



Ohio Administrative Code Rule 4501-21-14 Technology-based method(s).

Effective: May 1, 2022

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501-21-17 of the Administrative Code.]

An adult remedial driving course enterprise may use technology-based method(s) for delivery of part or all of the curriculum. Partial online adult remedial is done in conjunction with classroom-based instruction. Sections 4510.037 and 4510.038 of the Revised Code require at least fifty per cent of the adult remedial curriculum to be delivered to a student through classroom instruction. The student shall successfully complete all technology-based method(s) portions of the training prior to starting the classroom portion of the training. Each student shall finish the complete eight hours of training within thirty days of the initial starting date and time. After thirty days, the student shall be required to begin the course again.

The department shall review the proposal for technology-based instruction, and approve or deny approval of the proposed method. Under no circumstances shall the department approve technology-based instruction to accomplish juvenile remedial driving instruction as provided in sections 4510.31 and 4510.311 of the Revised Code. The enterprise shall provide any additional information required by the department as part of the approval process.

(A) Along with the requirements in rule 4501-21-05 of the Administrative Code, an enterprise proposal from an adult remedial driving course enterprise shall develop security policies and procedures. The elements of the security policies and procedures includes:

- (1) Risk management plan;
- (2) User authentication and authorization procedures and technologies;
- (3) Access control procedures and technologies;



- (4) Auditing capability;
- (5) Systems availability;
- (6) Course and systems integrity;
- (7) Confidentiality and privacy;
- (8) Business continuity and disaster recovery;
- (9) Systems monitoring and incident response; and
- (10) Change control.

(B) An enterprise shall incorporate a personal validation process that verifies student identity and participation. An enterprise shall develop and maintain a means to reasonably authenticate users on a periodic basis. Authentication shall occur randomly twice during the course and upon entering, and exiting the adult remedial driving course. This may be accomplished by a combination of the following:

- (1) Username and password authentication;
- (2) Third-party database authentication including the department-provided student validated questions;
- (3) Certification authentication through the use of digital certificates;
- (4) Biometric authentication; or
- (5) Other means that are as secure as the methods described in paragraphs (B)(1) to (B)(4) of this rule that are based on emerging technologies and allow for reasonable assurance that the students are authenticated.



(C) An enterprise shall incorporate and maintain compliance with the "Minimum Standards for an Online Adult Remedial Course". The "Minimum Standards for an Online Adult Remedial Course" includes, but is not limited to, the following:

(1) A course validation process that verifies student participation and comprehension of course material;

(2) Built-in timers to ensure that the statutorily required amount of hours have been attended and completed by the student; and

(3) Testing of student participation throughout the course and at the completion of the course to ensure that the student receives the minimum course content and time management requirements for instruction.

(D) For partial online adult remedial enterprises, the online course does not include the final exam. The classroom portion of the course includes administration and scoring of the final exam, including the one retake examination that is permitted under paragraph (C)(8) of rule 4501-21-13 of the Administrative Code.

(E) In addition to paragraph (C)(8) of rule 4501-21-13 of the Administrative Code, an online adult remedial driving course offering the full course online, testing procedures also includes the following:

(1) Measures that will ensure a student taking the examination is not allowed to refer to any materials that may contain answers to the questions, including identifying the correct response to each question presented until the examination is completed;

(2) Accommodations for the final examination to assist student who identify themselves as having learning difficulties;

(3) Recording of each examination given including the questions presented, the student's answer to the questions, the date, and the student's score; and



(4) Measures to ensure the student's identity prior to starting the final examination.

(F) An online adult remedial enterprise shall provide for systems security. Systems security includes the following :

(1) Developing and maintaining a technology infrastructure that facilitates sound security and positively contributes to the student learning experience;

(2) Developing and maintaining an appropriate solution to ensure the integrity of information, especially financial and personal information, in transit and at rest;

(3) Developing and maintaining a systems back-up and disaster recovery capability;

(4) Maintaining assurance that course data are readily, securely, and reliably available by electronic or printed means to the department and the department authorized recipients on a demand basis;

(5) Developing and maintaining a means to facilitate state audit, compliance, and verification requirements; and

(6) Developing and maintaining a means to facilitate state-conducted audit requirements. The department retains the right to request and review work papers and other supporting documentation related to the audit reports and the reviews undertaken. If the technical support, application server host, or data storage facilities are located outside the state of Ohio, upon the request of the department, the enterprise submits a report encompassing the rules of this chapter to meet the audit requirements. An enterprise shall provide the department with an audit amendment describing any significant system changes within thirty days of enabling those changes.

(G) Audits

(1) A remedial driving course enterprise may be audited upon request of the department to ensure compliance with the applicable rules and regulations, and the results shall become a part of the course provider file maintained by the department.



(2) An enterprise shall address all exceptions noted during the audit and provide such documentation to the department within thirty days of notice of said exceptions.

(3) An enterprise upon termination of the course approval, shall deliver any missing student data to the department within seven calendar days of termination.

(H) Student pre-registration process for partial online adult remedial driving courses.

(1) An enterprise using technology-based method(s) as a part of the course of instruction shall establish a student pre-registration process that requires each student to register with the affiliated classroom provider as identified in paragraph (C)(11) of rule 4501-21-05 of the Administrative Code.

(2) During the student pre-registration process, the classroom provider shall verify the identification of each student using the list of approved primary and secondary documents as published in the "Digest of Motor Vehicle Laws."

(3) Students may not begin the technology-based method(s) portion of the course until their identity has been verified during the classroom provider's student pre-registration process. Following verification of each student's identity, the classroom provider will issue the student a unique user ID and password that will provide the student with access to the on-line portion of the course.

(I) Any modifications made to the online instruction, including but not limited to, design, quizzes, activities, modules, content, law updates or resources must be approved by the director prior to being placed into production.