

04-29-2024

An Examination of the Current State of Examining Authority at Part 141 Pilot Schools

Timothy Rosser
Middle Tennessee State University

Paul Mosey
Middle Tennessee State University

In recent years, the airline industry pilot base has experienced significant turnover. As a result, there has been a corresponding need for qualified pilots to fill open pilot positions, therefore an increased need to train and certificate those pilots. A main source for training larger numbers of pilots has been FAA part 141 pilot schools. Most of the part 141 pilot schools train student pilots to proficiency and send those students to a FAA Designated Pilot Examiner for the check ride. A much lower number of part 141 pilot schools are approved for Examining Authority, which allows the school itself to conduct rating and certificate check rides in house. The process for a school to receive FAA approval is outlined in FAR 141.63 and 8900.1, and in some ways, appears to be open for interpretation. The purpose of this study was to examine the perceptions of process requirements associated with FAA Examining Authority approval. The study also aimed to investigate the different Examining Authority approval requirements as set forth by individual Flight Standards District Offices. In addition, the researchers sought to discover whether pilot schools who perceived Examining Authority approval to be too difficult to pursue, would reconsider if those requirements were easier to obtain. A survey was conducted with part 141 pilot schools to gain an understanding of school perceptions of the process, and to examine whether individual FSDOs follow the same process and expect the same requirements. Survey findings showed that there were significant differences in Examining Authority approval requirements between different FSDO offices. Additionally, several pilot schools stated that they would consider, or reconsider application for Examining Authority if the FAA relaxed some approval requirements.

Recommended Citation:

Rosser, T. & Mosey, P. (2024). An examination of the current state of examining authority at part 141 pilot schools. *Collegiate Aviation Review International*, 42(1), 138–147. Retrieved from <https://ojs.library.okstate.edu/osu/index.php/CARI/article/view/9673/8608>

Introduction

A steep increase in airline hiring has contributed to a shortage of available, qualified pilots. According to Hardee (2023), projections show a cumulative industry-wide deficit of pilots in North America to exceed 13,000 by 2032. As a result, pilot schools across the country have seen a rise in the number of pilot applicants and a corresponding increase in the number of practical tests needed to keep pace. To obtain a pilot certificate, an applicant must pass a practical test administered by a Federal Aviation Administration (FAA) representative. Currently, there are three ways a practical test may be administered. One option is that a test may be administered directly by an FAA inspector. Of the 105,000 practical tests performed in 2021, less than 1% were conducted by FAA inspectors (Beckman et al., 2023). The second option and most common way that practical tests are obtained is through an FAA Designated Pilot Examiner (DPE) (Federal Aviation Administration [FAA], 2023a). A DPE is an individual appointed in accordance with 14 Code of Federal Regulations (14 CFR) Section 183.23, who meets the qualification requirements of Order 8900.2, General Aviation Airman Designee Handbook (FAA, 2018).

The local Flight Standards District Office (FSDO) determines the number of DPEs designated by the need in their area of geographic responsibility, along with a determination of the office's ability to manage each DPE. DPEs assigned to a particular district office should be able to provide practical tests within a "reasonable period of time" (FAA, 2018, pp. 2-3). The ability to manage DPEs is determined by staffing and funding of individual district offices, which often affects the number of DPEs designated in a particular area (Beckman et al., 2023). Individual DPE availability to conduct practical tests is varied. Some DPEs are full-time and able to complete practical tests consistently. Other DPEs are part-time and conduct practical tests in and around other obligations. It is estimated that approximately half of current DPEs do only one practical test per week (Godlewski, 2022). This varied availability among DPEs does not allow for a consistently reliable way to process large numbers of flight students through the practical test process.

Beckman et al. (2023) examined the DPE system and gathered the perceptions of flight training providers regarding the use of DPEs for pilot practical tests. Results of the authors' study showed that 60% of responding flight training providers indicated their pilot applicants were waiting for a practical test with a DPE for three weeks or more. Of responding flight schools, 35% indicated that these wait times were somewhat of an issue, and 49% indicated it was a significant issue for their students. When asked if there were enough DPEs in their region to complete the required number of pilot practical tests, 83% of responding flight training providers indicated there were too few DPEs to meet demand. The authors reported that there were 851 DPEs available to provide pilot practical tests in 2021, and they completed 87% of all practical tests that year. Results of this study indicate that flight training providers perceive the DPE system as unable to meet the practical test demand of their students.

The third option for student pilot practical tests would be if the student was enrolled in a 14 CFR Part 141 pilot school approved by the FAA to conduct practical tests in-house through an examining authority (FAA, 2021). Examining authority is granted to a pilot school that has applied through the FAA and meets the following specific qualification requirements; the school

must hold a pilot school certificate and rating issued under 14 CFR Part 141.63; the school must have held the rating in which examining authority is sought for at least 24 consecutive calendar months preceding the month of application for examining authority; the course must meet the minimum ground and flight training requirements of 14 CFR Part 141.63; within 24 calendar months before the date of application for examining authority, that school must have trained at least 10 students in the training course for which examining authority is sought and recommended those students for a pilot, flight instructor, or ground instructor certificate or rating; at least 90 percent of those students passed the required practical or knowledge test, or any combination thereof, for the pilot, flight instructor, or ground instructor certificate or rating on the first attempt, and that test was given by an FAA inspector, or an examiner who is not an employee of the school (Examining Authority, 2024).

As previously reported, there were 851 DPEs approved to conduct practical tests in 2021, which accounted for 87% of the total practical tests. The remaining 13% of the practical tests were conducted through flight schools that were approved for 14 CFR Part 141 examining authority. Of the 2,200 flight training providers in the United States, 877 are 14 CFR Part 141 approved providers, and of those schools, only 58 (6.5%) are approved for examining authority for at least one flight course (Beckman et al., 2023). A pilot school with examining authority has the authority to recommend its graduates for pilot certificates or ratings without further testing by the FAA (FAA, 2021). These schools can be more consistent with their students' practical tests, as they are subject to their own schedules and have their own FAA-approved personnel on staff.

Additional guidance, beyond 14 CFR Part 141.63, found in FAA Order 8900.1, Volume 5, Chapter 121, states that “after receiving an application for examining authority from a 14 CFR Part 141 pilot school, the local FSDO should conduct the FAA practical test for at least 50 percent of the graduates of the course for which the school applied for examining authority” (FAA, 2007, p.1). The verbiage of this statement indicates that FSDO participation in practical tests is not a regulatory requirement but rather an advisement of practice. Some FSDOs may view the 8900.1 statement as regulatory, while others may not. If FSDOs are not adequately staffed to conduct high numbers of practical tests, and those FSDOs view the 50 percent number as regulatory, those offices may be unable to ensure the initial practical tests required for examining authority approval will be conducted in a reasonable period of time as outlined in 8900.2. A result of this could be that some FSDOs may not consider applications for examining authority at all. This would preclude the pilot school from obtaining examining authority and, in some cases, could cause pilot schools to forego the examining authority application process entirely. Different FSDO interpretations of 8900.2 may have a direct effect on examining authority application and/or approval.

The purpose of this study is to examine the current state of examining authority at 14 CFR Part 141 pilot schools and any possible impediments these schools are experiencing in securing examining authority. Beckman et al. (2023) examined perceptions of flight training providers regarding the current state of the DPE system. We hope to look at another aspect of the practical test options with this examination of examining authority. The authors are former 14 CFR Part 141 pilot school chief flight instructors with experience with the processes and challenges of being awarded examining authority. Conversations with other current chief flight instructors of 14 CFR Part 141 pilot schools, combined with our experiences, provide anecdotal

evidence regarding these processes and challenges. This study examines the perceptions of pilot school chief flight instructors regarding the requirements, process, and possible impediments to obtaining examining authority in their FSDO region.

Methodology

This study examines the perceptions of pilot school chief flight instructors regarding the requirements, process, and possible impediments to obtaining examining authority in their FSDO region. The population for this study was all 14 CFR Part 141 pilot school chief flight instructors in the United States. The primary research questions that directed this study were:

1. What is the current state of examining authority among 14 CFR Part 141 pilot schools?
2. What issues are 14 CFR Part 141 pilot schools contending with in their pursuit of examining authority?
3. What are the perceptions of 14 CFR Part 141 pilot school chief flight instructors regarding the requirements for and process of attaining examining authority?

To examine these questions, a survey instrument was developed. Discussions were held with former and current 14 CFR Part 141 pilot school chief flight instructors to gain insight into the process and requirements of applying for examining authority and any challenges their schools experienced in the application process. These discussions led to the development of the survey questions. The survey instrument consisted of 25 questions employing several different question types. The first five questions addressed informed consent, with the remaining questions designed to collect information about the respondents' flight school, including courses offered, number of student applicants for the flight courses the school offered, size of their fleet, number of flight instructors, and size of the staff. Sixteen questions were designed to capture quantitative data, while four were open-ended questions designed to capture the respondent's insights and perceptions. Demographic questions identified the FSDO region that provided oversight to the flight training provider. Questions examined the schools' eligibility for examining authority as described in Subpart D of 14 CFR Part 141 and about the school's current examining authority status, if the school had examining authority, or if they were pursuing or planning to apply for examining authority. Respondents were asked to identify the flight courses for which they were pursuing or planning to pursue examining authority. We then asked about any additional requirements that went beyond Subpart D of 14 CFR Part 141. Specifically, we asked if those who have applied for examining authority were required by their FSDO to follow the guidance found in Document 8900.1 that the local FSDO should conduct at least 50% of all practical tests of the graduates of the course for which the school applied for examining authority.

Because of anecdotal evidence that suggested guidance found in FAA Order 8900.1 was not applied consistently, questions that addressed a school's experience with their FSDO regarding this guidance were included in the survey. Respondents were then asked about their perceptions of the application process and about factors that may change their stance on their pursuit of examining authority. Participants were asked if relaxing the requirements for examining authority would make them more likely to pursue the authority. We inquired about requirements from their local FSDO for check instructors and the training process and

requirements for check instructors. Respondents were provided opportunities, through open-ended questions, to discuss specific issues related to their pursuit of examining authority.

The instrument was reviewed by three individuals who were knowledgeable about the topic to provide face validity. These individuals included two chief flight instructors and one individual with extensive research experience in developing survey questionnaires. Feedback from these reviewers was incorporated into the survey. Because this study involved human participants, the research team applied for and was awarded an exemption from the Institutional Review Board (IRB).

A search of the Aircraft Owners and Pilots Association (AOPA) Flight School Finder (2023) provided contact information for participants. Because the site contains information about many kinds of flight training providers, it allows for filtering to identify the characteristics you may be looking for. The site lists fixed-wing (airplane), rotorcraft (ex. helicopter), lighter-than-air (ex. balloon) flight schools, as well as flight schools that provide flight training under the provisions of 14 CFR Part 61 and 14 CFR Part 141 pilot schools. The search provided email contact information for 457 14 CFR Part 141 pilot schools and included all 14 CFR Part 141 flight training providers, whether they conducted airplane, rotorcraft, or balloon flight training. Because the majority of collegiate aviation program flight training is conducted under 14 CFR Part 141, the University Aviation Association (UAA) was asked to distribute the survey to its membership.

Results

The link to the electronic survey instrument, which was developed in Qualtrics XM online survey software, was sent to all 457 14 CFR Part 141 pilot schools identified in the Aircraft Owners and Pilots Association Flight School Finder and to all UAA institutions. Two weeks after the initial invitation email, a reminder email was sent to the 457 pilot schools and to the UAA institutions, asking for the chief flight instructors to complete the survey. After another two weeks, the survey was closed in Qualtrics, and the data were compiled. Of the 457 emails sent, 22 were returned as undeliverable, making the total number of potential recipients 435. Valid responses to the survey were received from 53 participants, which made the response rate 12.2%. Respondents represented 29 of the 76 FSDO regions. Of the respondents, 12 (22.67%) indicated they had examining authority for at least one flight course offering, with 41 respondents (77.36%) indicating they did not have examining authority for any course offered. Of respondents who indicated their school had examining authority, nine indicated they had the authority for ten years or less, with three indicating they have had the authority for 11 years or greater. Twelve participants indicated that they were in the application process for examining authority, with 27 indicating they were not pursuing the authority. All participants who indicated they were in the application process indicated that they met the requirements outlined in 14 CFR Part 141 Subpart D. Participants were asked to identify the courses for which they were pursuing examining authority. Twelve schools were pursuing examining authority for the Private Pilot Airplane Single Engine Land (ASEL), one school had applied for examining authority for their Private Pilot Airplane Multiengine Land (AMEL) course, 12 respondents indicated they had submitted their Instrument Airplane course, with seven indicating they had submitted their

Commercial Pilot ASEL course, five submitted their Commercial AMEL, and two pilot schools had applied for examining authority for their Certified Flight Instructor (CFI) ASEL course.

Of the 12 respondents who indicated they were pursuing examining authority, four stated they were required by their local FSDO to meet requirements in addition to those listed in 14 CFR Part 141 Subpart D, while 8 indicated their local FSDO did not require them to meet any additional requirements. When we asked specifically if they were required to have their local FSDO observe or conduct 50% of all practical tests in a cohort of students during their application process, five indicated yes, while six indicated they were not. These two questions in the survey were meant to gauge the application of the guidance in FAA document 8900.1.

We asked respondents to indicate the number of applicants they recommend for a certificate or rating under 14 CFR Part 141 in a typical year. Responses indicated that the largest number of applicants were private pilots and airplane single-engine lands (ASELs), with a maximum of 200 reported and a minimum of one reported applicant. The Instrument Rating – Airplane and the Commercial Pilot, Airplane Multi Engine Land (AMEL) represent the next largest number of applicants, with 180 annually for each and a minimum of one and two, respectively. Table 1 presents the results for all certificates and ratings addressed in the survey.

Table 1
Number of Applicants per year by Certificate or Rating

Certificate or Rating	Number of Schools	Mean	Min	Max
Private ASEL	31	36.8	1	200
Private AMEL ^a	1	50	50	50
Instrument Rating - Airplane	30	40.4	1	180
Comm ASEL	21	26.6	1	120
Comm AMEL	11	52.7	2	180
CFI ASEL	6	43.2	4	140
CFI Instrument	6	14.8	2	40
CFI AMEL	3	20.3	1	40
Private Rotorcraft	3	27.3	2	60
Comm Rotorcraft	3	73.3	20	150
Instrument Rating Rotorcraft	3	24.0	12	40
CFI Rotorcraft	3	6.3	1	10

Note. Only one respondent indicated they recommended any students for the Private Pilot Airplane Multi Engine Land certificate.

Participants were asked if relaxing any of the requirements from the FAA would make them more likely to apply for examining authority; 17 (45.95%) answered yes, while 10 (27.03%) answered no. Open-ended questions were used to gather respondents’ perceptions of areas of difficulty related to the pursuit of examining authority. The responses to these questions were far-ranging. One such question asked, “In pursuing examining authority, did your FSDO require you to satisfy requirements in addition to those listed in 14 CFR Part 141 Subpart D?” Nine respondents answered this question. One replied that their FSDO “wanted to conduct intermediate Stage Checks” and that they needed to demonstrate a need for examining authority

due to a lack of DPEs. Another open-ended question asked, “What requirements by your FSDO are problematic in your pursuit of or intent to pursue examining authority?” Chief flight instructors from 16 schools responded to this question. Several participants indicated the local FSDO office struggled to provide the personnel to oversee the application process and complete any practical tests or observations they required. Responses included, “Our FSDO is so slow, we are not motivated to pursue examining authority.”. Another responded, “Local FSDO claims they don’t have enough personnel to allow us to test again. No oversight, so we cannot apply”. Another stated, “FSDO is understaffed and cannot address our application.”. Still, another’s response was, “Our FSDO responded to our request for examining authority by stating they "unable to approve examining authority due to resources available." In the same kind of response, another respondent stated, “Our FSDO is very understaffed and will not look at our application package.”

Another area expressed in these responses addressed the required pass rate required to meet eligibility for examining authority. Of particular concern was the 90% first-time pass rate required by 14 CFR Part 141 Subpart D and attaining that rate while dependent on Designated Pilot Examiners. One respondent stated, “...the local DPEs failed more students when they were notified, we applied for examining authority”. Another responded with, “We sat at 89% for over a year, but it would take 5-6 passes without fail to tip over that 1%. One fail in there would drop us back down. Another challenge to our pursuit of Private Pilot examining authority is the wide range of DPE personalities. So much can go wrong on a student's first checkride, so a DPE that starts a checkride by making an applicant more uncomfortable than necessary really sets them up for failure”.

Questions in the survey then addressed staffing needs and requirements as they related to having or anticipating having examining authority. When asked if being awarded examining authority would require the hiring of additional staff, of 36 respondents, 13 indicated they believed they would have to hire additional staff. Fourteen respondents expected additional staff would not be needed. Nine schools indicated they were required by their FSDO to have a formal training program for any check instructors, while five indicated a training program was not required.

Discussion and Conclusions

Examining authority is not a good fit for every 14 CFR Part 141 pilot school. The results of this study indicate that 41 of the 53 (77.36%) responding to 14 CFR Part 141 pilot schools do not have examining authority. This supports the findings reported by Beckman et al. (2023). Of the 27 14 CFR Part 141 pilot schools that indicated they were not pursuing examining authority, 25 were smaller schools with no more than 20 pilot applicants completing a practical test in a year. The remaining two schools indicated they had no more than 40 pilot applicants in a year. Size may matter. Five of the schools represented in this study without examining authority indicated they would benefit from having the authority; however, they found significant impediments to attaining it.

Results suggest a disparity in the eligibility requirements beyond those listed in 14 CFR Part 141 Subpart D that the respondents pursuing examining authority were required to meet.

Document 8900.1 represents guidance for FSDO personnel; however, it is not regulatory in nature (FAA, 2007). The guidance for 50% of all practical tests to be conducted by the local FSDO was not applied universally. Of the 12 respondents who answered the open-ended question, seven indicated that a relaxation of the requirements to obtain examining authority would encourage them to pursue the authority. Of the 15 respondents who answered the question, nine indicated that their FSDO did not have the personnel to satisfy the 50% requirement of 8900.1 and, therefore, could not conduct or observe 50% of practical tests. This suggests that those FSDOs viewed 8900.1 as more regulatory in nature.

The varied availability of DPEs does not appear to lend itself to the consistency needed to meet the high demand for practical tests. As industry demand for available pilots grows and the number of pilot applicants continues to rise, it is possible that the number of DPEs required to meet that demand will not keep pace. If the number of practical tests required remains, and the backlog that is taking place at many pilot schools continues, an alternative means to DPEs may be desirable to move pilots through the examining process more efficiently.

The purpose of this study was to examine the current state of examining authority at 14 CFR Part 141 pilot schools and any possible impediments these schools are experiencing in securing examining authority. This study has opened additional avenues to pursue as we continue to dig deeper into the topic. As reported by Beckman et al. (2023), flight training providers perceive the DPE system as unable to meet the practical test demand for their students. It would stand to reason that if more 14 CFR Part 141 pilot schools were approved for examining authority, it might contribute to meeting the demand in a more efficient manner than is currently being met by the DPE base. Some schools have decided to pursue examining authority to help with this issue, while others, for one reason or another, have not. Examining authority is not necessarily a good fit for every 14 CFR Part 141 pilot school. Many of the schools that participated in this study indicated that they were not interested in pursuing examining authority and listed different reasons for this.

Limitations of the Study

Because of the design and methodology of this study, certain limitations impact the results and conclusions. A limitation of this study is the use of an online survey instrument for data collection. A personal interview with each respondent may have provided a more thorough discussion of the topics examined in the study; a survey forces a selected response that may not reveal specific information available through an interview. The survey was distributed using email, which may have led to potential respondents ignoring the email and not completing the survey, ultimately impacting the response rate. Time constraints may have played a role in this study. Those who received the invitation email may have felt that they could not spare the time required to complete the survey and elected not to participate. Participants may have misunderstood questions, leading to misleading responses.

To lessen the potential impact of these limitations, we focused our attention on the structure and design of the survey. We invited subject matter experts, in the form of current 14 CFR Part 141 chief flight instructors, to review the survey instrument and provide feedback about the specific questions included in the survey and the topics addressed. We also had the

survey reviewed by a highly accomplished researcher with extensive experience developing and administering survey instruments. Feedback from these individuals was used to refine the survey. To assuage concerns about the amount of time a participant may take to complete the survey, the invitation email included an estimate of the time required to complete it.

Future Research

Responses to the open-ended questions in the survey have provided insight into additional topics of investigation for future study. The research team has started work on a follow-up study to examine these topics more deeply. Data for this study were collected during the summer of 2023; on September 26, 2023, the FAA published Notice 8900.675, which rescinded the guidance in 8900.1 that for a school seeking examining authority, the local FSDO should conduct 50% of all practical tests for applicants in the course for which examining authority was being sought (FAA, 2023b). The research team includes questions in the follow-up study to examine the impact of this change on the intent of 14 CFR Part 141 pilot schools to pursue examining authority.

The results captured in this study offer a partial view of the current state of examining authority at 14 CFR Part 141 pilot schools. Because this study focused on the flight training providers, the FAA's perspective was not investigated. It would be appropriate to query the FSDO personnel who oversee the 14 CFR Part 141 pilot schools in their area of jurisdiction and gain their insight into the issues examined in this study. We hope this will provide a balanced view of the process and any challenges parties on both sides of the process face.

References

- Aircraft Owners and Pilots Association. (2023). *Flight school finder*. Retrieved from <https://www.aopa.org/search#q=flight%20school%20finder&sort=relevancy>
- Beckman, W., Gref, M., & Rosser, T. (2023). FAA designated pilot examiner system insights. *International Journal of Aviation, Aeronautics, and Aerospace*, 10(1). DOI: <https://doi.org/10.58940/2374-6793.1778>
- Examining Authority, 14 C.F.R. § 141.63 (2024). Retrieved from <https://www.ecfr.gov/current/title-14/chapter-I/subchapter-H/part-141/subpart-D>
- Federal Aviation Administration. (2007). Flight standards information management system. Retrieved from <https://www.faa.gov/documentLibrary/media/Order/8900.1.pdf>
- Federal Aviation Administration. (2018). *General aviation airman designee handbook*. Order 8900.2C - General Aviation Airman Designee Handbook (faa.gov)
- Federal Aviation Administration. (2021). *Airplane flying handbook*. Airplane Flying Handbook | Federal Aviation Administration (faa.gov)

- Federal Aviation Administration. (2023a). *Pilots handbook of aeronautical knowledge*. Retrieved from <https://www.faa.gov/regulationspolicies/handbooksmanuals/aviation/phak/chapter-1-introduction-flying>
- Federal Aviation Administration. (2023b). *Notice 8900.675*. Retrieved from https://www.faa.gov/documentLibrary/media/Notice/N_8900.675.pdf
- Godlewski, M. (2022, September 1). DPEs: report workforce shortage as symposium approaches. *Flying*. <https://www.flyingmag.com/dpes-report-workforce-shortage-as-symposium-approaches>
- Hardee, H. (2023, October 5). Pilot shortage ‘very real’ for US regional carriers struggling to keep aircraft flying. *Flight Global*. <https://www.flightglobal.com/strategy/pilot-shortage-very-real-for-us-regional-carriers-struggling-to-keep-aircraft-flying/155254.article>