

4501-7-13**Records maintained by a licensed driver training enterprise.**

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501-7-39 of the Administrative Code.]

(A) Each licensed school shall maintain student records for three years from the date the record was finalized, regardless of whether the student has completed all training.

(B) For a class "D" and CDL licensed school, a distinct record shall be kept for classroom instruction, and a distinct record shall be kept for behind-the-wheel training. These records include:

(1) A record of the material taught for each student in each training session, which includes:

(a) The student classroom and behind-the-wheel records shall include the student's name and address; driver license or permit number and, if applicable, its issuance date; the date of each training session; and the actual starting time, break time, and the actual ending time for each session the student completed;

(b) Each behind-the-wheel session notation signed or initialed by the student and instructor, who provided the training, after completion of the training. The record also includes the instructor's license number for each session;

(c) The signature of the training manager or instructor on the final record confirming all training has been successfully completed;

(d) A record of each training session administered by the school including the date, time, break time, topic of instruction, instructor of record, and complete roster of the students attending such session. In addition, for virtual classroom, a copy of the student roster footprint showing each student's log in and log out times;

(e) A copy of the student's final examination;

(f) For a class "D" student, a record of every student's proof of completion for instruction obtained through an online provider in a manner prescribed by the director.

(2) For a class "D" training course, a copy of the completed and signed final record for each student who is less than eighteen years of age, if applicable to the student, includes the following notations:

- (a) 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;
 - (b) 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;
 - (c) The student's score on any examination of knowledge required by rule 4501-7-09 of the Administrative Code;
 - (d) A record of the "Certificate of Completion" issued including its number and the date of issue.
 - (3) For each student in a training course for the operation of commercial motor vehicles, the records include the following notations:
 - (a) That the student received all classroom and behind-the-wheel instruction required by rule 4501-7-28 of the Administrative Code.
 - (b) The student's final test score.
 - (4) A record of every driver training certificate of completion issued by the enterprise to students under eighteen years of age in the format prescribed by the director.
 - (5) A copy of the fully executed training agreement between the enterprise and each student trained.
- (C) For an online licensed school, the records include, at a minimum;
- (1) The student's name and address;
 - (2) The date the student started and date the student completed the program;
 - (3) Each start time, each end time, and total cumulative time spent in of each module of the online program;
 - (4) The agreement between the enterprise and each student trained;
 - (5) A record of the "Certificate of Completion of an Online Driver Education Program" issued by the online provider to students under eighteen years of age, in a format prescribed by the director;
 - (6) The records for each examination provided to each student, which includes;

- (a) All of the questions asked and the student's responses;
 - (b) The name or identity of the online instructor entering comments or responding to questions during each final examination.
- (D) All driver training enterprises and schools shall maintain an instructor file for all instructors currently employed and maintain the records for at least three years following the termination of an instructor's employment. The records include:
 - (1) A copy of each instructor's current license. The instructor's license, or a photocopy of the license, shall also be maintained by the instructor, and by each enterprise for which the instructor trains. The license, or a photocopy thereof, is kept in the instructor's possession at any time the instructor is training students.
 - (2) The enterprise or organization that completed the training is responsible for maintaining the records of the instructors. This includes the dates, times, location of training and curriculum used.
 - (3) For instructors with the training manager endorsement or disability endorsement, proof of completion of the training provided to obtain such endorsement.
 - (4) An annual assessment for all instructors performed by the training manager that are in a written format pre-approved by the director.
 - (5) Proof of the annual "Sexual Harassment Prevention Training" course completion.
 - (6) Proof of satisfactory completion of a pre-approved advanced training course as set forth in paragraphs (F) and/or (U) of rule 4501-7-05, whichever is applicable.
 - (7) The "Driver Training Personnel Physical Examination" as set forth in paragraph (F) of rule 4501-7-03.
 - (8) For a class "D" school records include a record of the schedule or log for behind-the-wheel instruction for each instructor that includes the date, start and ending time, and student name for each lesson.
 - (9) Records for a training manager and/or instructor's behavioral problem(s) that give good cause for the belief that the instructor and/or training manager could be physically or mentally unfit to perform their duties. The records also include disciplinary actions taken to correct such behavior in the instructor's file.
- (E) Driver training enterprises and schools shall also maintain a file for business records. These records include:

- (1) The current school license. A copy shall be made available to any person upon request. Except for an online driver training program, the original school license is 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, is carried to each training session provided in that school.
 - (2) A copy of the deed, lease, or rental agreement for the property used as the established place of business;
 - (3) Proof of valid insurance coverage as set forth in paragraphs (B) or (C) in rule 4501-7-08, whichever is applicable;
 - (4) Proof of a valid and continuous bond or escrow account covering the enterprise's obligations to provide student instruction as set forth in paragraph (F) in rule 4501-7-08;
 - (5) For a CDL enterprise, a copy of the range layout including dimensions of the run-off areas and dimensions of the specific exercise dimensions as set forth in paragraph (H) of rule 4501-7-04.
 - (6) The annual "Motor Vehicle Inspection List";
 - (7) A complete copy of the required curriculum and lesson plans 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;
- (F) If an instructor, authorizing official, or manager permits the use of a stamped or electronically produced signature, that instructor, official, or manager is responsible for securing the stamp or electronic means, and that instructor, official, or manager is responsible for any document on which that instructor's, official's, or manager's signature is produced.
- (G) All of the documents listed in this rule shall be kept accurately and stored in a file in the office of the school that conforms to the standards under this chapter. Finalized records may be stored at the enterprise's main office. Active student records shall be stored on site in the classroom or in an office located in the same county as or in a county adjacent to where the training takes place. 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. These documents shall be furnished upon request to the director.

- (H) If a school closes or an enterprise discontinues business for any reason, the authorizing official or training manager shall complete and submit the "Enterprise Closing Procedure" to the director at least thirty days prior to closing.
- (I) No person shall falsify, alter, or in any manner tamper with any records required to be kept by this chapter.
- (J) All records required to be maintained by an enterprise under the rules of this chapter, that are stored electronically, shall be stored either in a secured computer at the office for the enterprise or at a secure off-site data center within the United States. 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.

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