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**4501-21-13**      **Classrooms.**

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501-21-17 of the Administrative Code.]

(A) Physical location.

- (1) A remedial driving course conducted in a classroom setting shall be conducted in an environment conducive to learning. Consideration shall be given to the safety and well-being of all students, the appropriate methods of maintaining discipline, environmental factors and any other relevant factors.
- (2) The classroom shall be located in a permanent structure or in a mobile or modular structure installed on a permanent foundation. The classroom shall not be located in a residence, a guest or sleeping room or in a room that is designated or designed as a sleeping room in a hotel or motel.
- (3) The classroom shall:
  - (a) Comfortably accommodate students and instructors and have sufficient space to contain tables and chairs or desks for all students;
  - (b) Be equipped with a variety of audio and/or visual training aids that support the course curriculum;
  - (c) Be reasonably free of visible and/or audible distractions and shall present an atmosphere adequate for learning;
  - (d) Have available for student use within its facility a clean and functional restroom; and
  - (e) Conform to all federal, state and local fire, building and safety regulations.

(B) Instruction requirements.

- (1) Neither a "Juvenile Driver Improvement Program" nor an "Advanced Juvenile Driver Improvement Program" can be taught in the same classroom at the same time that an "Adult Remedial Driving Course" is conducted. A "Juvenile Driver Improvement Program" may not be taught in the same classroom at the same time as an "Advanced Juvenile Driver Improvement Program."
- (2) The requirements in this rule apply to authorizing officials, course managers, chief instructors, advanced skills instructors and instructors instructing students participating in a remedial driving course. Instruction of individuals in remedial driving courses shall conform to this rule.
  - (a) Students shall be taught and supervised by instructors who meet the requirements of this chapter.
    - (i) For the adult remedial program, instructors shall instruct students only under the authority and guidance of a department-approved adult remedial curriculum provider;
    - (ii) For the juvenile remedial driving course, the instructors shall instruct students using the "Juvenile Driver Improvement Curriculum;"
    - (iii) For the advanced juvenile program, advanced skills instructors shall instruct students only under the authority and guidance of a department-approved advanced skills curriculum provider. Behind-the-wheel instruction shall be taught and supervised by certified instructors. A minimum of one instructor shall instruct no more than six students on any one range exercise.

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- (b) No radios, cell phones, electronic games or similar distractions shall be used or allowed during times of instruction.
- (c) Classroom instruction shall consist of no less than sixty minutes of instruction for each hour credited toward completion of the required training. Time taken for breaks in instruction shall not be included when calculating completion of the required instruction.
- (d) Instructors shall instruct students for no more than two hours without taking a ten-minute break from instruction. For courses being completed in one day an additional lunch break of at least thirty minutes shall be provided.
- (e) There shall be no more than twenty-four students in a remedial driving course. At least one instructor who meets the requirements of this chapter shall be present and conduct a remedial driving course.
- (f) A student who is late or absent from any part of a course shall make up that portion of the instruction that was missed prior to receiving a "Certificate of Completion." A student who does not actively participate in any part of the instruction is not eligible to receive a "Certificate of Completion."
- (g) The "Daily Classroom Roster - Remedial Courses" shall be used to ascertain the attendance of students.

  - (i) If the student does not complete the entire course, including all makeup sessions, within the timeline specified by the court or the bureau of motor vehicles, no credit for instruction shall be granted.
  - (ii) Any period of absence for any portion of instruction shall require that the student complete that session of instruction. All make-up sessions shall be equivalent in length and content to the instruction missed and taught by an instructor who meets the requirements of this chapter.
  - (iii) Each student dismissed for inappropriate behavior or for not participating in the course shall meet the conditions for reentry of students dismissed for violating the conduct or participation policy established by the enterprise.
- (h) For the adult remedial driving course, not more than three hours or less than one hour of classroom instruction shall be devoted to showing educational videos, slides or films that relate to adult remedial driving courses. No videos, DVDs, films or activities unrelated to safe driving practices, driver knowledge or driver skill shall be used. If the educational videos, DVDs or films that are a part of the approved curriculum are not available or are not functional at the time of the session, the session must be re-scheduled to a time when the educational videos, slides or films are available or functional.
- (3) A student may be refused instruction if the course officials reasonably believe that the person is under the influence of alcohol or a controlled substance.
- (4) For each remedial driving course there shall be a written grievance procedure made available to students that specifies the manner by which students may make complaints and the method by which the enterprise shall attempt to resolve them.
- (5) The identity of all students shall be verified by the instructor at the beginning of each course and prior to administering the final examination.

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## (C) Final examination

- (1) An adult remedial driving course shall include administration of an examination to test the student's comprehension of the material included in the course. The examination shall consist of a minimum of forty multiple choice questions. The questions shall be drawn from a bank of at least one hundred and twenty questions or there shall be established three different test versions.
- (2) An advanced juvenile program shall include administration of an examination to test the student's comprehension of the material included in the course. The final examination shall consist of three different test versions with a minimum of ten multiple choice questions per test.
- (3) For a juvenile remedial course, the enterprise shall use the assessment material provided in the "Juvenile Driver Improvement Curriculum" in lieu of a final examination.
- (4) Accommodations may be made for the final test to assist students who identify themselves as having learning difficulties.
- (5) Students taking the examination shall not be allowed to refer to any materials that may contain answers to the questions.
- (6) Records of each examination given shall include the date, the student's score, the student's name, and the identity and signature of the person who graded the examination. These records shall be maintained by the enterprise for a period of three years.
- (7) Any student found cheating on the final examination shall not be issued a "Certificate of Completion."
- (8) No "Certificate of Completion" shall be issued unless a student has correctly answered seventy-five percent of the final examination questions. If a student does not correctly answer seventy-five percent of the final examination questions, the student shall have the opportunity to retake the final examination one additional time. The second examination shall be a different test. If the student fails to score at least seventy-five per cent after taking the examination the second time, the student shall be required to retake the course.

## (D) Evaluations

- (1) For an advanced juvenile program, a behind-the-wheel evaluation shall be used to assess the progress of each student for each driving exercise. The student's evaluation shall be based on a pass/fail rating for each exercise provided in paragraph (H)(2) of rule 4501-21-06 of the Administrative Code. No "Certificate of Completion" shall be issued unless the student has passed the final examination and evaluation given during the behind-the-wheel training.
- (2) The participants of an adult remedial program shall be provided the opportunity to complete an anonymous evaluation of the course and instructor. The course evaluation shall be provided on an official form.