SHOULD
- 6. INSTRUCTOR POLICIES
- 7. RISK MANAGEMENT, LIABILITY AND INSURANCE

8. PROGRAM PROVISIONS Instructor Supplies and Materials **Student Supplies and Materials** Communications **Record Keeping Publicity and Promotions** Recognition Special Events and Promotions **Pre-Service Training In-Service Training Instructor Levels** Assistant Instructor Master Instructor Area Chief Application and Training **Incentive Awards Tenure Pins** Hunting Accident/Incident Data **Instructor Discounts** 

#### C. PROCEDURES

- 1. BECOMING AN INSTRUCTOR
- 2. ORDERING SUPPLIES
- 3. PREPARING FOR A COURSE
  - a. Choosing a Class Site
  - b. Classrooms
  - c. Audio/Visuals
  - d. Field Exercises
  - e. Live Firing Exercises
  - f. Publicity
  - g. Pre-registration/Registration
  - h. Supplies and Materials
  - i. Videos
- 4. COURSE CHECKLIST
- 5. TO DO/SUPPLY LIST

#### D. APPROVED STUDENT MANUALS AND VIDEOS

# A. PROGRAM

#### 1. HUNTER EDUCATION IN NORTH AMERICA

#### a. Purpose

The mission of hunter education is to teach hunters to be safe, responsible, knowledgeable and involved. A North American network of information and coursework, hunter education is required of certain age groups of hunters in all 50 states and 10 provinces. Only Alaska, Northwest Territories, Nunavut and the Yukon Territory do not require hunter education, perhaps because they have more demanding hunting conditions and more stringent requirements such as the mandatory use of guides.

The goal of hunter education is to introduce people to the joys of shooting and hunting. There are over 30 million target shooters and 14 million hunters, 16 years of age and older, in the United States. Each year a total of over 700,000 hunters is trained in hunter education by over 65,000 hunter education instructors throughout North America, primarily by volunteers and professional educators trained by state and provincial fish and wildlife personnel.

#### b. History

Hunter education began formally in Kentucky in 1946 as part of their statewide youth camp program. **New York was the first state to initiate mandatory hunter education training in 1949.** Since then, over 26 million students have attended courses that teach firearm safety, hunting ethics and responsibilities, nomenclature, black powder safety, archery safety, wildlife conservation, survival, wilderness first aid and hunting techniques. Current courses are a minimum of ten hours, and many states require live-firing processes as part of course completion. States are currently looking at technologies that enhance the learning process and make courses more convenient to hunters. States also are looking at ways to educate the non-hunting public about the benefits of hunting and about conservation of natural resources. (See "History of Hunter Education in North America" Chronology.)

#### c. Funding

Hunter education in the United States is funded primarily by federal dollars, entitled "hunter safety apportionment," available to states from **"Federal Aid in Wildlife Restoration"** excise taxes paid for by purchasers of handgun and archery equipment (1972 Dingell-Hart amend-ment to the Pittman-Robertson Act of 1937). These federal dollars supplement state funds available through student fees, hunting license fees and/or similar revenues.

#### d. Standardization - IHEA

A professional organization entitled **International Hunter Education Association (IHEA) was formed in 1972** (then called North American Association of Hunter Safety Coordinators). Its purpose is to provide leadership and support to hunter education program administrative staff and instructors throughout North America. Comprised mainly of hunter education coordinators from each state, Canadian provinces, Mexico, South Africa, New Zealand Puerto Rico and the U.S. Virgin Islands, IHEA provides national information to the public and media regarding the successes of hunter education. It also is the organization responsible for hunter accident information provided on an annual basis. According to IHEA, "Because of hunter education, hunting is safe and getting safer!"

# e. Instructor Training

Each state and provincial fish and wildlife agency is responsible for training instructors who teach hunter education. Primarily volunteers, each instructor typically passes the student course, then attends an instructor course comprised of program information, policies and

procedures for effectively teaching a course in his or her area. Most instructors in North America are subject to a background investigation so jurisdictions can recruit volunteers with the right motivation, reputation and integrity. Most instructors also are provided with in-service training opportunities to further advance their knowledge and skills. Most are persistent and undying in their efforts to train students in the right ways to hunt. **The volunteer instructor is the backbone of hunter education in North America**.

# f. Supporting Organizations

State wildlife conservation officers or game wardens are trained as instructors too. They also conduct hunter accident/incident investigations and typically conduct the background investigation on volunteers applying to become hunter education instructors.

Many organizations support hunter education at the state and provincial levels. The **National Rifle Association** was the primary source of hunter safety courses before the state fish and wildlife agencies shouldered the responsibility. The **National Shooting Sports Foundation**, which annually sponsors "National Hunting and Fishing Day" (the last Saturday in September), has provided outstanding support for hunter education over the years. Recently, the Foundation has taken on a leadership role inviting people to experience the shooting sports through various efforts such as their "Step Outside" program and "Take Your Best Shot." They also sponsor the annual "Shooting and Hunting Outdoor Trade (SHOT) Show," the biggest outdoor manufacturer show of its kind for retailers of shooting and hunting products. The **International Association of Fish and Wildlife Agencies** provides leadership in the form of the **Hunter Education and Shooting Sports Committee** (formerly the hunter education committee established in 1971). Shooting and hunting industries have provided donations of cash, equipment and training aids to assist with the educational process since the programs were developed.

Publishers and cinema companies have assisted in the development of course materials, films and videos since the early seventies. Recently, many industries have surfaced with an interest in helping states and provinces enhance hunter education through the usage of the Internet, CD-ROM, video simulations, home study and similar methods/technologies.

## g. Future

The future of hunting is bright in North America because of the visionary expectations of hunters and conservationists who established a sound system of wildlife management and education. Hunter education is a proactive method that effectively reduces poor hunting behavior which is cited as the main reason why hunters could lose their hunting privilege. Of all of the methods, hunter education is also the most rewarding and the most positive for hunting's image.

## h. Summary

PURPOSE

- To teach hunters to be safe, responsible, knowledgeable and involved.
- To introduce people to the joys of shooting and hunting.

## HISTORY - NORTH AMERICA

- Hunter Education (HE) is a North American network of information and courses established to teach hunters about the safe, legal and ethical means by which to pursue wildlife.
- HE is *mandatory* for certain age groups of hunters in all 50 states and 10 Canadian provinces, excluding Northwest Territories, Nunavut and Yukon Territory. (The voluntary provinces do demand guides and/or enough knowledge and skills to hunt in rugged environments.) APPENDIX A – HUNTER AND BOWHUNTER EDUCATION REQUIREMENTS

- Over 700,000 students are trained annually by over 70,000 instructors throughout North America, primarily volunteers and professional educators trained by state and provincial HE staff.
- HE started in Kentucky in 1946 in their statewide youth camp program; the first mandatory program began in New York in 1949.
- Most programs were modified from hunter safety courses taught by the National Rifle Association (NRA).

# FUNDING

- **Pittman–Robertson Act (1937)** called *Federal Aid in Wildlife Restoration*, the act provided for funding to states for wildlife habitat restoration, land acquisition, research and administration; funds derived from an 11 percent excise tax on sporting arms and ammunition. APPENDIX B WILDLIFE RESTORATION SUPPLEMENTAL RESOURCE
  - collected by the manufacturers
  - deposited into the national treasury
  - managed by the U.S. Fish and Wildlife Service, U.S. Dept. of the Interior
  - distributed to states which provide 25 percent matching funds
  - Dingell-Hart Excise Bill (1972) amended PR program to include excise tax on handguns and archery equipment, providing funding to states for hunter education and shooting range development projects.

## SUPPORTING NATIONAL ORGANIZATIONS

- **U.S. FISH AND WILDLIFE SERVICE (USFWS)** Federal agency responsible for administering federal aid funds used by most states to help fund HE efforts.
  - Region 1 California, Hawaii, Idaho, Nevada, Oregon and Washington
  - Region 2 Arizona, New Mexico, Oklahoma and Texas
  - Region 3 Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin
  - Region Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee
  - Region 5 Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, Maine, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia
  - Region 6 Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming
  - Region 7 Alaska

## INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES (IAFWA) -

Professional organization of state agency directors and other fish and wildlife professionals that provides support and information to all state fish and wildlife agencies; oversees direction of hunter education with the establishment of a hunter education committee in 1971, now called the *Hunter Education and Shooting Sports Committee*.

- **INTERNATIONAL HUNTER EDUCATION ASSOCIATION (IHEA)** Professional organization of HE coordinators, federal aid representatives and other HE professionals established in 1972 that provides support to all HE programs throughout North America (formerly the North American Association of Hunter Safety Coordinators).
  - **Purpose** to provide leadership and (inter)national support, standards and information.
  - **Membership** United States, Canada, Mexico, South Africa, New Zealand, Puerto Rico and U.S. Virgin Islands; associates and other forms of supporting memberships available to instructors, industry and others interested in fostering the goals of HE.
  - **Executive Vice President** and support staff run national office and support for member states; represents HE, providing national information to the public and to media upon request.

- **Board of Directors** comprised of President, President Elect, four Vice-presidents, Secretary/Treasurer and four volunteer instructor representatives.
- **Committees** established to conduct the business of the organization.
- **"Youth Hunter Education Challenge**" annual event sponsored by NRA which provides opportunities for state and provincial hunter education teams and individuals to showcase the knowledge and skills they have learned in hunter education programs across North America.
- **"Hunter & Shooting Sports Education Journal"** the official publication of the International Hunter Education Association; published by the Focus Group, Seattle, WA, and distributed free to instructors by some states. In Texas, it is distributed to all instructors with the "Target Talk" newsletter.
- *Hunter's Handbook* distributed free to students via hunter education course materials by Texas and many other states.
- **Hunting Incidents** IHEA is responsible for consolidating hunting accident data, primarily to enhance HE efforts; primary source of all hunting accident data. APPENDIX C HUNTING ACCIDENT REPORT SUMMARY
- NATIONAL SHOOTING SPORTS FOUNDATION (NSSF) Organization supporting the development of shooters, shooting ranges and hunter education programs; affiliate
   WOMEN'S SHOOTING SPORTS FOUNDATION (WSSF); sponsors "National Hunting and Fishing Day" the last Saturday in September; hunter education training material available.
- NATIONAL RIFLE ASSOCIATION (NRA) Originally formed after the Civil War (Also known as the "War of Northern Aggression"), to improve marksmanship in the armed forces of the United States, the organization now works to preserve second amendment rights (...the right to keep and bear arms...) and support the development of shooters, shooting ranges and hunter education programs primarily through their education and training division. It also has a community services division and sponsors the national "Youth Hunter Education Challenge"; It has state affiliates and provides hunter education training material.
- **IHEA "DREAM HUNT"** Hosted by The Focus Group, the Dream Hunt entry cards are found in the *Hunter's Handbook* and can be sent in by hunter education students and instructors for an all-expense paid hunt to be televised and seen on the Outdoor Life Network (OLN).
- **WINCHESTER AMMUNITION** Sponsors national "Hunter Education Instructor of the Year" at IHEA annual conference and business meetings.
- WINCHESTER/FEDERAL/REMINGTON AMMUNITION COMPANIES and OTHER SPORTING INDUSTRIES – Provide training aids/supplies to hunter education instructors through the state hunter education coordinator. Discounts are advertised in "Target Talk," the instructor newsletter.

# History of Hunter Education in North America: Chronology

- American Frontier Teaching of marksmanship and outdoor skills necessary for survival, family support and family pride.
- Early 1900s Code of outdoor ethics, Seth Gordon, Izaak Walton League.
- 1937 Passage of the Pittman-Robertson (Federal Aid in Wildlife Restoration) Act
- 1946 Hunter education began in Kentucky statewide youth camp program.
- 1949 First Mandatory Hunter Education Program New York.
- **1950s-60s** National Rifle Association (NRA) provided hunter safety materials, training and support and administered the hunting accident recording system entitled "uniform casualty report."
- **1971** Formation of the North American Association of Hunter Safety Coordinators (NAAH-SC) to communicate standards and reciprocity between states, provinces and territories; recommended standard eight hours of instruction.
- **1970-72** Passage of Dingell-Hart excise bill, amendment to the Pittman-Robertson Act of 1937; provided funds for hunter education and target range development from excise taxes on handguns and archery equipment.
- **1981** Hunter Education Task Force of the International Association of Fish and Wildlife Agencies (IAFWA) created national standards and guidelines for all programs throughout North America; national award system begun that rated states/provinces an A, AA or AAA program; recommended standard 10 hours of instruction.
- **1989** NAAHSC renamed International Hunter Education Association (IHEA); 40 states with mandatory hunter education requirements; revision of the 1981 hunter education national guidelines.
- **1995** New Executive Vice President for IHEA, Dr. David Knotts; national IHEA office moved to Wellington, CO.
- **1999** National (revised) standards approved by IAFWA and IHEA first time by executive boards of both organizations (see standards/learning objectives within).
- 2003 New Executive Vice President for IHEA, Eric Nuse.

# 2. HUNTER EDUCATION IN TEXAS

The Texas Parks and Wildlife Department (TPWD) started the **voluntary hunter education program in 1972** primarily to provide training for Texas hunters and for hunters traveling to other states requiring hunter education. The most notable of these was Colorado, which passed a mandatory requirement in 1970 that impacted hunters born on or after January 1, 1949.

NRA's existing hunter safety program was used and was four (4) hours in length. Many NRA instructors in Texas were recruited as the first Texas hunter education instructors. By 1987, over 150,000 students completed the voluntary course, and the required minimum for a course was ten (10) hours over two (2) days – a requirement recommended by the federal government which monitored funds (excise taxes) returned to states for hunter education and target range development.

In June 1987, the Texas Legislature passed S.B. 504, the **mandatory hunter education** law for the State of Texas. The law allowed the TPW Commission to adopt regulations requiring hunter education for Texas hunters under 17 years of age at the time of the effective date chosen by the TPW Commission (June 1, 1988). Therefore, anyone born on or after September 2, 1971 (**"Grandfather Date"** for Texas) would have to complete the training to legally hunt in Texas.

# Hunter Education (as it appears in the Outdoor Annual)

Every hunter (including out-of-state hunters) born on or after Sept. 2, 1971, must successfully complete a Hunter Education Training Course. Minimum age of certification is 12 years and cost is \$10. If you were born on or after September 2, 1971 and you are:

- under 12 years of age, you must be accompanied.\*
- age 12 through 16, you must successfully complete a hunter education course, or you must be accompanied.\*
- age 17 and over, you must successfully complete a hunter education course; or purchase a "Hunter Education Deferral," and you must be accompanied.\*

New – **Hunter Education Deferral** (cost: \$10) Allows a person 17 years of age or older who has not completed a hunter education program to defer completion for up to one year. A deferral may only be obtained once and is only valid until the end of the current license year. A person who has been convicted or has received deferred adjudication for violation of the mandatory hunter education requirement is prohibited from applying for a deferral. Take the course by August 31 of the current license year and receive a \$5 discount.

\*Accompanied means: By a person who is at least 17, who is licensed to hunt in Texas, who has passed hunter education or is exempt (born before Sept. 2, 1971), and you must be within normal voice control. Proof of certification or deferral is required to be on your person while hunting.

Note: Certification is not required to purchase a hunting license.

**Bowhunter Education** – Certification is required on certain areas of Texas (Hagerman National Wildlife Refuge, Pottsboro and Camp Bullis, San Antonio). Note: Bowhunter education does <u>not</u> substitute for Hunter Education certification.

Also, the law allowed anyone who received a citation to appeal it with the Justice of the Peace within 10 days. Upon successful appeal, he/she had to complete a course within 90 days to void a citation.

The Texas mandatory hunter education law is the most flexible in the country, providing maximum convenience to hunters. Hunter education remains a tool for the parent or mentor to use to assist a person in his/her development and maturity as a hunter. It also provides the means to introduce responsible use of the outdoors, shooting sports and firearm safety.

The Texas Hunter Education Program has played a significant role in the reduction of hunting accident statistics since the late 1960s. (See annual Texas Hunting Accident/Incident Analysis).

# Hunter Education in Texas - Summary

#### a. Purpose

- To teach Texas hunters to be safe, responsible, knowledgeable and involved.
- To introduce Texans to the joys of shooting and hunting.

## b. History – Texas

- Hunter Education (HE) is a tool for Texas Parks and Wildlife Department (TPWD) to educate hunters about current and proposed hunting regulations.
- HE is mandatory for THOSE BORN ON OR AFTER SEPTEMBER 2, 1971; Course fee is \$15.00 per student of which the volunteer can retain up to \$10. APPENDIX D – TEXAS HUNTER EDUCATION REQUIREMENTS

- Over 30,000 students are trained annually by over 3,000 instructors throughout the state, primarily volunteers and professional educators trained by TPWD hunter education staff and volunteer "Area Chiefs."
- Texas volunteer HE program began in 1972; mandatory program began in June 1988. APPENDIX F. MANDATORY HUNTER EDUCATION STATUTE §62.014
- HE program has trained and certified over 681,000 students by the end of 2004.

# c. Funding

- Federal funding Excise tax on handguns and archery equipment, entitled "hunter safety apportionment"
- State funding Game, fish and water safety fund ("Fund 9"), partially offset by student fees collected by the instructors and sent to the agency

# d. Supporting Texas Organizations

- **TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD)** State agency responsible for administering the mandatory hunter education program in Texas; created with the merging of the State Parks Board with the Game and Fish Commission in 1963; mission is "To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations." HE fulfills the mission on behalf of hunters (and purchasers of handguns and archery equipment).
  - **Nine-member Commission** Appointed by the governor; (non-paid position) hold office for six-year terms; authority for implementing fish and wildlife regulations; oversee the operations of TPWD.
  - **Executive Director** Appointed by the TPW Commission; (paid position) responsible for the administration, operation and planning functions of the department.
  - Education Responsible for hunter education and boater education programs and shooting range development and partnerships such as with the Texas Agricultural Extension Service (e.g. 4-H Shooting Sports and Field and Stream). Outreach branch is responsible for Aquatic education, "Hooked on Fishing Not on Drugs," Project/Aquatic WILD, "Becoming An Outdoors-Woman," Youth Camps, "Exploring Texas" (e.g. Internet and service learning)
  - Wildlife Division Responsible for managing wildlife populations (inventory, harvest, habitat needs, land acquisition, research, etc.); federal aid administrator assists with hunter education (W-104-S) and shooting range (e.g. W-122-S) projects; public hunting programs, technical guidance for landowners managing their lands; youth hunting programs.
  - Law Enforcement Responsible for enforcing the Parks and Wildlife Code and Texas Parks and Wildlife Regulations; goals are to: 1) educate, 2) prevent and 3) apprehend, in that order; game wardens are commissioned peace officers which means they can enforce any laws; game wardens are angler, boater and hunter education instructors, and they conduct instructor interviews including background investigations; investigate hunting and boating accidents/water fatalities.
  - **Coastal Fisheries** Responsible for coastal fisheries management (e.g. inventory, harvest, commercial fisheries, shell, sand, gravel, habitat needs, hatcheries, research and Sea Center Texas near Lake Jackson, etc.).
  - Inland Fisheries Responsible for inland fisheries management on public inland waters including lakes and streams (e.g. inventory, harvest, habitat needs, hatcheries, research and Texas Freshwater Fisheries Center near Athens, etc.).
  - **Communications** Responsible for disseminating the mission, programs and services of TPWD; *Texas Parks & Wildlife* television show (PBS) and magazine, "Outdoor Connection" radio, news releases, internal and external communications.

- **Parks and Infrastructure Divisions** Responsible for construction, operation and administration of state parks, programs and services.
- Texas Parks & Wildlife Expo An annual FREE event held the first weekend of October at TPWD headquarters in Austin showcasing TPWD programs and services; HE events include air gun, shotgun, sporting clays, muzzle loading, archery, crossbow, video interactive shooting, wildlife, "Whiz Bang" (4-H Shooting Sports State Final Competition) and celebrity shoot.
- **Texas Hunter Education Instructors Association (THEIA)** Established as a non-profit corporation with tax exempt status under 501(c)(3) of the Internal Revenue Code, organization assists in the professional development of Hunter Education Instructors, program enhancement and special events including the "Texas Youth Hunter Education Challenge," an opportunity for youth to compete and measure their hunter education knowledge and skills against others in Texas and in the nation (National Youth Hunter Education Challenge), and the annual Instructor Awards Banquet. See RESOURCE/ORGS
- **Texas 4-H Shooting Sports Program** Strives to encourage young people, their parents and adult volunteers to participate in natural resources and related natural science programs through their interest in shooting, hunting and related activities. For more information, contact the Texas Agricultural Extension Service in your community.
- **Sportsmen Conservationists of Texas (SCOT)** Established as the state advocacy group for Texas sportsmen's and wildlife conservation groups; honors "Educator of the Year" and "Volunteer Hunter Education Instructor of the Year" at its annual banquet. SCOT also is a 501(c)(3) tax-exempt organization.
- **Texas State Rifle Association (TSRA)** State affiliate of NRA; it is the primary sponsor of statewide competitive shooting in rifle and handgun in all categories (rim fire, center fire, black powder and muzzleloading). At times, the organization funds wildlife conservation projects including Hunter Education, Becoming an Outdoors-Woman and similar programs. See RESOURCE/ORGS
- **Texas Wildlife Association (TWA)** A tax-exempt 501(c)(3) organization, TWA was established as the state advocacy group for wildlife management, landowners and wildlife conservation. TWA currently sponsors the "Texas Youth Hunting Program," the pinnacle of HE for students through age 16. See RESOURCE/ORGS
- Texas Game Warden Association (TGWA) Founded in 1979 to advance the concept of "Conservation for Future Generations." Since then, hunts, fishing trips and hunter education camps for Texas youth have grown with volunteer support by Associate members of TGWA. The organization originally established the Parrie Haynes Youth Conservation Ranch and Summer Youth Camps operated by TPWD. Today, they are one of the key partners that bring hunter education and the outdoors to underserved youth.

•

# 3. TEXAS HUNTER EDUCATION PROGRAM CHRONICLE

1971	June 4	Hunter Safety Program approved by Texas Parks and Wildlife Commission
	Dec	Hunter Safety Manual; \$1.00 course fee; minimum four hours of instruction
1972	Feb 28	First student (Michael Fain) taught by Instructor Tom Womack
	Apr 12	First Edition of "Target Talk," program's instructor newsletter
	Sept 23	First "National Hunting and Fishing Day" celebration
	Oct 12	First Instructor "Methods and Procedures" Clinic (Workshop)
1973	Jan	Six hours of instruction required
	June	New Hunter Education Manuals from Outdoor Empire Publishing Co.
1974	May 11	First Instructor In-service Clinic: Archery
	Sept	10,000th student certified
1975	April	"Mutual Agreement" Program started with schools
1976	Feb	First Instructor certification revoked
	June	25,000th student certified
1977	Feb	First Hunter Ed Instructor (NAAHSC) Academy Training Workshop offered
	Dec	50,000th student certified
1979	June	First female Game Warden: Stacy Lawrence (Johnson), Austin
1981	March 1	Area Chief program started
1982	June	Eight hours of instruction required
	Oct 12	100,000th student certified
1983	Jan	First instructor completed NAAHSC Academy requirements
1984	July	First Shooting Range (3rd party) Contract with Orange Gun Club
1985	July	10 hours of instruction required
1986	Jan	Instructor Pre-service Training Workshops
-,	June	Program Expenses Survey completed and reported
1987	•	SB 504 "Mandatory Hunter Education Law" signed by Governor Clements
1988	June 1	Mandatory Hunter Education program established; \$5.00 course fee
1989	Jan 21	1st Texas Hunter Education Instructors (THEIA) Meeting in Houston
1990	April	Darrell Holt received Hunter Education Assn. "Hall of Fame" Award
	I	posthumously
	Dec	New Hunter Education Manual produced by TPWD
1991	Feb 9	First Annual Hunter Education Instructor Conference, Austin
	Nov	First Annual "IHEA Dream Hunt," hosted by Wayne Pearson of
		"Ultimate Outdoors"
1992	May	250,000th student certified: Jeremy Casanova, San Antonio
	June	First Annual Texas Youth Hunter Education Challenge (YHEC)
	Oct 2	First Texas "Wildlife Expo," Austin
1993	Jan	"Master Hunter Education Instructor" Level created
	May	Steve Hall selected as President of International Hunter Education Assn. (IHEA)
	June	"Home study" Research Project started with Colorado State University
	Oct	First "Becoming an Outdoors-Woman" Workshop
1995	Sept	Assistant Hunter Education Instructor Program started
	Nov	Development of Hunter Ed Home Study/Field Training process started
1996	Feb 8	"Texas Youth Hunting Association/Program" established
	Aug 29	\$10.00 course fee
1997	May	T.D. Carroll (first Program Coordinator) received IHEA "Hall of Fame" Award
1998	Jan	First Annual Texas Hunter Education "Dream Hunt"
1999	June	Kick-off of "Home Study/Hunter Skills Course" process (retail packages)
1999	Dec	500,000th student certified: Emmit Nichols, Detroit, TX
2003	April	Steve Hall, Education Director, received IHEA "Hall of Fame" Award
2004	May	Jim Parker, III, first Texas volunteer instructor to receive IHEA "Hall of Fame" Award
	•	

#### 4. HUNTER EDUCATION INSTRUCTOR AWARDS

#### a. Sportsmen Conservationists of Texas (SCOT)

#### "Volunteer Hunter Education Instructor of the Year Awards:

1984	Robert Christensen	1993	Earlie Rose
1985	Hugo Durand	1994	James Hughes
1986	Jim Ellis	1995	Bernie Heer
1987	Gilbert Graves, Sr.	1996	NO AWARD
1988	Harold Bryan	1997	Albert Ross
1989	D.B. Collinsworth	1998	Tom Stashak, Jr.
1990	Dr. Tom Behr	1999	Walter "Gene" Norton
1991	Claude Ratcliff	2000	NO AWARD
1992	Ernest Collins	2001	NO AWARD

#### b. Texas Hunter Education "Hall of Fame"

1990	Claude	Ratcliff
------	--------	----------

- 1991 Harold Bryan Robert Christensen Jim Ellis
- 1992 Gilbert Graves, Sr.
- 1994 D.B. Collinsworth Walter "Gene" Norton Earl Reece
- 1995 Theron D. Carroll (honorary)
- 1999 George McNeill
- 2000 Bob Artz
- 2001 Kitty Haynes Elaine Lochabay Mike Lochabay
- 2002 Bernard C. Heer, Jr William McCubbin James Parker, III Thomas Stashak, Jr. Lonnie Ward
- 2003 Charles Morrow Donald Evans John Dea Robert Ratcliff Gilbert Graves, Jr. Brock Minton Lee Stinson
- 2004 Russ Greiner
- 2005 George Sykora Cynthia Sykora Roger "Odie" O'Dwyer James Haynes

# c. Hunter Education Program Coordinators

1971 - 1980 1980 - 1988	Theron D. Carroll Darrell Holt
1972 - 1980 1981 - 1984 1990 - Present	J. D. Peer Steve Hall
1988 - 1990 1985 - 1988	
1990 - Present 1988 - 1990 1990 - 2002	
1990 - 2002 1996 - Present 1997 - 1998	Scotty Oliver Charlie Wilson David Palmer
1998 - 2003 1998 - Present 1998 - 1999	Joe Wallace Heidi Rao Martin Robillard
1999 – Present 2002 – Present 2002 – Present	Kent Irvin
2002 - FICSCIII	1 y 11a1115

Hunter Education Coordinator
Hunter Education Coordinator
Assistant Hunter Education Coordinator
Assistant Hunter Education Coordinator
Hunter / Boater Education Director
Hunter Education Coordinator
Assistant Hunter Education Coordinator
Hunter Education Coordinator
Assistant Hunter Education Coordinator
Target Range Coordinator
Mobile Range Coordinator (Sporting Clays)
Mobile Range Coordinator (Virtual Hunting)
Mobile Range Coordinator (Virtual Hunting)
Hunter Education Specialist (South TX)
Hunter Education Specialist (North TX)
Hunter Education Specialist (North TX)
Hunter Education Specialist (West TX)
Hunter Education Specialist (South TX)
_

# **B. POLICIES**

# 1. FEDERAL/STATE

**Federal Guidelines** – Program guidelines must adhere to federal guidelines set forth by the United States Fish and Wildlife Service, Division of Federal Aid. Generally, federal statutes deal with titles and codes, which ensure that hunter education courses are available and accessible to all people and prevent discrimination in the administration and performance of duties in hunter education.

## Federal Laws Applicable to Hunter Education:

- **Title VI of the Civil Rights Act of 1964** Prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973 Ensures that no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- Americans With Disabilities Act (ADA) of 1991 Strengthened Rehabilitation Act of 1973 by ensuring that access and sites be modified to accommodate handicapped facilities, programs and access.
- Age Discrimination Act of 1975 Prohibits discrimination on the basis of age in programs or activities receiving Federal financial assistance.
- **Title IX of the Education Amendments of 1975** Prohibits discrimination on the basis of sex (gender) in any education program receiving federal financial assistance.

**State Guidelines** – Program guidelines must adhere to statutes and regulations established to prohibit many actions already prohibited by federal law such as discrimination and ensure the integrity of the program itself. Program statutes generally deal with parameters established within the mandatory hunter education statute, Parks and Wildlife Code (Section 62.014). Falsification of state records is a particularly serious crime and is pursued if an instructor is found to certify an individual who has not attended the hunter education course and/or accepts monetary incentives beyond those allowed under the fee policy.

## 2. TPWD

**Fees** – By statute, the cap on fees charged students is \$15.00. The established fee for the course by commission rule is \$\_\_\_\_\_\_. A volunteer instructor is allowed to retain up to \$\_\_\_\_\_\_ for of-pocket expenses such as travel, refreshments, in-service training and postage. Instructors may not charge nor accept any fees above the established \$15.00 fee. When the hunter education staff receives notice or a report of added fees being charged of students, the hunter education coordinator will investigate the circumstance involved.

Additional fees may be charged to students if the service or product is not for basic student course services and are made optional to the student. Examples are parking fees established for all visitors of a college campus; room rental fee charged of everyone at a specific facility no matter what the offering; target range charges above and beyond ten (10) rounds of .22 ammo provided by TPWD; hunter education videos; advanced hunter education such as a turkey-hunting seminar. If an instructor has a question regarding a fee, he/she needs to contact the hunter education coordinator who will make the final determination whether a fee is appropriate or not.

**Donations** – Instructors may accept donations on behalf of the program. They may use donated goods and services in their courses as long as the donations are not used solely for personal gain. Instructors should document the value and/or name of the goods or services received for

audit purposes. All donated goods and services must relate to hunter education and adhere to the goals and objectives of the program.

Instructors also may accept donations on behalf of the statewide program. Cash donations may either be sent to the Texas Parks and Wildlife Foundation, Attn: Hunter Education or directly to TPWD. Goods and services can be sent to TPWD for distribution to Hunter Education Staff, Area Chiefs and/or instructors depending on the nature and quantity of the donation. The Hunter Education Coordinator should be contacted for specific details and at any time significant donations are offered or received.

**Performance** – Instructors are expected to perform at a high level. Based on past evaluations, hunter education volunteer instructor performance has been high in Texas and throughout North America. Still, there are times when the hunter education staff gets evaluations/reports on instructors who lecture and/or read from a manual, who exhibit unprofessional behavior and/or are not performing at a desirable standard. When a report is received, the hunter education coordinator will immediately investigate the circumstances and make recommendations to the instructor for improvement or a change in volunteer services provided in the program. It may be that the instructor can perform other services that help the program grow such as administrative, research and curriculum development.

**Records** – Instructors must use the current, prescribed form(s) to properly record student and instructor participation in a course or program. Records are vital to the long-term success of the program to provide hunters with the best possible service now and in the future. Instructors are encouraged to complete all forms as accurately as possible to minimize time spent scanning and processing. *NOTE: All instructors must submit all course forms immediately upon completion of course, no longer than seven (7) days after the certification date.* 

# 3. TEXAS HUNTER EDUCATION PROGRAMS

**Basic Hunter Education** – An instructor's primary duty is to provide basic hunter education courses to the public.

Advanced Hunter Education – Instructors can provide advanced hunter education opportunities to the public including method-specific courses (i.e. bowhunting, muzzleloading, handgunning) and species-specific courses (i.e. waterfowl, big game, small game, upland game and turkey). Instructors may charge for providing these opportunities, but should provide sign-ups and submit reports to TPWD for proper documentation. Bowhunter education instructors must provide records in accordance with the National Bowhunter Education Foundation (NBEF) policies and procedures. When representing TPWD in advanced hunter education, instructors are expected to maintain high standards and adhere to all policies and procedures.

**Outreach and Special Events** – Instructors are called upon to teach basic firearm safety, home firearm safety and special topics such as wilderness survival to elementary schools, boy scouts, corporations and similar groups. Instructors also participate in local and statewide shows that provide live-firing and other opportunities for the public. Over 200 instructors annually participate in Texas Parks & Wildlife Expo the first weekend in October at TPWD headquarters in Austin. When representing TPWD at outreach, special events or in any capacity, instructors are expected to maintain high standards and adhere to all policies and procedures.

**Area Chief** – Along with providing basic hunter education course to the public, the primary duty of an Area Chief is to recruit and train local instructors by conducting the Hunter Education Instructor Course (pre-service training). A secondary duty is to monitor and assist

local instructors. Finally, Area Chiefs should host periodic meetings of instructors in their area to enhance existing efforts and get to know one another. TPWD will be available to assist Area Chiefs in setting up local meetings.

# 4. HUNTER EDUCATION INSTRUCTORS

# Volunteers

- Volunteers are the backbone of the Texas Hunter Education program. State mandated programs would be very difficult to accomplish without their assistance.
- State uses "in-kind value" from volunteer labor to match federal funds at a ration of 25:75, state/federal shares.
- Value of volunteer labor is equivalent to a beginning trainer's pay (e.g. \$16.00 per hour in FY 2004).
- Market place for volunteer hunter education instructors are hunters who want to give back their knowledge and skills by contributing in a positive way to the hunting heritage.
- Volunteers are local citizens who are generally looked up to in their community for providing other civic opportunities, leading youth group activities and/or successful in business prior to and/or during their service as volunteer hunter education instructors. Many are retired citizens who have the time and experience and wish to give back to the community and state of Texas.
- Volunteers are motivated to teach hunter education for a variety of reasons. (Rarely it is for monetary gain.)
- Volunteers teach mainly on weekends and/or weeknights.

# **Teachers (Professional Educators)**

- In Texas, teachers play a vital role in the hunter education program, training between 40-45% of students on an annual basis.
- Agriculture Science teachers comprise the dominant percentage in this category and teach hunter education within an established curriculum (Ag. Science 381 Wildlife and Recreation Management).
- Other teachers in fields that include outdoor education, physical education (lifetime sport/outdoor skills) and elective/continuing education are able to teach hunter education at schools.
- Teachers are volunteers for TPWD and many conduct courses outside of the school curriculum, within their communities.
- Hunter education in schools is a win-win relationship. The program benefits because students can attend hunter education during school hours (captive time). The schools benefit because of increased enrollment in the curriculum. Schools and parents also benefit from firearm safety and outdoor responsibilities being taught to children at early ages.
- Teachers deliver the curriculum for hunter education in daily segments therefore increasing retention levels and increasing the depth of the material being covered.
- Teachers can attract non-hunters to attend the course to learn about outdoor skills, wildlife recreation and management and basic outdoor ethics/responsibilities. Such students may take an interest in hunting or gain empathy for the self-imposed lessons passed along from hunter to hunter what Aldo Leopold, "Father of Wildlife Management," referred to as the "Land Ethic," something every American should learn.

# Game Wardens/TPWD Employees

- Game wardens are certified as TPWD hunter education instructors during their cadet training prior to local assignments.
- As state peace officers, game wardens have many duties, all confined within a mandatory 40-hour workweek.

- Game wardens conduct volunteer background investigations and initial interviews on behalf of the program so that volunteers and teachers can get to know their local warden.
- A game warden's best role is to attend local courses offered by volunteers and assist by giving game law presentations or participating in field/live-firing activities. Students like to ask game wardens questions, making for lively discussions. The game warden's primary purpose is to educate people and enforce the fish and wildlife laws of Texas.

# Area Chiefs

- Area Chiefs are volunteers who not only teach hunter education, but they are also trained to teach instructors and monitor local efforts.
- Area Chiefs review program material, assist in policymaking, and, at times, are called upon to help coordinate in-service training opportunities.
- Area Chiefs are the spinal cord of the backbone.
- Area Chiefs are available in the local area to assist volunteer instructors deliver quality courses to the public.

# 5. INSTRUCTORS SHOULD:

- Maintain dignity/integrity of TPWD with the public.
- Be committed to the Texas Hunter Education program.
- Accept guidance/decisions of the Hunter Education Coordinator, his/her staff and from Area Chiefs.
- Help improve program, policies and procedures when needed.
- Involve others and solicit help, support and sponsorship from local resources.
- Teach only that material found in the Texas Hunter Education Manual (*Today's Hunter in Texas*) and/or Outdoor Life® Hunter Education Training Course (field and video guides and workbook) used in the home study program and the on-line home study course.
- Know the subject and prepare hands-on activities to the greatest extent possible.
- Be available to teach at least one course per year with five (5) students, preferably three (3) courses.
- Develop/acquire the necessary training supplies to give hands-on learning activities.
- Maintain a professional demeanor and attitude at all times.
- Be punctual, dependable and carry out duties promptly and reliably.
- Be positive, taking students from known to unknown, simple to complex.
- Have fun in the process so you can teach forever.
- Be friendly, warm and courteous to all students, parents and fellow instructors.
- Be neat in appearance and dress appropriately.
- Be accurate with facts and know the subject matter.
- Refrain from the use of alcoholic beverages, illegal drugs, smoking and/or tobacco products before and, especially, during a course.
- Refrain from the use of profanities, obscenities and negative behavior.
- Try not to use terms like "weapon," "slaughter" or other words that give a negative connotation to shooting sports and/or to hunting.
- Refrain from stating personal opinions or philosophies, especially any that may conflict with the mission and purpose of TPWD and the Hunter Education program.
- Evaluate efforts! Constantly try to improve on performance as well as the performance of the team.
- Complete records and submit them immediately upon completion of a course. Do not hold checks, records and/or forms for any reason unless you have contacted the TPWD hunter education staff to notify them of any dilemmas you face. *NOTE: Do not send cash in the mail.*
- Attend in-service training workshops to improve performance and to get updated on the program.

- Notify the hunter education staff any time there is a problem and/or conflict and/or communicate directly with others to resolve issues (instead of "bad-mouthing" others).
- Be available to teach people about firearm safety, conservation, outdoor skills and other hunter education topics when called upon by the community.
- Be available to volunteer for outreach opportunities, such as: shooting events, Texas Parks & Wildlife Expo, local fairs, exhibitions and shows or at state parks.

TPWD is committed to train and maintain an active, informed and well-supported mandatory Hunter Education Program.

# 6. INSTRUCTOR POLICIES

Volunteers are treated the same as Texas Parks and Wildlife Department employees, except that volunteers do not receive remuneration for their services. Professional educators must adhere to personnel policies and procedures established within the Texas Education Code and/or private school codes. Personnel policies and procedures can be summarized in the following standards of behavior:

- Job Description Instructors are given the job of presenting the curriculum to students in the best manner possible, which is considered to be hands-on, actual and/or simulated experiences.
- **Performance Standards and Review** To that end (re: job description), instructors are expected to teach at least one course per year (certifying a minimum of five students) to meet the minimum standard (a minimum of three courses per year to exceed the standard). Evaluation(s) should be conducted to improve the quality of instruction and insure compliance of all standards of behavior.
- Environmental/Conservation Awareness Hunter education courses are exempted from conditions stated within the Environmental Protection Act except insofar as a constructed range facility does not contaminate a wetland. Hunter education instructors are encouraged to educate students about conservation including topics like wildlife conservation, the use of mandatory non-toxic shot while waterfowl hunting and "wounding loss" and how to improve wing shooting abilities.
- Sexual Harassment, Criminal Penalty It is unlawful to harass any fellow instructor, student or parent, solicit sexual favors and/or use any other verbal or physical conduct of a sexual nature or make it a term or condition of passage of the course.
- **Drug, Alcohol, Tobacco Free Work Place** Instructors will not use or possess alcoholic beverages or illegal drugs on duty time, when in an instructor uniform, on coffee breaks or on any state-owned or controlled property including state vehicles during training work-shops. Instructors will refrain from using all tobacco products during courses.
- **Dress and Appearance** Instructors are expected to present a professional appearance and to dress appropriately for their position. Only Instructor patches provided by the department may be worn on caps, shirts or vests for the purpose of teaching. NRA patches may be worn, but no manufacturer or industry patches are allowed.
- **Conflict of Interest** Instructors may not accept personal gifts, favors or services that influence their discharge of duties. Duties include training students in a minimum of 10 hours of classroom, field and/or self-taught studies. Instructors also should not represent a

group or themselves in another capacity while teaching hunter education if the position they take is in conflict with the mission, goals and purpose of TPWD or the Hunter Education program.

- Use of State Property/Facilities State property or other resources (e.g. training aids) provided to instructors by the state will not be diverted to personal use and should be returned to TPWD upon retirement or termination from the program. An exemption to this is an incentive award that, by law, is considered personal property upon award by the state.
- **Insubordination** Instructors are expected to follow all instructions issued by hunter education program staff *unless* 1) the instructions are outside of professional standards, 2) the instructions would endanger the health and welfare of students and instructors, or 3) the instructions would require the performance of an illegal act.
- Work Rules Instructors are expected to be prompt and efficient in the performance of their duties. Instructors will not cancel any courses without due notice to all concerned, including students and TPWD headquarters.
- **Standards of Trust** No instructor shall knowingly falsify or alter any report, document or record. Instructors shall adhere to basic principles of honesty and maintain the highest of ethical standards. Instructors shall not use their position as TPWD hunter education instructor for personal gain. This does not include products or services that directly benefit the program and/or students in a positive way, such as a donation of refreshments, training aids or materials that reinforce the hunter education curriculum.
- **Courtesy** Instructors shall be courteous to all callers, students, parents, fellow instructors, hunter education staff and TPWD employees associated with the Texas Hunter Education program. Instructors must maintain a helpful attitude towards the public at all times.
- **Competence** Instructors shall be physically and mentally able to perform the essential duties of the position with or without reasonable accommodation, as defined by the American with Disabilities Act.
- **Care** Instructors shall exercise care and observe all safety and security rules in proper performance of their job. They must be role models and strictly adhere to all principles of sporting arm safety ("Ten Commandments of Shooting Safety") being taught to students in the Texas Hunter Education program.
- Notification If any of the aforementioned policies or rules are violated by an instructor, TPWD hunter education staff should be immediately notified and appropriate corrective action taken. Instructors must accept responsibility for decisions made and action taken based on these decisions. Instructors have the right to appeal these decisions, as stated under "Corrective Action."
- Corrective Action Disciplinary action can take five forms:
  - 1) No action when the accusation is unwarranted or unsubstantiated;
  - 2) Verbal Warning Hunter education coordinator issues a verbal reprimand for corrective behavior;
  - 3) Written Warning Hunter education coordinator issues written reprimand for corrective behavior;
  - Probation Hunter education coordinator and/or local law enforcement staff meet with instructor and mutually decide on a corrective action plan; usually a six-month to oneyear probationary term;

- 5) Termination Instructor verbally and in writing is immediately dismissed from the program. Actions that cause immediate termination are typically serious in nature such as sexual harassment, violations of the Texas Penal Code, and/or violations of Texas game laws.
- Termination Instructors performing at an undesirable level, found to be in violation of hunting or fishing regulations, or exhibiting any undesirable behaviors, can be terminated based on the determination that his/her services are unsatisfactory or no longer needed.
- Appeal An instructor may appeal a decision by the hunter education coordinator by writing the Education Director, Texas Parks and Wildlife Dept., 4200 Smith School Rd., Austin, TX 78744. Once a letter is received, a review panel comprised of a volunteer, a law enforcement representative and the Education Director will review the circumstances and make a final determination on behalf of TPWD.

# 7. RISK MANAGEMENT, LIABILITY AND INSURANCE

Risk Management is a learned ability to study, recognize and evaluate the health and safety risks of a program activity or task and develop a plan for accomplishing it in the safest possible way by:

- Reducing the risks through training,
- Transferring risks to a third party (insurance), or
- Avoiding all or part of the activity/task altogether

## Risk Management for Hunter Education means creating a safe learning environment:

#### Classroom

- Meets ADA standards preferable
- Neatly arranged
- Adequately lighted
- Safe, comfortable seating
- Restroom available
- No live ammunition
- Maintain discipline

## **Outdoor activities**

- Students prepared, informed, organized into manageable groups and checked
- Attention to outdoor conditions weather, insects, poisonous plants and animals
- Attention to terrain aware of hazards traversing terrain safely
- No live ammunition
- Maintain discipline

## Use of firearms, archery equipment and other field equipment

- Use and emphasize "Ten Commandments of Hunting Safety"
- Use and emphasize muzzleloading and bowhunting safety rules
- Safe background/backstop
- Hearing and eye protection available
- Give instruction on the safe use of any equipment used (knife, elevated blind, air-gun, ATV, etc.)
- Swing and/or elevation restrictors for all firearms
- · Ammunition dispensed and used under close supervision of instructor
- Maintain discipline

# Components necessary to reduce risks or limit liability

- Application
- Background investigation
- Pre-service training student and instructor
- Uniform testing
- Job performance
- Program, instructor and student evaluation
- Policy and procedures manual
- Adherence to guidelines
- Documentation (written)
- Preparation and emergency preparedness
- Demonstration of skills (students and instructors)
- · Demonstrated understanding of safety rules
- Signed (understood) releases

## Rules to reduce risks in hunter education programs

Department/Employees

- Provide application, background investigation and pre-service training for volunteer instructors
- Provide standardized instructor and student manuals
- Provide in-service training
- Evaluate program, instructors and students
- Adhere to federal, state and program policies and procedures
- Provide student training in safe, responsible use of sporting arms
- Ensure facilities and courses are accessible and open to all persons regardless of race, creed, color, sex or handicap

#### **Instructors**

- Use live ammunition only during controlled, supervised live-firing exercises Only use "dummy ammunition" at all other times throughout the course
- · Follow guidelines established in Instructor Policies and Procedures Manual
- Follow philosophy and outline of student manuals provided by department
- Do not allow students to bring their own firearms or ammunition to course
- Plan for first-aid situations and general emergency preparedness
- Determine if learning or physical disabilities exist and assist student(s) in learning processes

**NOTE:** Instructors must immediately report any unlawful actions, theft, property damage, personal injury or death to the proper authorities and to the hunter education coordinator. In the event of an emergency, instructors must secure the safety of individual(s) in their care, perform first aid/CPR, notify emergency services and secure the scene.

**RULING:** The Texas Supreme Court has held that a volunteer hunter education instructor may be individually liable for their negligent acts and cannot look to a government unit for indemnification or legal representation. (Harris County v. Dillard, 883 SW2d 166 (1994)).

## Conviction of negligence requires these four elements:

- Legal Duty: Protect participants from unreasonable risk of harm
- The Act: Failure to act with that degree of care of a reasonable and prudent person
- Proximate Cause: Breach of the standard of care caused the injury
- · Damage: Physical or emotional injury to an individual or property resulted

#### INSURANCE

In view of this ruling, TPWD recommends that all volunteer instructors obtain **volunteer instructor liability insurance through IHEA**. All volunteers will be provided with personal liability insurance at a limit of \$1,000,000 per occurrence. This policy provides protection for a personal injury or a property damage liability claim arising out of the performance of the volunteer's duties. This coverage is in excess of and non-contributing with any other valid and collectible insurance the volunteer may have, e.g. Homeowner's Liability Insurance.

## Principal exclusions to volunteer liability insurance

- injury or damage arising out of the use of an automobile, aircraft or watercraft (except nonowned watercraft); *Your personally owned watercraft or any boat over 26 feet or any watercraft used to carry persons or property for a charge is <u>not</u> covered*
- errors or omissions in connection with the volunteer's professional services; *stresses the importance of covering all areas of instruction*
- personal injury resulting from assault and battery committed by or at the direction of the volunteer;
- property damage to property in the care, custody or control of the volunteer;
- injury or damage by any person who is part of, or associated with, a work release or court ordered program.

**Waivers, Releases, Agreements and Contracts** – Each student under age 17 and/or their parent or guardian must sign the student registration form that explains the nature of the course to which he/she has enrolled. In a case where the student and/or parent(s) are dissatisfied with participation in the program, instructors should immediately handle the situation by meeting with the participant(s) away from others and/or invite participant(s) to write TPWD with their concern(s). The instructor should immediately notify the TPWD Hunter Education staff.

Sample waivers are provided for live firing and field exercises, should instructors want to clearly communicate risks involved in those activities. The primary purpose for such waivers is to help students understand risks of facilities and activities associated with hunting and the shooting sports. (See Section II)

#### 8. PROGRAM PROVISIONS

- **Instructor Supplies and Materials** Instructors are provided supplies and materials necessary to understand how to teach the basic student course and properly record each course or event. Area Chiefs are provided the necessary materials to teach instructor courses.
- **Student Supplies and Materials** Instructors are provided supplies and materials for each student, forms and information that facilitate the learning process, and forms that enable TPWD to properly record a student's personal information and/or evaluation of the program. (See Section II)
- **Communications** Each Instructor is provided with a seasonal newsletter, "Target Talk." Each issue provides current information, recognition, training opportunities and special events, new instructors certified and record-keeping information vital to the overall program success. Instructors are encouraged to read each issue so they do not miss important updates. From time to time, instructors receive special mailings and/or communications via e-mail, phone or during training workshops and special events. NBEF and THEIA and miscellaneous information are included with "Target Talk" mailings when provided to TPWD for inclusion.

- **Record Keeping** TPWD provides services to keep track of all instructors and students certified in hunter education. It also keeps track of instructor incentive award program that is based on cumulative point totals.
- **Publicity and Promotions** TPWD has an extensive communications network with local media outlets including television, radio and news. TPWD releases monthly hunter education information via the Internet and direct mail. Local newspapers typically relate local course information, especially those courses prior to or during the hunting seasons. Other special reports, such as hunting incident/accident reports, are of special interest to the media. Reporters call local instructors many times to add or verify hunter education efforts in the area.
- **Recognition** Upon being certified, instructors receive a congratulatory letter, instructor patch, identification certificate and name tag.

Instructors are recognized in many ways for their efforts. They receive recognition in "Target Talk," in local newspapers and via the incentive award program that allows TPWD to thank instructors for their efforts. An instructor may be nominated for "Winchester's Volunteer Instructor of the Year" and recognized at the annual IHEA business meeting and convention.

- **Special Events and Promotions** TPWD annually coordinates and conducts the Texas Parks & Wildlife Expo the first weekend of October at its headquarters in Austin. The event began as a tribute to hunters, anglers and the Texas Outdoors in 1992. It showcases all of the duties and responsibilities of TPWD. It introduces visitors to all forms of recreation that can be enjoyed in Texas wild landscapes and state parks.
- **Pre-Service Training** TPWD and Area Chief Hunter Education Instructors provide basic instructor training courses for applicants interested in teaching hunter education in their areas. Approximately 35% of all trainees go on to teach hunter education. TPWD loses over 150 instructors each year to attrition (never teach, move away, etc.).
- **In-Service Training** TPWD provides in-service training opportunities related to topics offered in the basic student course including:

Instructor Course (pre-service training)
Ethics, Game Laws and Responsibility
Outdoor Skills/Survival
Bowhunting (IBEP)
Muzzleloading (NMLRA - NRA)
Modern Firearms (NRA, Texas 4-H Shooting Sports)
Wildlife Management and Conservation
Advanced (Trapping, White-tailed Deer, Quail, Turkey, Waterfowl, Dove, Exotics, Tracking, Non-Toxic Shot, First Aid, CPR, Feral Hogs, Alligators, etc.)
Wing Shooting Responsibility & Awareness
National Archery in the Schools / National Archery Association Certification

## **Instructor Levels**

• Assistant Instructor – Individuals must be between the ages of fifteen (15) and twenty (20), take the student course, file an application, complete a game warden interview, have a sponsoring active instructor to teach under, have written parent/guardian approval and go through a Program Orientation workshop. Assistants must work under direct supervision of a sponsoring instructor. Assistants will receive the same incentive points as the sponsoring instructor per class. If the assistant remains active, upon turning twenty-one (21) he/she will automatically become a fully certified instructor.

- **Master Instructor** Instructors must be continually active in the program for three years, certify fifty (50) students, and attend the Ethics workshop, Standards, Skills Trail, and Home Study workshop or Wildlife Management/Conservation workshop to reach this level. Upon attaining this level, a Master Rocker will be mailed to the instructor.
- Area Chief Must have Master Instructor level. Applicants for Area Chief complete an application, written exam, additional law enforcement interview and Area Chief training process under TPWD staff. Application is available upon request.

#### **INCENTIVE AWARDS**

**Doint Level** 

Instructors accumulate points based on their involvement in the Texas Hunter Education program. "Incentive Awards" are TPWD's way of thanking volunteers, teachers and TPWD employees involved in hunter education. Points are accumulated based on the following:

Students taught Class Points	1 point per student 10 points per course
Scheduled Class	5 points per course additional if scheduled prior to class and conducted
Tenure	10 points per year
	15 points per year for Master Instructors
Hours	1 additional point for 11 hours,
	2 for 12, 3 for 13, 4 for 14-15,
	5 for 16-17, and 6 for 18 and over
Program Orientation (Includes Standards of Live fire, Skills Trail & Home Study)	50 points
Hunter Ed Workshops/ Special Events	25 points per workshop/event
Area Chief	20 Tenure points per year 1 point per new instructor taught 25 points per workshop taught

Instructors receive training aids at early point levels. After continued involvement in the program, instructors receive items they can use personally and/or as training aids in the program, such as the following.

Amond

Point Level	Award
25 Students	Training Aid
50 Students	Training Aid
100 Points	Orange Cap
200	Orange Vest
300	Gun Cleaning Kit
500	Belt Buckle, Hearing & Eye Protection
750	Custom Leather Product, Lapel Pin
1000	Fanny Pack, Bolo Tie
1500	Gun Case, Hunter Education Print
2000	Engraved Knife
2500	Handgun "Gift Certificate"
3000	Rifle "Gift Certificate"
3500	Shotgun "Gift Certificate"
4500	Hall of Fame Award

Instructors achieving the highest point level (4500) are recognized in the Texas Hunter Education Hall of Fame and have their name added to the plaque located in the hallway of the Education Branch in the TPWD headquarters building.

Incentive points are tabulated through the end of the calendar year. Courses taught through December 31 must arrive in Austin by January 10, otherwise, points will be added to the next year's total. Awards are distributed during the annual THEIA Conference or by mail.

- **Tenure Pins** Instructors receive hat/lapel pins recognizing their years of service in the Texas Hunter Education Program (upon attending first in-service workshop, and 5, 10, 15, 20, 25, 30 and 35 years of service).
- Hunting Accident/Incident Data TPWD tracks and monitors all Texas hunting accidents and reports them annually to the IHEA, the organization which officially reports hunting accidents nationally to the media, National Safety council and to legislative and judicial branches of government. All instructors receive a copy of the annual report with the spring issue of "Target Talk." Game wardens are responsible for investigating accidents/incidents, completing accident/incident report forms and sending them to the Education Director, TPWD, for compilation. Hunting accident/incident data and trends are useful for sharing within the hunter education process to help hunters prevent similar incidents and to review causes and safety standards.
- **Instructor Discounts** Sporting good manufacturers offer discounts to hunter education instructors on items and materials that can be used in the hunter education process. Instructors are notified in "Target Talk" about current discounts offered.

# **C. PROCEDURES**

# 1. BECOMING A HUNTER EDUCATION INSTRUCTOR

Potential hunter education instructors must complete the following steps:

- Basic Hunter Education Course Applicant completes minimum 10-hour student course
- Hunter Education Instructor Application Applicant reads cover letter, job description, procedures and completes application.
- Game Warden's Interview Applicant calls and schedules interview with local game warden, or makes appointment by calling district and/or regional law enforcement office.)
  - Warden completes and signs yellow game warden interview form on applicant.
  - Applicant and/or warden sends application/interview to TPWD, Attn: Hunter Education
  - Applicant is notified of next instructor course in his/her area.
- Hunter Education Instructor Course Applicant completes minimum 12-hour instructor course. (Note: four hours credit must be done online or via home study)
  - Area Chief or TPWD staff completes instructor course training report (blue) form.
  - TPWD verifies completion, enters record and sends congratulatory packet.

# 2. ORDERING SUPPLIES

Any time an instructor needs materials for courses, they can:

- Call (800) 792-1112, ext. 61, or (512) 389-4795, or
- Fax (512) 389-4372, or
- Complete the supply order form on TPWD's internet site: www.tpwd.state.tx.us/learning/hunter\_education/instructor/ Note: User ID- hunt Password- safely Print and fax to the literature distribution technician
- Complete and send a supply order form to

Texas Parks and Wildlife Department Attn: Hunter Education 4200 Smith School Rd. Austin, TX 78744

## Note: Supplies should be ordered at least one month prior to the beginning of the course.

Instructors should contact their local Texas Parks and Wildlife Department law enforcement offices for assistance with game warden interviews or with the game laws presentation in the course. If instructors have hunting-related questions or concerns, they also should contact their local wardens. For known game law violations, call Operation Game Thief (OGT) at (800) 792-GAME (4263).

## 3. PREPARING FOR A COURSE

- a. **Choosing a Class Site** The ideal site is a facility that provides an adequate indoor and/or outdoor classroom adjacent to an outdoor area conducive for field and live-firing exercises. The site should be inspected for hazards that should be removed or marked. It should be spacious enough to host a 20-student course. The site should facilitate as many hands-on activities as possible. Sites, outdoor trails and shooting facilities should be accessible to people with disabilities.
- b. Classrooms Classrooms also should be inspected for hazards and be accessible to people with disabilities. Students should have tables to write on when taking notes or completing quizzes and exams. There must be <u>no live ammunition</u> in the classroom at any time, including broadheads used in archery use "Dummy Ammunition" provided by TPWD (If available) and always cover broadheads with clear plexiglass for viewing. Leave classrooms better than you found them.

- c. **Audio/Visuals** Projector (Computer/VCRs) screens should be large enough to be seen by all students, and room should have adequate lighting.
- d. **Field Exercises** Set up all field exercises using the principles and practices set forth in the Standards of Field and Live-firing Workshop and/or Hunter Skills Trail Workshop and Booklet. Be sure to finish setting up the field course an hour prior to the beginning of the course. Make sure students are adequately dressed (pre-notices) for outdoor activities. Have sunscreen, insect repellent (mosquitoes, fire ants, chiggers, etc.) and a first-aid kit on hand for all outdoor activities. Be sure students know where the first-aid kit is located. (A fanny kit on the lead instructor is best.)
- e. Live Firing Exercises Set up all live-firing exercises using the principles and practices as established in the Standards of Field and Live-firing Workshop. Make sure you have enough instructors to adequately conduct safe shooting activities. The more instructors the more shooting stations you can have the more time efficient it is. Be sure all students wear eye and ear protection during all live-firing sessions using modern firearms and muzzleloaders. Be sure that students shooting bowhunting equipment wear arm and finger protection (or shoot with a release).
- f. **Publicity** Notify TPWD Headquarters, local TPWD Law Enforcement Offices and Area Chief. General publicity includes making sure your course is posted on TPWD's Web site and call-in system. Contact your local newspaper and radio stations. Post publicity/promotional banners at all local outlets for hunting licenses (point-of-sales) and major sporting good retailers. Be sure to post the instructor's name, contact phone number or registration site, class dates and times. If there is a class limit, be sure to note it on the announcement and be prepared to include a waiting or alternate list in case you get last-minute cancellations.
- g. Pre-registration/Registration If you pre-register, please distribute materials and collect course fees (or be prepared for lots of "no-shows"). If you register during the first session of the course, have materials and posters on hand for students to keep busy while waiting on all students to show. Refreshments are a nice touch, too! If parents show up to drop off their children have them sign the student registration forms for those under 17, and invite them to take part. (Note: Home Study Course participants under age 17 should have a parent/guardian sign the Home Study Course Field Activities Release of Liability.) If they don't stay, be sure to give them the exact time of course dismissal. Make sure two (2) instructors, and/or assistant instructors, and/or facility staff ("two-deep instruction") stay with any student who is waiting for his/her ride to show up at the end of a course or session.
- h. **Supplies and Materials** Be sure to secure materials and supplies for your course a minimum of one month prior to the course or pre-registration date(s). Try not to hoard supplies. Plan ahead. Try to secure free educational publications that are consistent with the established learning objectives or standards. Items such as pencils and license holders, are valued by students and reminds them of their course experience well after the course is given.
- Videos The maximum number of videos that should be used in a standard course is three, and they should only reinforce or facilitate the learning process not substitute for it.
   TPWD encourages instructors to use more hands-on teaching techniques. TPWD will provide each instructor with two videos. One includes four topics, "Deer Hunting Focus on Ethics," "Modern Firearms," "Field Care of Game," and "Using Airguns the Right Way." The second, "Safeguarding Our Heritage," is used in the Home Study program, and also as a review for the structured course. These videos are available upon request. Once

secured, the instructor retains the video while remaining active. Upon retirement or termination from the program, the instructor must return all materials and videos to the Hunter Education Program. Other TPWD video titles are available for purchase upon request through TPWD's video department for a nominal fee. (See Resource Section)

**Alan Madison Productions, Inc.** – offers a composite video, which contains three films in this order: "Firearms Safety & the Hunter II," "Survival II" and "The Hunter's Path ... choices in responsible hunting." These three films are the most popular and come on one cassette priced at \$199 + shipping. In addition, a new DVD set is available with the same three titles plus "Shoot/Don't Shoot" and "The Last Shot" and is priced at \$149.95 + shipping. To order, please contact them at P.O. Box 100, Chatham, NY 12037, or call toll-free (877) 404-3311, or (518) 392-3311, fax (518) 392-3314.

**Silvertip Productions, Ltd.** – Jim Wentz, former Ohio Hunter Education Coordinator, produced an excellent video series for use in any hunter education class. The two-hour video has seven individual topics that are incorporated into one VHS tape. They are: "Welcome to Hunter Education," "Hunting Safety," "Responsible Hunting," "Outdoor Safety," "Wildlife Conservation in North America," Successful Hunting" and "Hunting Opportunities." This video is available for a total of \$99.99 + \$6.95 Shipping and Handling. Instructors also may look on the web site www.IHEA.com for an order form, contact Jim direct at Silvertip Productions, Ltd., P.O. Box 368, Canal Winchester, OH 43110, or call (614) 834-9000. You must provide instructor mailing information and ID number.

**Crossbow Hunter Education Video** – produced by the American Crossbow Federation is available free upon request for instructors who might have inquiries from their students. It covers crossbow use and safety information with recommended safety precautions. To be a responsible user of crossbows or any equipment, individuals need adequate information and education.

#### 4. COURSE CHECKLIST

Following are things the instructor should think about:

- □ Set Class Location, Dates, Times
- □ Schedule class with Hunter Education staff in Austin
- □ Contact local Area Chief Instructor and TPWD Office
- □ Publicity and Promotions/Pre-registration
- $\hfill\square$  Secure Instructors/Assistants and/or Resource Professionals
- □ Procure Student Materials and Registration Forms
- □ Procure Instructor Materials and Course Completion Forms
- $\square$  Training Aids
- □ Check Equipment and Supplies
- □ Perform Site Inspection (Hazards and Precautions)
- □ Have on hand Sun Screen and Insect Repellants
- □ Check Classroom Arrangement, Tables and Audio/Visual Equipment
- □ Prepare Field and Live-firing Course
- □ Refreshments, Sign-in and Rest Rooms
- $\Box$  Registration and Introductions
- □ House Cleaning (Rest Rooms, Emergency Exits, Water, etc.)
- □ Schedule Breaks, Lunches
- □ Purpose of Course, Sponsors, Overview
- □ Do you have an Ice-breaker Exercise (e.g. Pre-test and Experience Survey)
- □ Be sure students complete Course/Instructor Evaluations
- □ "Show Them Let Them Show You" Hands-on Instruction
- □ How will you handle Final Examination
- Where They Go From Here" Information (e.g. Public Hunting Opportunities, Dove Leases, etc.; Grand Slam and Big Time Texas Hunts; Advanced Hunter Education, "Take Your Best Shot," and Texas Youth Hunting Program)
- □ Recognition Items (Patch, Decal, Temporary Student Card)
- □ Current TPWD Outdoor Annual (Hunting Regulations)

#### **PRE-CLASS:**

Directions to class location Posters announcing dates H Ed signs on stakes w/hammer H Ed signs to classroom w/duct tape Masking tape Scissors REGISTRATION sign Make COURSE SCHEDULE

#### **REGISTRATION:**

STUDENT REGISTRATION FORM Pens, pencils, eraser Paper clips Stapler, staples Post-Its, Post-It flags Instructor Name Tag Name boards/tags w/felt tip pen Put Instructor name(s) on board and instructions on what to do (Complete Pre-test/Experience) and welcome Receipt book, \$25 in \$5 for change OPERATION GAME THIEF video

#### **END OF CLASS:**

Tests and Answer Sheets Instructor Evaluation(s) decals HANDOUTS: *Hunter's Handbook* FINAL REPORT(s) and check to TPWD

#### **LIVE FIRE:**

Shooting Safety Rules brochure 2 or more Airguns; BB's or pellets Box(es) w/carpet to catch pellets Paper Targets Ear protection Eye protection Surveyor tape (to mark shooting area)

#### **HUNTER SKILLS TRAIL:**

2-4 orange vests
2-4 orange hats (1 extra for dummy)
2-3 doves
fawn
deer
turkey
rabbits
rubber snake
dummy camo hunter or camo clothing
purple paper (to make No Hunting mark)
w/nails and hammer or duct tape
rope (to make fence)
step-ladder (simulate deer stand)

#### HANDOUTS:

Hunter Education Manual TPWD *Outdoor Annual* (Hunting Guide) Hunter and Shooting Sports Ed. Journal Hunter Education Program Brochure Shooting Safety Rules Experience Survey/Pre-Test

#### **CLASSROOM:**

Lesson Plan book w/Outdoor Annual VCR w/cable, cord and remote White board markers and eraser

#### CHAPTER 1: HUNTER EDUCATION CHAPTER 2: HUNTNG HERITAGE CHAPTER 3: WILDLIFE MGMT

Home Study video (optional)

# CHAPTER 4:

# HUNTER SAFETY/RESPONSIBLITY

Training Aid gun to demonstrate carries "No Trespass" reprint (purple marks) "Hunter Orange" reprint "Hunter's Dilemmas" handout "The Hunter's Path" video Video script

#### **CHAPTER 5: MODERN FIREARMS**

Airgun and supplies (see Live Fire) Rifles Handguns Shotguns Clay targets Ammo: • Sample shotgun shells and parts • Ammo posters Eye/ear protection "Modern Firearms" video

#### **CHAPTER 6: PRIMITIVE FIREARMS**

Muzzleloader and accessories *Muzzleloader* book Replica muzzleloading pistol Bow/Arrows and accessories

#### CHAPTER 7: FITNESS/HYPOTHERMIA/FIRST AID/ SURVIVAL

Variety of clothing including hats, Gloves, long underwear Cooler w/ice and water 1-2 dimes (hypothermia demo) compass(es) topo map

First aid kit and supplies Survival equipment

Handout HUNT REGULATIONS Survival video

#### **CHAPTER 8: BASIC HUNTING TECHNIQUES**

Animal Posters Push pins 12 position Shoot/Don't Shoot poster

#### WILDLIFE IDENTIFICATION

# D. TEXAS HUNTER EDUCATION PROGRAM: APPROVED STUDENT MANUALS

