

Nebraska Real Estate Commission Guidelines for Pre-Licensing Course Approval and Instructor Approval

As Revised and Adopted February 27, 1979

As amended March 2016

STATUTORY AUTHORITY

81-885.07 Subsection (5)....”The commission may adopt and promulgate rules and regulations relating to the administration of but not inconsistent with the act.

81-885.13 Subsection (6)....”Courses of study, referred to in subsections (2) and (3) of this section and of subsection (1) of Section 81-885.14, shall include courses offered by private proprietary real estate schools when such courses are prescribed by the commission and are taught by instructors approved by the commission. The commission shall monitor schools offering approved real estate courses and for good cause shall have authority to suspend or withdraw approval of such courses or instructors.”

RULES AND REGULATIONS

NEBRASKA REAL ESTATE COMMISSION

Title 299 - Chapter 1, Section 004.02

“Courses of study provided in Sections 81-885.13 of the Nebraska Real Estate License Act shall be courses of study approved by the Real Estate Commission and which are offered by (1) Nebraska accredited baccalaureate degree granting institutions and Nebraska or non-Nebraska institutions offering programs from which credits can be transferred to an accredited Nebraska baccalaureate degree granting institution, (2) Nebraska Community Colleges, (3) Special Institutes relating to real estate which Institutes are approved by the Real Estate Commission and (4) Proprietary Schools as provided in Section 81-885.13 (6) of the Nebraska Real Estate License Act; Provided, the Real Estate Commission may give credit for similar courses taken at similar institutions in other states.”

THE AMERICANS WITH DISABILITIES ACT (ADA)

Real Estate Educators have responsibilities under the ADA. Any private entity that offers courses of examinations related to licensing for professional or trade purposes must offer such courses or examinations in a place and manner accessible to all persons, or offer alternative but equal arrangements. This may include the provision of auxiliary aids and services for persons with disabilities. For more information please contact your Equal Employment Opportunity Commission.

LICENSING BY THE NEBRASKA DEPARTMENT OF EDUCATION

Proprietary schools seeking to teach real estate licensing courses must, first, be licensed by the Nebraska Department of Education as a private postsecondary school. After obtaining said license, private proprietary schools must then comply with the sections of the Nebraska Real Estate License Act, cited above, and these Guidelines

GUIDELINES FOR APPROVAL OF COURSES OF STUDY IN REAL ESTATE

Approval to Instruct Prescribed Courses of Study:

(This is a mandatory section for private proprietary real estate schools as provided by Statute. Other schools may use this method for approval for courses of study also, if they so desire.)

A school desiring to be approved to provide instruction in courses of study prescribed by the Nebraska Real Estate Commission must make known to the Commission, in writing, of its intention to do so at least sixty (60) days prior to the first scheduled class session (NE-1 form). All information required by the Commission regarding approval status shall be in the Commission office at least thirty (30) days prior to the first class session (NE-2 form).

Approval information required Form NE-1 at least sixty (60) before instruction:

- School name and location and information
- School Director and Contact information
- Contact Person and Contact Information if different from the Director
- Name and information regarding School Owners
- A copy of the license approval issued by the Nebraska Department of Education as provided in Neb. Rev. Stat. Sections

Private Proprietary real estate schools approved to instruct prescribed courses must issue a certificate of successful completion to such students who successfully complete the courses taken. Also, a list of such students including their address must be forwarded to the Commission within thirty (30) days after the final class meetings. The certificate of successful completion is to be provided to the Commission by the students with their application forms. (Students should be so informed of this submission information and the list by the school.)

(Those non-proprietary schools instructing prescribed courses need not issue certificates if the course will be reflected on a transcript.)

Upon affirmative action by the Commission, the applicant school shall be granted approval to instruct such course(s) of study as prescribed.

Approval of Non-Prescribed Courses of Study:

Schools desiring to instruct courses of study to meet the educational requirements of the Real Estate License Law and who are not required, by Statute, to instruct prescribed courses may have such courses approved by the Commission if they make known to the Commission, in writing, of their intention to do so ninety (90) days prior to their intended initial class meeting. All information required by the Commission must be in the Commission office at least sixty (60) days prior to the first class session.

Schools instructing non-prescribed courses must supply a listing of students as described in prescribed course section of these guidelines.

Course completion certificates may be given to students if the school so desires but, if evidenced in transcripts, they are not mandatory.

Upon affirmative action by the Commission the applicant school shall be granted approval to instruct such course(s) of study as approved.

GENERAL APPROVAL REQUIREMENTS FOR 30-HOUR PRELICENSING COURSES

Each application for continuing education approval consists of all of the following, Forms NE-2 must be received in the Commission Office at least 30 days in advance of the program being offered for credit.

- 1) Courses should reflect that knowledgeable individuals are involved in the design and development of the course material.
- 2) **Reference material appropriate to the course is provided to the learner.**
 - a. Reference material must be provided with the course submission. This may be in print or in a combination of media. If reference material is in the form of supplemental media, explain how the learner obtains or accesses such materials.
 - i) All Internet links and addresses must be supplied and functional.
- 3) Provide a statement explaining your admission and refund policy as well as fees per student.
- 4) Provide a statement explaining your procedure for maintaining all student records for a minimum of four years.
- 5) Provide a statement explaining how you intend to monitor 100% participation as well as how you will verify learner identity.
- 6) Explain your procedure and policy for exams and make-up exams.
- 7) Attach a complete course schedule including beginning and ending dates of the course, day or days per week of class sessions, and length of class sessions.
- 8) Submit a list of instructors approved by the Commission that are to be used and indicate the course that each will instruct.
- 9) Identify method of delivery (classroom, correspondence, Internet, Webinar)
- 10) Attach ARELLO certificate if Internet course
- 11) **Submit a Pre-licensing certification** which provides for the following information:
 - a. The name of the student.
 - b. The title of the Pre-licensing course including its Nebraska Real Estate Commission assigned 4-digit activity approval/content number.
 - c. The date on which the activity was completed.
 - d. The name of the provider.
 - e. A statement that the licensee fully completed the activity and the number of hours for which the continuing education activity has been approved – thirty (30) hours.
- 12) Provide a copy of all proposed advertising.
 - a. Schools, whether instructing prescribed or non-prescribed courses of study, are to indicate in their advertisements, promotional bulletins, catalogs, and any other media of advertising, that the courses they have been approved to instruct will meet the educational requirements of the Nebraska Real Estate License Law.
- 13) **Upload a complete syllabus or Learner Manual provided to students in written form.**
 - a. Instructor's contact information
 - b. Assignments and homework
 - c. Specific information on deadlines
 - d. Technical requirements
 - e. Testing information: types and numbers of exams, projects, papers
 - f. Policy regarding cheating or misrepresenting Learner identity.
 - g. Grading information
 - h. Resource information
 - i) Main text to be used including author, publisher, and copyright
 - ii) Supplemental materials to be used
 - i. Subject-matter content and learning activities are consistent with the program intent. **Specific course objectives are stated in performance terms.**
 - a. Performance objectives include three components:
 1. Performance: what the Learner will do to show mastery of the material
 2. Conditions: under what circumstances the Learner will show that learning has occurred.
 3. Criteria; what will be used to define the performance.

e.g.. The Learner should **differentiate** between the **five** Fiduciary Duties of an Agent by giving a **written example** of each of the five.

- b. Objectives should contain a verb from Bloom's Taxonomy of Learning. **Questions should rise above Knowledge and Comprehension to Application and Analysis.** (Example):
 - 1. Knowledge – **list** the five fiduciary duties of the Agent
 - 2. Comprehension – **explain** the difference between obedience and loyalty
 - 3. Application – **draft** a written disclosure
 - 4. Analysis – **sort** the five Duties of the Agent from those easiest for you to demonstrate from those that might be difficult to adhere to at all times. Explain your thinking.
- c. **There should be 3 or 4 learning objectives per hour of instruction and scheduled whole class, individual, and group activities.** (If classroom instructed.)
- j. **Interactivity is promoted in the program by specific learning strategies.** Intellectual interactions with the content could include requests of the following nature as homework or formative assessments:
 - a. Write a seven word description of Special Agency.
 - b. Time yourself for three full minutes. Write as much as you can, as well as you can, about the Fiduciary Duties of the Agent.
 - c. Highlight what you consider to be the three most important words in the description of the Trust Account.
- k. **Formative and Summative Assessment is purposed.**
 - a. The purpose of formative assessment is to inform the learner regarding their current understandings. There is time after formative assessment for a learner to adjust and deepen their understandings before the final, summative, assessment. The formative may be a quiz or quick check of a portion of the material. The summative would be the final exam for mastery.

EVALUATION OF ACTIVITIES AND INSTRUCTORS

All Providers must have a system of evaluation by students in which the activity and instructional material is evaluated at the end of each offering. The completed evaluation forms on each activity/materials must be kept on file four years from the date the student completes the offering and may be requested at any time by the Commission.

SIGNIFICANT CHANGES TO APPROVED ACTIVITY

Should significant changes take place in the subject matter of Pre-licensing activity, then the activity must be submitted to the Commission office with changes noted. Use form NE-5.

POST APPROVAL REQUIREMENTS

After initial approval of a pre-licensing activity, the provider needs to supply to the Real Estate Commission or maintain records of the following: name of student, course number and name, date of completion, name of instructor.

LOCATION OF SCHOOL:

All schools instructing approved in-class real estate courses must offer the courses at an established permanent location within Nebraska. This rule is not intended, however, to preclude a school that has such an established location from offering approved course(s) as a field course or at a satellite location when such location(s) are approved by the Real Estate Commission.

NON-CREDIT COURSES:

Approved courses when audited or taken on a non-credit basis will not be accepted as meeting the educational requirements of the Nebraska Real Estate License Law. It is the responsibility of the schools to inform students of this provision when they sign up for the classes.

NON-APPROVAL OR REVOCATION OF APPROVAL:

Non-approval or revocation of approval may take place for, but not be limited to the following:

- (1) Giving false information in the application process.
- (2) When courses, schools or instructors are advertised, promoted, or in any way lead the public to believe that they are either in part or whole a function of a real estate company or firm.
- (3) When courses, approved or to be approved, are to be instructed in a room(s) or an area(s) which in any way would lead the public to believe that the course is being sponsored or subsidized by a real estate company or firm.
- (4) A significant change or alteration in the information supplied to the Commission takes place without prior notification and approval of the Commission.
- (5) Use of a non-approved instructor, i.e. a person not having valid approval of the Commission, in the real estate subject instructed to meet the educational requirement.

Recruiting in the classroom during instructional hours is strictly prohibited.

Probationary Status:

Probationary Status may be enforced when a school whose course of study and/or instructor has minor violations, in the opinion of the Commission, of the preceding rules. Probationary status may be enforced by the Commission for a period of up to one year during which time appropriate measures to correct the violations must take place. If violations are not corrected, within the probationary time, revocation of approval will take place.

Intent to Become Approved Provider of Nebraska Real Estate Commission Pre-Licensing Courses

SCHOOL NAME _____ DATE _____

SCHOOL ADDRESS _____ PHONE _____

CITY, STATE, ZIP _____

WEBSITE _____ E-MAIL _____

DIRECTOR _____ PHONE _____

E-MAIL _____

CONTACT PERSON _____ PHONE _____

E-MAIL _____

SCHOOL OWNERS/DIRECTORS

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

ATTACHED:

A copy of the license approval issued by the Nebraska Department of Education as provided in Neb. Rev. Stat. Sections 85-1601 to 85-1658

Approved _____ Not Approved _____

Reason _____

Date _____

By: _____

REAL ESTATE PRE-LICENSING ACTIVITY SPONSOR APPLICATION

Document NE-2 and Attachments must be submitted at least thirty (30) days before instruction.

SCHOOL NAME _____ DATE _____

COURSE: _____ HOURS _____

DELIVERY METHOD: _____ Internet _____ Classroom _____ Correspondence _____ Webinar

ARELLO certificate attached if Internet delivery

ATTACHED:

- Resume of Course Designer
- All reference material including texts and participant guides
- Admission and refund policy as well as fees per student.
- Procedure for maintaining all student records for a minimum of four years.
- Statement explaining how you intend to monitor 100% participation as well as how you will verify learner identity.
- Procedure and policy for exams and make-up exams.
- Complete course schedule including beginning and ending dates of the course, day or days per week of class sessions, and length of class sessions.
- A list of instructors approved by the Commission that are to be used..
- Method of delivery (classroom, correspondence, Internet, Webinar)
- ARELLO certificate, if Internet course
- Pre-licensing completion certificate:
- A copy of all proposed advertising.
- A complete syllabus or Learner Manual provided to students in written form.
- Formative and Summative Assessments

THE AMERICANS WITH DISABILITIES ACT (ADA). **Any private entity that offers courses or examinations related to licensing for professional or trade purposes must offer such courses or examinations in a place and manner accessible to all persons, or offer alternative but equal arrangements. This may include the provision of auxiliary aids and services for persons with disabilities. For more information please contact your Equal Employment Opportunity Commission.**

I hereby certify that all information supplied herein and on all attachments is true and accurate and that this program will be conducted in compliance with the Americans with Disabilities Act (ADA). I attest that the sponsor of this activity has not had a real estate education certification revoked by any regulating entity of any state or jurisdiction.

SIGNATURE OF CONTACT PERSON: _____ Date: _____

Approved _____ Not Approved _____ Reason _____

Date _____ By: _____

GUIDELINES FOR INSTRUCTOR APPROVAL

All persons wishing to instruct Real Estate courses approved to meet the educational requirements of the Nebraska Real Estate License Act must be approved by the Nebraska Real Estate Commission.

Instructor approval is valid in any schools instructing approved courses of study for only the course(s) in which the instructor has been approved.

Approval of Instructors:

Application for approval must be made to the Commission on forms provided by the Commission.

The following are minimum requirements that must be met for an applicant to receive initial instructor approval. (Higher standards set by institutions conducting approved courses of study are at the discretion of the institution employing the instructor.)

(1) A Master's degree, which is directly related to the subject matter being taught.

OR

(2) A Bachelor's degree, provided the degree is in an area traditionally associated with the subject matter of Real Estate, such as Business, Economics, Marketing, Accounting, Finance and the like, and the applicant has acquired real estate training in the field as evidenced by a salesperson's, broker's, or appraiser's license file,

OR

(3) A highly qualified professional with a generally recognized professional designation, such as Certified Commercial Investment Member (CCIM), Certified Property Manager (CPM), Certified Residential Specialist (CRS), Graduate, Realtor's Institute (GRI), and two years of education from an institution of higher learning,

OR

(4) A Bachelor's degree in education and valid certification with the Nebraska Department of Education and extensive real estate experience as evidenced by a salesperson's, broker's or appraiser's license file,

OR

(5) Satisfactory completion of a Real Estate Commission sponsored instructor workshop in the subject matter field to be taught and extensive real estate experience as evidenced by a salesperson's, broker's or appraiser's license file.

In Lieu of Real Estate Experience:

Experience and/or education that is deemed appropriate by the Commission, may be used for certain subjects in lieu of the actual real estate experience provisions as stipulated in the previously enumerated "minimum requirements for Instructor Approval".

Non-Approval or Revocation of Approval:

The Commission may not approve or may withdraw approval of instructors for, but not to be limited to, the following reasons:

- (1) Falsification of information on the application forms.
- (2) Loss of salesperson's, broker's, or appraiser's license, when needed as part of approval.
- (3) Incompetence in instruction.
- (4) Recruiting students for particular firms during instructional time.

Renewal of Instructor Approval:

Renewal of Instructor approval will take place every two years beginning with date of approval or on appropriate dates as determined by the Commission.

Renewal may take place after a review of information supplied on forms issued by the Commission and a classroom audit. These forms will provide appropriate information regarding the instructional and other professional activities of the preceding two years.

**APPROVAL APPLICATION
FOR
INSTRUCTORS**

Please Type or Print in Ink

Date _____

A. Type of Approval Requesting: (Check One)

(1) Instructor _____

(2) Temporary _____

(If Temporary, Request for Temporary Instructor Approval Form filled out by school or institution must be attached.)

B. Area(s) of Approval _____

Name _____
(Last) (First) (MI)

Contact Address _____
(Street, Route) (City, Town) (State) (Zip Code)

Residence Address _____
(Street, Route) (City, Town) (State) (Zip Code)

Telephone _____ (Home) _____ (Cell) Email address _____

C. Have you been involved in any lawsuits, either as plaintiff or defendant in the last three years or are there any lawsuits pending at the present time?
_____ Yes _____ No If yes, then explain fully, giving exact dates, places, persons and give full details of such litigation on an attached sheet.

D. Have you ever been convicted of any criminal offenses, or is there any criminal charge now pending against you (other than minor traffic violations)?
_____ Yes _____ No If yes, then explain fully, giving exact dates, places, persons and give full details of such litigation on an attached sheet.

E. Education Preparation:

High School: Name and Location _____

Years Attended _____

Diploma Received _____ Year Received _____

College/ University: Name and Location _____

Years Attended _____

Major Course of Study _____

Degree _____ Year Received _____

F. Advanced Professional Designation: (Attach copy of Certificate)

<u>Type of Designation</u>	<u>Where Received</u>	<u>Date Received</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

G. Experience:

1. Real Estate License Information:

Has any disciplinary action ever been taken by the Real Estate Commission with regard to your license? ___ If yes, then explain fully the details surrounding such action on an attached sheet.

2. Vocational Experience: List last five employers beginning with present or latest and work back.

<u>Employer & Address</u>	<u>Dates of Employment</u>	<u>Position</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Instruction Experience

List employers within last five years beginning with present or latest and work back.

<u>Employer & Address</u>	<u>Dates of Employment</u>	<u>Position</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

H. School for whom you will teach (if known):

Recommendations:

List at least four (4) persons other than relatives who would be able to give further information regarding your teaching capabilities, i.e., previous instructors, supervisors, employers, etc., and indicate the way in which they would be familiar with such capabilities.

<u>Name</u>	<u>Address</u>	<u>Telephone</u>	<u>How Acquainted with Capabilities</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I hereby certify that all information herein is true and accurate to the best of my knowledge.

(Applicant Signature) (Date)

DO NOT WRITE BELOW THIS LINE

OFFICE USE ONLY

Approve _____ Disapprove _____ Issue Date _____

Type of Approval _____ Expiration Date _____

Area(s) Certified to Instruct _____

Reason for Approval/Disapproval

GUIDELINES FOR TEMPORARY INSTRUCTOR APPROVAL

Temporary Instructor approval will be issued only when a school has a temporary or emergency vacancy for which an approved instructor cannot be hired.

Temporary Instructor approval is issued only for the instruction of a specific subject, only for the period stated on the approval certificate, not to exceed one year from the date of issuance, and only for the specific school requesting such approval.

Requests for Temporary Approval of an Instructor:

Requests for temporary approval must come from a school that is instructing an approved course of study. This request must be made by the Proprietor of the school or the Dean of College on forms provided by the Commission. An emergency or temporary vacancy must exist in the school making such request.

- (1) Which cannot be filled by an approved instructor

AND/OR

- (2) For which it is not possible to provide instruction in any other manner that is appropriate and reasonable.

The school requesting Temporary Approval shall have the individual on whom they are requesting temporary approval fill out an approval application which is to be attached to the Request for Temporary Approval form and both mailed to the Commission office.

Requirements for Temporary Approval:

The following are minimum requirements that must be fulfilled for a person to be considered for temporary approval.

- (1) A High School Diploma from an accredited High School or a Graduate Equivalency Diploma,

AND

- (2) Extensive real estate experience as evidenced in their salesperson's, broker's, or appraiser's license file,

AND

- (3) Recommendations from persons knowledgeable of the skills acquired by the applicant in real estate and/or in skills necessary to instruct others in real estate matters.

The person receiving temporary approval must do whatever is necessary to qualify for instructor approval during the period of temporary approval.

Non-Approval or Revocation of Temporary Approval:

Non-approval or revocation of temporary approval may take place for, but not be limited to, the following reasons:

- (1) Falsification of information on the approval application.
- (2) Loss of salesperson's, broker's, or appraiser's license.
- (3) Incompetence in instruction.
- (4) Recruiting students for particular firms during instructional time.

SUBSTANTIAL CHANGE FORM

Course Name: _____

Course No. _____ Contact Person _____

Contact Phone: _____ Contact e-mail _____

IDENTIFY SUBSTANTIAL CHANGE:
Submit all changes. Attach additional pages as necessary

Course:

Subject Matter / Objectives:

Materials:

Difficulty Level:

Course Hours:

Provider:

Name _____ Address _____

Phone: _____ E-mail _____

Instructor: _____ Date Effective _____

Administrator's Signature _____