



## Ohio Administrative Code

### Rule 4765-21-08 Reinstatement of a revoked fire instructor, assistant fire instructor, live fire instructor, and fire safety inspector instructor certificate.

Effective: April 1, 2019

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[Comment: For dates and availability of material incorporated by reference in this rule see rule 4765-25-02 of the Administrative Code.]

(A) The executive director may reinstate a fire instructor certificate that has been previously revoked for at least one year from the date the executive director ordered revoking the certificate, but not more than two years. In order to be considered for reinstatement, the applicant shall meet the following requirements:

(1) In the preceding seven years, the applicant shall have been certified for at least five years as a firefighter;

(2) The applicant shall have previously held a fire instructor certificate;

(3) The applicant shall possess a current and valid firefighter certificate that is in good standing and:

(a) Shall not have been convicted of any of the following:

(i) Any felony;

(ii) A misdemeanor committed in the course of practice;

(iii) A misdemeanor involving moral turpitude.

(b) Shall not have committed fraud, misrepresentation, or material deception in applying for, or obtaining a certificate issued under section 4765.55 of the Revised Code and this chapter.

(4) The applicant shall pass an instructional methods examination as set forth in rule 4765-21-05 of the Administrative Code;



(5) The applicant shall complete ten hours of supervised teaching:

(a) In the presence of a fire instructor trainer and under the auspices of a chartered program; and

(b) Including a minimum of six hours of classroom lecture and a maximum of four hours of practical skills instruction.

(6) The applicant shall complete the four hour "Fire Service Training Module";

(7) The applicant shall complete the four hour "Live Fire Training Awareness Module";

(8) The applicant submits an application fee of seventy-five dollars;

(9) The applicant shall submit a completed "Fire, Fire Safety Inspector, and/or Live Fire Instructor Reinstatement Application."

(B) The executive director may reinstate a live fire instructor certificate that has been previously revoked for at least one year from the date the executive director ordered revoking the certificate, but not more than two years. In order to be considered for reinstatement, an applicant shall meet all of the following requirements:

(1) In the preceding seven years, the applicant shall have been certified for at least five years as a fire instructor or assistant fire instructor;

(2) The applicant shall have previously held a live fire instructor certificate;

(3) The applicant shall possess a current and valid fire instructor or assistant fire instructor certificate that is in good standing and:

(a) Shall not have been convicted of any of the following:

(i) Any felony;



(ii) A misdemeanor committed in the course of practice;

(iii) A misdemeanor involving moral turpitude.

(b) Shall not have committed fraud, misrepresentation, or material deception in applying for, or obtaining a certificate issued under section 4765.55 of the Revised Code and this chapter.

(4) The applicant submits an application fee of seventy-five dollars;

(5) The applicant shall submit a completed "Fire, Fire Safety Inspector, and/or Live Fire Instructor Reinstatement Application."

(C) The executive director may reinstate a fire safety inspector instructor training certificate that has been previously revoked for at least one year from the date on which the executive director ordered revoking the certificate, but not more than two years. In order to be considered for reinstatement, the applicant shall meet the following requirements:

(1) In the preceding seven years, the applicant shall have been certified for at least five years as a fire safety inspector;

(2) The applicant shall have previously held a fire safety inspector instructor training certificate;

(3) The applicant shall possess a current and valid certificate to practice as a fire safety inspector that is in good standing and:

(a) Shall not have been convicted of any of the following:

(i) Any felony;

(ii) A misdemeanor committed in the course of practice;

(iii) A misdemeanor involving moral turpitude.



(b) Shall not have committed fraud, misrepresentation, or material deception in applying for, or obtaining a certificate issued under section 4765.55 of the Revised Code and this chapter.

(4) The applicant shall pass an instructional methods examination as set forth in rule 4765-21-05 of the Administrative Code;

(5) The applicant shall complete ten hours of supervised teaching:

(a) In the presence of a fire instructor trainer and under the auspices of a chartered program; and

(b) Including a minimum of six hours of classroom lecture and a maximum of four hours of practical skills instruction.

(6) The applicant shall complete the eight hour "Fire Safety Inspector Training Module";

(7) The applicant submits an application fee of seventy-five dollars;

(8) The applicant shall submit a completed "Fire, Fire Safety Inspector, and/or Live Fire Instructor Reinstatement Application."

(D) In order for a fire instructor or a fire safety inspector instructor certificate to be reinstated, the training course completed by the applicant shall be substantially similar to the current curriculum requirements. If such training is not substantially similar to the current curriculum, the applicant shall complete additional coursework in the areas of deficiency through a chartered program.

(E) The executive director may reinstate a live fire instructor certificate that was revoked at the time of fire instructor certificate revocation, upon reinstatement of the fire instructor certification. The live fire instructor certificate shall have been in good standing at the time of revocation of the fire instructor certificate. Reinstatement shall take into account factors listed in paragraph (F) of this rule.

(F) In addition to meeting the requirements set forth in this rule, the executive director may take into



consideration other relevant factors when determining whether to grant a request for reinstatement. These factors include, but are not limited to the following:

- (1) The nature and severity of the acts that resulted in the revocation of the applicant's certificate;
  - (2) The time that has elapsed since the revocation;
  - (3) Additional convictions or violations of the Revised Code occurring after the revocation of the certificate;
  - (4) Any documentation of rehabilitation, including but not limited to, appropriate treatment or counseling, which the applicant shall submit to the executive director;
  - (5) Evidence of additional education or training, which the applicant shall submit to the executive director;
  - (6) Compliance with previous executive director orders or consent agreements;
  - (7) Compliance with court ordered sentencing;
  - (8) Employment history, including compliance with any departmental discipline, which the applicant may submit to the executive director.
- (G) The executive director shall not reinstate a certificate to teach, if either of the following apply:
- (1) The applicant's certificate to teach was permanently revoked by the executive director;
  - (2) The applicant's certificate to teach has been revoked for more than two years. Such applicant shall complete a new training course and apply for a new certificate of fire service instructor training under rule 4765-21-03 of the Administrative Code.
- (H) An assistant fire instructor that has been revoked is not eligible for reinstatement. The applicant shall apply as a new applicant pursuant to rule 4765-21-04 of the Administrative Code.



(I) A certificate to teach issued pursuant to this rule shall be issued in accordance with the certification cycles and pro-rated renewal requirements set forth in rule 4765-21-15 of the Administrative Code.