

## TO BE RESCINDED

4501-8-12                    **Required records.**

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501-8-21 of the Administrative Code.]

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

- (1) For an abbreviated adult course offering classroom and behind-the-wheel instruction, a record of the material taught for each student in each training session, regardless of whether the student has completed all training. A distinct record shall be kept for the classroom instruction, and a distinct record shall be kept for behind-the-wheel training, if applicable. These records shall include:
  - (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, the actual starting time, break time, and the actual 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) A record of the on-road evaluation performed for the student. The evaluation shall include the date of evaluation, signature and license number of the instructor evaluating the student. The record shall also include the student's initials.
  - (e) A record of every student's proof of completion for instruction. The record shall be maintained in a manner prescribed by the director.
  - (f) A complete roster of students attending each classroom session. The roster shall include the name of the school, date, time, break time, topic of instruction, and instructor of record;
  - (g) A record of the student's examination of knowledge required by rule 4501-8-09 of the Administrative Code; and

- (h) A copy of the training agreement between the enterprise and each student trained.
  - (i) The "Certificate of Completion of an Online Adult Program" for those students who took an online abbreviated adult course and have elected to receive behind-the-wheel instruction.
- (2) For an online adult abbreviated course, 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) 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.
  - (f) A record of every student's proof of completion for instruction. The record shall be maintained in a manner prescribed by the director.
- (B) Except for an online abbreviated adult course, the enterprise shall maintain 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 for three years.
- (C) All driver training enterprises shall maintain a permanent file of the following records:
- (1) A copy of each instructor's current license;
  - (2) A copy of each instructor's current driving record submitted during the annual license renewal;
  - (3) A complete copy of the "Abbreviated Adult Course Curriculum" and lesson plans used by the school and any supporting articles, or other sources of driver training information used for the classroom or behind-the-wheel instruction;

- (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 4501-8-08 of the Administrative Code.
- (D) In addition to paragraph (A)(1) of this rule, an abbreviated adult course offering classroom and behind-the-wheel instruction, shall maintain the following records in a permanent file:
- (1) 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 4501-8-08 of the Administrative Code;
  - (2) A copy of authorization from the department for instructors employed by that enterprise to train persons with disabilities, if applicable;
  - (3) An annual assessment for all instructors performed by the adult training coordinator that are in a written format pre-approved by the director. The assessments shall be maintained in the instructor's file;
  - (4) 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. The original school license shall be posted 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.
- (E) If an instructor, online instructor, authorizing official, or coordinator permits the use of a stamped or electronically produced signature, that instructor, official, or coordinator shall be responsible for securing the stamp or electronic means, and that instructor, official, or coordinator shall be responsible for any document on which that instructor's, official's, or coordinator's signature is produced.
- (F) 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 adult training coordinator shall make all records available for inspection by the director. The authorizing official or adult training coordinator 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.

- (G) If a school closes or an enterprise discontinues business for any reason, the authorizing official or adult training coordinator shall complete and submit the "Enterprise Closing Procedure" to the director at least thirty days prior to closing.
- (H) 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.
- (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. The authorizing official or adult training coordinator shall make all records available for inspection by the director. The authorizing official or adult training coordinator 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.

Effective:

Five Year Review (FYR) Dates: 6/7/2022

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Certification

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Date

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