

4765-11-03

Qualifications for a fire charter.

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (CC) in rule 4765-11-01 of the Administrative Code.]

(A) The executive director, with advice and counsel of the committee, shall issue a charter to a program to provide firefighter, fire safety inspector, and instructor courses in accordance with the classifications outlined in rule 4765-11-02 of the Administrative Code.

(B) In order to be issued a charter by the executive director, a training program shall satisfy all of the following requirements:

(1) Submit a completed "Fire Charter Application" to the division;

(2) Possess a good reputation, as defined in rule 4765-11-01 of the Administrative Code;

(3) Have an authorizing official with a good reputation who assumes ultimate responsibility for the following:

(a) Serves as program director or designates another person with a good reputation to serve as program director;

(b) Administers the firefighter, fire safety inspector, and instructor courses;

(c) Complies with all rules and laws applicable to firefighter, fire safety inspector, and instructor courses;

(d) Performs ongoing review and maintains written evaluations of the courses including content of each course;

(e) Performs ongoing review and maintains written evaluations of the instructors' and students' performance for each course;

(f) Assigns faculty responsibilities and schedules program courses;

(g) Prepares or approves all documents required to be submitted for chartering;

(h) Assures the adequacy of the curriculum and all program training materials;

(i) Assures the integrity and security of testing materials, procedures and requirements to be a charter are met as required in Chapter 4765-11 of the Administrative Code.

(4) Offer firefighter, fire safety inspector, and instructor courses that satisfy the

curriculum requirements as set forth in this chapter:

- (5) Establish an advisory committee that shall meet at least one time each year based on the charter cycle and includes a minimum of five individuals consisting of the program director, fire chiefs, instructors, and others from the fire community;
- (6) Have current and valid affiliation agreements allowing for the use of equipment, supplies, and other apparatus that meet the performance objectives for firefighter, fire safety inspector, and instructor courses;
- (7) Utilize individuals who hold a valid and current certificate to teach in accordance with Chapter 4765-21 of the Administrative Code;
- (8) Utilize instructors to teach courses at or below the level of an instructor's fire training certificate;
- (9) Have a sufficient number of fire instructors to ensure that the ratio of students to instructors does not exceed five to one during all practical skills instruction;
- (10) Possess or have access to, equipment and supplies that are comprehensive, current, and sufficient for the number of students and instructors participating in the courses;
- (11) Have sufficient classroom and laboratory facilities to accommodate the number of students participating in the courses;
- (12) Require each student enrolled in a firefighter training course to have course materials that meet NFPA 1001;
- (13) Require each student enrolled in a fire safety inspector training course to have course materials that meet NFPA 1031;
- (14) Have comprehensive current publications, media resources, electronic resources relating to fire services, as well as the minimum curriculum for firefighter, fire safety inspector, and instructor courses as established under section 4765.55 of the Revised Code and this chapter;
- (15) Have and maintain one fixed geographic location where a chartered program is operated and where training is conducted, including an office in a fixed geographic location where records are maintained. Such location shall not consist of a house trailer, residence, tent, temporary stand, rooming house, apartment, post office box, or in a room in a hotel or motel;
- (16) Provide classroom environments that are safe, sanitary, and conducive to learning;

- (17) Provide regular evaluations of student performance and achievement throughout each course including written and practical examinations as set forth in rules 4765-11-19 and 4765-11-20 of the Administrative Code and performance objective check-off sheets as approved by the executive director;
- (18) Issue a document of course completion to each student who successfully completes the training course and passes all examinations administered by the chartered program;
- (19) Admit only those individuals who are at least eighteen years of age, except that a chartered program may admit a student who is seventeen years old provided that the student has graduated or is enrolled in the twelfth or final grade in a secondary school program;
- (20) Have written policies approved by its advisory committee that are made available to students identifying all of the following:
 - (a) Methodology used in determining grades;
 - (b) Methodology used to document missed hours and record makeup procedures for completing all course hours;
 - (c) Criteria for successful completion of the training course;
 - (d) Grounds for dismissal from the course;
 - (e) Disciplinary and grievance procedures including mechanism for appeals;
 - (f) Procedures for voluntary student withdrawals from the course;
 - (g) Procedures for refunding tuition payments;
 - (h) Admission requirements;
 - (i) Requirements or restrictions regarding student attire;
 - (j) Costs associated with the training course, including tuition, materials, and fees;
 - (k) Information regarding course schedules, content, and objectives;
 - (l) Prohibition against discrimination towards students on the basis of race, color, religion, gender, sexual orientation, age, or national origin;
 - (m) Prohibition against students being assigned emergency response duties during scheduled classroom instruction or practical training during

firefighter, fire safety inspector or instructor training:

(n) Procedures for reporting accidents and injuries sustained during a course;

(o) Procedures for conducting live fire training that meet NFPA 1403.

(21) Possess financial resources that are sufficient for the operation of the program in the manner set forth in the application for a charter;

(22) Require that all students are notified of the process for obtaining a firefighter, fire safety inspector, or instructor certificate issued by the executive director pursuant to section 4765.55 of the Revised Code and Chapters 4765-20 to 4765-21 of the Administrative Code.

(C) Any chartered program, or applicant for a charter issued under section 4765.55 of the Revised Code and this chapter, shall comply with the following:

(1) Allow access by the division to student firefighter, fire safety inspector, and instructor training records to verify successful completion of all certification requirements as set forth in Chapter 4765. of the Revised Code;

(2) Allow the division to review instructor records in order to verify compliance in accordance with Chapter 4765-21 of the Administrative Code;

(3) Allow the division to review program materials and monitor the testing processes utilized by the chartered program;

(4) Require attendance in all firefighter, fire safety inspector, and instructor training courses:

(a) Any absences from a scheduled class shall be documented;

(b) Any absences from a scheduled class shall be made up and accurately documented in a manner approved by the program director.

(5) Allow site inspections by the division;

(6) Maintain written or electronic documentation of compliance with this chapter, for all firefighter, fire safety inspector, and instructor training courses. The following information for each class shall appear for the previous and current charter cycle:

(a) Lesson plans, course schedules, and policies in compliance with this chapter;

(b) Evaluations of instructors and student performance;

- (c) Attendance records for each firefighter, fire safety inspector, and instructor training course conducted by the chartered program showing completion of required hours;
 - (d) Accident and injury reports;
 - (e) Objective check-off sheets;
 - (f) Documentation of current and valid instructor certificates and current and valid firefighter or fire safety inspector certificates, as applicable;
 - (g) Affiliation agreements as outlined in this rule;
 - (h) Documentation of compliance with certification admission requirements for firefighter, fire safety inspector, and instructor courses;
 - (i) The minutes of advisory committee meetings including an agenda, discussion of issues, and attendance record for each meeting that is conducted in accordance with this rule;
 - (j) Documentation of compliance with NFPA 1403 on live fire training;
 - (k) State knowledge and practical examination documentation.
- (7) Each instructor shall keep accurate attendance records for each course in a manner acceptable to the program director. Following the completion of each course, the instructor shall give such records to the program director, who shall maintain the records in the course file.
- (D) A charter issued under section 4765.55 of the Revised Code and this chapter shall be valid for three years and may be renewed according to guidelines established in rule 4765-11-05 of the Administrative Code.
- (E) A chartered program shall maintain all documentation required in this rule for the duration of the current cycle and one previous charter cycle.
- (F) If a chartered program is utilizing a location outside of the state of Ohio, the chartered program shall comply with Chapter 4765-11 of the Administrative Code and any applicable law, rules, or regulations in that state.

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