

*****DRAFT - NOT FOR FILING*****

4501-7-13 **Records for online and class "D" licensed schools.**

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (PP) in rule 4501-7-01 of the Administrative Code.]

(A) Each licensed school shall maintain the following records for three years from the date the record was finalized.

(1) For a class "D" licensed school, a record of the material taught for each student in each training session, regardless of whether the student has completed all training.

(a) The record shall include the student's name and address; driver license or permit number and, if applicable, its validation date; the date of each training session; and the starting time, and the ending time for each session the student completed.

(b) Each behind-the-wheel session notation shall be signed or initialed by the student.

(c) The instructor who provided the instruction for each behind-the-wheel session shall initial the record and record the instructor's license number for each session.

(d) The training manager or a licensed instructor shall sign the final record. The signature of the training manager or instructor shall confirm all training has been successfully completed.

(e) A distinct record shall be kept for classroom instruction, and a distinct record shall be kept for behind-the-wheel training.

(2) In addition to paragraph (A)(1) of this rule, a class "D" licensed school shall also maintain:

(a) The record for each student who is less than eighteen years of age shall include the following notations, if applicable to the student:

(i) Notation that the student received all classroom instruction or the equivalent online instruction as required by this chapter and division (C) of section 4508.02 of the Revised Code;

(ii) Notation that the student has satisfactorily completed the behind-the-wheel instruction required by this chapter and division (C) of section 4508.02 of the Revised Code;

(iii) The student's score on any examination of knowledge required by rule 4501-7-09 of the Administrative Code;

(iv) A record of the "Certificate of Completion" issued including its number and the date of issue.

(b) A record of every driver training "Certificate of Completion" issued by the enterprise to students under eighteen years of age. This record shall be maintained in a manner prescribed by the director;

(c) A copy of the training agreement between the enterprise and each student trained;

(d) The completed and signed final training record which has been given to each student upon completion of the training;

(e) A record of each training session administered by the school including the date, time, topic of instruction, instructor of record, and complete roster of the students attending such session;

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(f) If applicable to the student, a record of every student's proof of completion for instruction obtained through an online provider by means of the "Certificate of Completion of an Online Driver Education Program;"

(g) If applicable to the student, a record of successful enrollment in an online driver education program by means of the "Certificate of Enrollment;"

(h) A record of the schedule for behind-the-wheel instruction for each instructor that includes the date, time and student name for each lesson;

(i) An annual assessment for all instructors, performed by the training manager, and are in a written format pre-approved by the director. The assessments shall be maintained in the instructor's file.

(3) For an online licensed school, the records shall include, at a minimum;

(a) The student's name and address;

(b) The date the student started and date the student completed the program;

(c) The start time and end time of each module of the online program;

(d) The agreement between the enterprise and each student trained;

(e) A record of the "Certificate of Enrollment" and "Certificate of Completion of an Online Driver Education Program" issued by the online provider to students under eighteen years of age. This record shall be maintained in a manner prescribed by the director;

(f) A record of every student's proof of completion for instruction. This record shall be maintained in a manner prescribed by the director.

(g) The online provider shall create and maintain the records for each examination provided to each student. The school shall ensure that the record for each examination includes:

(i) All of the questions asked and the student's responses;

(ii) The name or identity of the online instructor entering comments or responding to questions during each final examination.

(B) In addition to student records listed in paragraph (A) of this rule, all driver training enterprises or schools shall maintain a permanent file of the following records:

(1) A copy of each instructor's current license;

(2) A complete copy of the driver training curriculum used by the school and any supporting textbooks, articles, or other sources of driver training information used for the classroom, online equivalent or behind-the-wheel instruction;

(3) The current school license. A copy shall be stored in the files maintained by the enterprise and shall be made available to any person upon request. Except for an online driver training program, the original school license shall be posted in the school in a conspicuous location where any person who enters the school can see it. If a license cannot be posted at the school, the license, or a copy thereof, shall be carried to each training session provided in that school;

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- (4) The enterprise or organization that completed the training shall maintain the records of the instructors. Dates, times, location of training and curriculum used shall be kept on file for inspection;
- (5) A valid and current continuous performance bond covering the enterprise's obligations to provide student instruction as set forth in paragraph (E) of rule 4501-7-08 of the Administrative Code;
- (C) In addition to student records listed in paragraph (A) of this rule, all driver training enterprises or schools, with the exception of driver training schools who solely provide online instruction, shall maintain a permanent file of the following records:
- (1) A copy of authorization from the department for instructors employed by that enterprise to train persons with disabilities;
- (2) A certificate of insurance verifying an active policy covering each vehicle used by the enterprise or its instructors for driver training with limits set forth in paragraph (B) of rule 4501-7-08 of the Administrative Code;
- (3) The enterprise or organization that completed the training shall maintain the records of the training managers trained for three years. Dates, times, location of training and curriculum used shall be kept on file for inspection.
- (D) All of the documents listed in this rule shall be kept accurately and stored in a file in the office of the school or office for the online enterprise. These documents shall be furnished upon request to the director.
- (E) If a school closes or an enterprise discontinues business for any reason, the authorizing official or training manager shall advise the director in writing at least thirty days prior to closing where the school's records will be stored.
- (F) The instructor's license, or a photocopy of the license, shall be maintained by the instructor, and by each enterprise for which the instructor trains. The license, or a photocopy thereof, shall be kept in the instructor's possession at any time the instructor is training students.
- (G) No person shall falsify, alter, or in any manner tamper with any records required to be kept by this chapter.
- (H) All records required to be maintained by an enterprise under the rules of this chapter, including those maintained on a computer database, shall be kept in a school's designated office that conforms to the standards under this chapter. The authorizing official or training manager shall make all records available for inspection by the director. The authorizing official or training manager shall make all applicable records available for inspection by a student and/or the student's parent or legal guardian at any and all reasonable times. Any records required to be maintained which are in a computer database shall be accessible and capable of being distinguished from non-related records.