

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) For an online licensed school, the record shall include the student's name and address, the date the student started and completed the program, and the start date and time of each module of the online program.

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

(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 or skill required by rule 4501-7-10 of the Administrative Code;

- (d) A record of the certificate of completion issued including its number and the date of issue.
 - (4) 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.
 - (5) A record of the certificate of enrollment in 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.
 - (6) A record of every student's proof of completion for instruction obtained through an online provider. This record shall be maintained in a manner prescribed by the director.
 - (7) A copy of the training agreement between the enterprise and each student trained.
 - (8) The completed and signed final training record which has been given to each student upon completion of the training.
 - (9) Except for an online driver education program, 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.
 - (10) A record of the schedule for behind-the-wheel instruction for each instructor that includes the date, time and student name for each lesson.
- (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.
 - (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) Online providers shall issue a "Certificate of Enrollment" to a student who has successfully enrolled and has completed at least two hours of online instruction.

(1) The director shall supply the "Certificate of Enrollment" required by division (E)(2) of section 4508.02 of the Revised Code and shall maintain a record of all certificates supplied to each online provider. This record will include the date certificates were supplied and the name of the enterprise to which they were supplied. The certificates will be supplied to a licensed enterprise and shall not be transferred to or issued by any other enterprise.

(2) The authorizing official shall issue certificates to students in numerical sequence. No authorizing official shall issue a certificate before the student has completed at least two hours of actual online instruction.

(3) Certificates shall be logged and printed by the online provider through the online system managed by the department.

(G) Online enterprises shall issue a "Certificate of Completion of an Online Driver Education Program" for a student who has successfully completed the online driver education program.

(1) The director shall supply the certificates as required by division (E)(2) of section 4508.02 of the Revised Code and shall maintain a record of all certificates supplied to each online provider. This record will include the date certificates were supplied and the name of the enterprise to which they were supplied. The certificates will be supplied to a licensed online enterprise and shall not be transferred to or issued by any other enterprise.

(2) The authorizing official shall issue certificates to students in numerical sequence. No authorizing official shall issue a certificate prior to the student completing every module and passing the final examination of the online driver education program.

(3) Certificates shall be logged and printed by the online enterprise through the online system managed by the department.

(H) Except for an online enterprise, driver training enterprises shall issue "Certificates of Completion" to beginning drivers who are under the age of eighteen who have successfully completed the classroom, or equivalent program of instruction with an online provider and the behind-the-wheel training required by division (C) of section 4508.02 of the Revised Code.

(1) The director shall supply certificates of completion for the course of training required by division (C) of section 4508.02 of the Revised Code and shall maintain a record of all certificates supplied to each enterprise. This record will include the date certificates were supplied and the name of the enterprise to which they were supplied. The certificates will be supplied to a licensed enterprise and shall not be transferred to or issued by any other enterprise.

(2) The authorizing official shall issue certificates to students in numerical sequence based upon the date a student completed the training. No authorizing official or training manager shall issue a certificate before the student had completed all required training.

(3) Certificates shall be logged by the enterprise through an online system managed by the department.

(4) When the authorizing official or training manager determines that a certificate of completion must be voided, the box for "void" shall be marked on the online system.

(5) Certificates shall be logged and printed by the online enterprise through the online system managed by the department.

- (I) When a driver training enterprise closes for any reason, including a license suspension or revocation, the director shall make all unused certificates inaccessible to the enterprise.
- (J) In the event a "Certificate of Completion," "Certificate of Completion of an Online Driver Education Program," or "Certificate of Enrollment" is lost or stolen after being issued to a student, the student may obtain a new certificate of completion, certificate of completion of an online driver education program or certificate of enrollment from the driver training enterprise that issued it. The student shall first complete a request for a new "Certificates of Completion," "Certificate of Completion of an Online Driver Education Program," or "Certificate of Enrollment" on a form supplied by the director explaining the theft or loss. This form shall be signed by the student and parent or legal guardian. The completed request from the student shall be retained by the enterprise and maintained in the school files. The training manager or authorizing official, or a designee, shall mark the box for "duplicate" and issue the new certificate via the online system. No driver training school may charge a fee for a replacement "Certificates of Completion," "Certificate of Completion of an Online Driver Education Program," or "Certificate of Enrollment" that exceeds the actual cost of preparing the certificate requested.
- (K) No "Certificates of Completion," "Certificate of Completion of an Online Driver Education Program," or "Certificate of Enrollment" may be sent electronically. An authorizing official or training manager of the school who issues the certificate shall sign each certificate. If an instructor, authorizing official, or manager permits the use of a stamped or electronically produced signature, that instructor, official, or manager shall be responsible for the securing of such stamp or electronic means, and that instructor, official, or manager shall be responsible for any document on which that instructor's, official's, or manager's signature is produced.
- (L) 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.
- (M) No person shall falsify, alter, or in any manner tamper with any records required to be kept by this chapter.
- (N) 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.

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