

**APPLICATION PROCEDURES FOR APPROVAL OF
PROVIDERS, ACTIVITIES, AND INSTRUCTORS OF
NEBRASKA REAL ESTATE CONTINUING EDUCATION ACTIVITIES**

Persons or institutions seeking approval to offer continuing education activities should read the following before filling out the various application forms so as to familiarize themselves with the procedures involved with submitting an application(s) pursuant to Sections 81-885.49 through 81-885.54 of the Nebraska Real Estate License Act and Title 299, Chapter 7 of the Rules and Regulations of the Nebraska Real Estate Commission.

THE AMERICANS WITH DISABILITIES ACT (ADA)

Real Estate Educators have responsibilities under the ADA. Any private entity that offers courses (activities) or examinations related to licensing for professional or trade purposes must offer such courses (activities) 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.

GENERAL APPROVAL REQUIREMENTS

Each application for continuing education approval consists of all of the following, 1-6, and must be received in the Commission Office at least 30 days in advance of the program being offered for credit.

1) Submit the **Activity Sponsor Application (CE-1)** and **Activity Application (CE-2)** including all required attachments at least thirty days in advance of the initial offering.

2) Part of the **Activity Application (CE-2)** is an outline of the subject matter to be covered in the continuing education activity, including a time allotment schedule which includes a breakdown of in-class time and break time. (See Example provided) Note: No continuing education activity can be less than a total of three clock hours and no more than eight clock hours of instruction may be offered in any one day. Activities are approved in three-hour increments based on a fifty-minute hour.

Learning objectives must be incorporated into continuing education activity outlines. These should reflect the goals your activity has been developed to meet. Time allotments should also reflect these goals and objectives.

Also requested is a reference to major resource materials upon which the activity relies. If these cannot be simply denoted, please include copies of these resources at time of application.

Each activity outline must also include a rating of the activity as it relates to a "degree of difficulty" as applied to salespersons and brokers. Each activity should be rated: "Basic", "Intermediate", or "Advanced" based upon the following definitions.

Basic: These activities will be edifying for all licensees, regardless of their level of experience. Because, rather than review, emphasis is on mastery and topic updates.

Intermediate: These activities build beyond the basic by introducing new material. Topics are specific and the curriculum is detailed.

Advanced: These activities are specialized and challenging. They go beyond the introduction of new material at an intermediate level. At this level, mastery and proficiency are the targeted outcomes.

3) Submit **individual instructor approval applications (See Form CE-3)** for all known instructors that will be used in the activity(s) to be offered with the completed Form CE-1 and Form CE-2 **OR**, in the case of institutions which offer continuing education activities on a national scope and who have established minimum criteria for their instructors, include the criteria and a certification that these criteria are strictly adhered to in the selection and use of instructors. **(See Form CE-4)**

4) Submit a copy of the **proposed continuing education activity completion certificate (See Example CE-5)**, which can be no larger than 8 ½ inches by 11 inches and provides for the following information:

- a) The name, identification number and license type of the licensee.
- b) The title of the continuing education activity including its Nebraska Real Estate Commission assigned 4-digit activity approval/content number.
- c) The date(s) on which the activity was offered.
- d) The name of the Provider.
- e) A statement that the licensee was in attendance for an amount of time, specified.
- f) A statement indicating satisfactory completion of the examination must appear on the certificates of courses indicating non-optional examinations as a part of the activity outline.
- g) The fact that the program is approved by the Nebraska Real Estate Commission must be clearly stated.
- h) **All information on activity completion certificates must be printed in ink and filled out completely prior to distributing to students.**

5) A **schedule of the initial and any or all subsequent offerings** of the continuing education activity that have been scheduled at time of application shall be included with the Course Application. If a schedule has not been established by the time of application then the Provider must submit to the Commission office a schedule in advance of the scheduled date of the offering. Information to be included: Provider Name; Title of Activity and Activity Content Number; Date(s) of Offering; Beginning and Ending Times, including Time Zone and A.M. or P.M.; location where Offering; and the Instructor's

Name. (See Example CE-6)

6) All providers must have a system of evaluation by students in which the activity and instructor is evaluated at the end of each offering. The evaluation form must accompany the application. Completed evaluation forms on each activity/instructor must be kept on file four years from the end of the offering and may be requested at any time by the Commission.

REQUIRED CONTINUING EDUCATION

Six (6) continuing education hours out of the twelve required every two years must be in designated subject matter. (This was increased from 3 hours effective for the 2011-2012 continuing education period.) The Commission will determine which subject matter will meet this requirement and will recognize appropriate activities by adding an "R" to the four-digit activity content number which is assigned to each activity approved. Current designated subject matter are:

- The NE Real Estate License Act (a study in part, or whole)
- The NE Real Estate Trust Acct. Manual (a study in part, or whole)
- The NE Landlord/Tenant Act
- Fair Housing/ADA
- Ethical Decision-Making/Studies of Codes of Ethics
- Agency Relationships (must not conflict with NE statute and regs)
- Preparing a Broker Price Opinion (BPO) or Certified Market Analysis (CMA)
- Environmental Concerns
- Contracts

4-DIGIT ACTIVITY CONTENT NUMBER

Licenses are prohibited from receiving credit for duplicating activities or course content within four years. Required activities (R-courses) are an exception to this, these may be duplicated in each subsequent 12-hour requirement. In order to assist licensees in identifying potential duplication concerns a 4-digit course content number is assigned to each activity upon approval. This number must appear in references to the approved activity i.e. marketing, scheduling, completion certificates, etc.

TERM OF APPROVAL

Initial Approval is valid for a three year period and at the end of that time a provider may apply for renewal of approval for another three years.

SIGNIFICANT CHANGES TO APPROVED ACTIVITY

Should significant changes take place in the subject matter of the continuing education activity during the three year period of approval then the activity must be submitted to the Commission office for review and approval in advance of offering the altered activity. (See Form CE-7)

POST APPROVAL REQUIREMENTS

After initial approval of a continuing education activity the provider needs to supply to the Real Estate Commission or maintain records of the following:

1) Scheduling information regarding the approved activity which shall include: Provider name, Title of the activity including activity content number, the instructor, the date and specific location of the activity and the beginning and ending time including AM or PM must be submitted to the Commission office in advance of the offering date. (See Example CE-6)

2) Records shall be established and maintained by each provider on each individual student for four years. (See Example CE-8) Specifically included in the records must be the:

- a) Name and identification number of the licensee.
- b) Address of the licensee at the time the activity(ies) was completed.
- c) The title of the activity(ies) completed with its activity content number.
- d) The date(s) the activity was offered.
- e) The number of hours the licensee attended each separate activity.

3) Within 10 days after the conclusion of an approved activity the provider must electronically submit to the Commission office a listing of the attendees, in alphabetical order by last name. Tools will be provided to successfully submit continuing education verification lists electronically. The following will be received by email upon approval of a program.

1. The Instructions and the Required List Format information.
2. The "Read Only" Excel Spreadsheet template specific to each Provider.
3. Step-by-Step Instructional Video.

Data collected on the spreadsheet must include the licensees' License I.D. number, Last and First names, Provider name, date the activity was completed, activity content number and number of hours of credit.

LICENSEES RELY UPON THESE UPLOADS TO RECEIVE CREDIT FOR THEIR ATTENDANCE AT PROGRAMS. ACCURACY ON THE SPREADSHEET IS CRITICAL! If information on this spreadsheet is not accurate it will result in licensees not receiving credit for their attendance in your programs. Under no circumstance should a report be received in the Commission office beyond 10 days of the program. Chronic failure to submit timely and accurate reports will result in a Show Cause Hearing before the Commission as to why approval as an education Provider should not be rescinded.

I.D. numbers: Every time a license is issued i.e. upon initial issuance and annually upon license renewal, a Receipt Card will be provided to a Nebraska licensee. The licensee's I.D. number appears on this card. Although the license number will remain the same as long as the license is renewed, it is recommended that licensees and on-site Proctors be advised to refer to this card and verify the number when registering students.

Rosters, which include I.D. numbers, may be purchased from the Commission upon the execution of a Privacy Agreement with the Commission. Please contact the Commission for further information.

4) Each year approved providers must send a chronological list of the approved activities they offered Nebraska licensees during the previous year to the Commission. (See Example CE-9) This list must be submitted to the Commission by January 31 of each year. The list of 2011 offerings is due January 31, 2012, etc. This listing shall include:

- a) The title of continuing education activities, the activity content number, and number of hours offered.
- b) The date(s) the activity was offered.
- c) The location of the activity.
- d) The instructor of the activity.
- e) The number of attendees at the activity.
- f) Signature of the administrator certifying the accuracy of the listing.

INSTRUCTOR APPROVAL REQUIREMENTS

Approved continuing education activities can only be taught by instructors who meet the qualification standards cited below.

1) A Masters degree, which is directly related to the subject matter being taught.

OR

2) A Bachelors 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 *experience in real estate as evidenced by a valid Broker's license or three years of licensed real estate experience as a salesperson.

OR

3) A highly qualified professional with a generally recognized professional designation, such as an American Society of Appraisers (ASA), Certified Commercial Investment Member (CCIM), Certified Property Manager (CPM), Graduate, Realtor's Institute (GRI), Member Appraisal Institute (MAI), Residential Member (RM) of the American Institute of Real Estate Appraisers, Senior Residential Appraiser (SRA) and two years of education from a post secondary institution.

OR

4) A Bachelors degree in education and valid certification in their resident jurisdiction and extensive real estate *experience as evidence by a valid Broker's license or three years of licensed real estate experience as a salesperson.

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 evidence by a valid Broker's license or three years of licensed real estate experience as a salesperson.

OR

6) Extensive instructional background in real estate education and have *experience in real estate as evidenced by a valid Broker's license or three years of licensed real estate experience as a salesperson.

OR

7) A Designated Real Estate Instructor of the Real Estate Educators Association and experience in the area of instruction.

*There may be continuing education activities where experience not requiring a real estate license could be substituted in the standards for instructors, such as mortgage loan officers for an activity in the area of financing.

Applications for instructor approval must accompany the Approval Application, for continuing education activities so that it can be determined that they meet the qualification standards, or as stated in Number 2 of the General Approval Requirements, a Certification of Compliance. (See Form CE-4)

If instructors are changed after initial approval of the activity then the new instructor must be submitted to the Commission prior to the first time that instructor teaches so that compliance with the qualification standards can be determined. Use Form CE-3.

RENEWAL OF APPROVAL

Providers of continuing education activities will need to renew the approval of continuing education activities which they wish to continue offering every three years.

A renewal packet will be mailed to each provider in January regarding the activity(s) due for renewal sometime that year. (See Form CE-10) This packet will request pertinent information regarding the activity(s) due for renewal. This renewal application will then be reviewed and action will be taken by the Commission.

GUIDELINES FOR CONTINUING EDUCATION ACTIVITIES

Continuing education providers must follow the procedures for approval of providers, activities, and instructors outlined in the Nebraska Real Estate License Act and Title 299 NAC Chapter 7. The following subject matter is generally considered acceptable for continuing education activities, but providers are encouraged to create new activities to meet the changing demands of the real estate market. Addressing listed subject matter in an activity does not guarantee approval by the Nebraska Real Estate Commission.

Approvable subject matter includes, but is not limited to, the following:

1. Agency
2. Auctions of real estate
3. Broker price opinions and comparative market analyses
4. Commercial real estate sales and leasing
5. Compliance with federal and state real estate laws
6. Computers - utilization to serve the consumer
7. Condominiums and cooperatives
8. Contracts used in real estate transactions
9. Counseling the real estate client
10. Diversity, i.e. respecting cultural differences
11. Environmental concerns, i.e. radon, lead-based paint, etc.
12. Ethical practices in real estate
13. Fair Housing/ADA
14. Farm and ranch real estate sales and leasing
15. Housing and Urban Development programs
16. Land use planning and zoning, i.e. site assessments, feasibility studies, etc.
17. Landlord/Tenant Act
18. Legal issues in real estate e-commerce
19. Legislative changes that affect real estate (not pending legislation)
20. Property inspections, i.e. wood-destroying insects, furnace/AC, whole house, etc.
21. Property management
22. Real estate accounting and taxation, including exchanges of real property
23. Real estate development, construction, and energy conservation methods
24. Real estate finance
25. Real estate investment
26. Real estate mathematics
27. Real estate relocation
28. Real estate securities and syndications
29. Risk reduction
30. Technology used to meet the clients' needs
31. Title issues
32. Trust accounts
33. Water and waste management

REAL ESTATE CONTINUING EDUCATION ACTIVITY SPONSOR APPLICATION
--

SPONSOR NAME _____ DATE _____

SPONSOR ADDRESS _____ PHONE _____

CITY, STATE, ZIP _____

WEBSITE _____ E-MAIL _____

CONTACT PERSON _____ PHONE _____

TITLE OF CONTACT PERSON _____

SCHOOL OWNERS/DIRECTORS

Name _____ Address _____

City _____ State _____ Zip _____

Name _____ Address _____

City _____ State _____ Zip _____

Name _____ Address _____

City _____ State _____ Zip _____

Name _____ Address _____

City _____ State _____ Zip _____

ATTENDANCE MONITORING POLICY: Provide a statement explaining how you intend to monitor 100% attendance. Submit a copy of the attendance verification form.

ADMISSION/REFUND POLICY: Provide a statement explaining your admission policy and how refunds are to be made.

N/A I have enclosed the activity sponsor application fee (if applicable).
-over-

EXAM and RE-EXAM PROCEDURES (if applicable): Provide a statement explaining your exam procedure and your policy for make-up exam(s).

METHOD OF RECORD MAINTENANCE: Provide a statement explaining your procedure for maintaining all continuing education records for a minimum of four years.

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: _____

REAL ESTATE COMMISSION EDUCATION ACTIVITY APPLICATION
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ACTIVITY SPONSOR: _____
 ACTIVITY TITLE: _____
 TOTAL HOURS OF ACTIVITY: _____ REQUESTED CE HOURS: _____

ENCLOSED WITH THIS APPLICATION IS:

N/A the Activity application fee
 (if applicable)
 fee amount \$ _____

DIFFICULTY LEVEL:
 ___ BASIC
 ___ INTERMEDIATE
 ___ ADVANCED

___ a copy (or description) of all activity materials
 ___ a copy of the final exam and answer key (if applicable)
 ___ a copy of the completion certificate
 ___ a copy of the evaluation forms to be used for the activity and instructor(s)
 ___ a copy of all proposed advertising
N/A all other applicable fees

ACTIVITY TYPE:
 ___ LIVE LECTURE
 ___ INDEPENDENT STUDY
 ___ OTHER _____

LIST MAJOR REFERENCE MATERIALS USED IN THE DEVELOPMENT OF THIS ACTIVITY:

THIS ACTIVITY WILL BE PROVIDED AT THE FOLLOWING LOCATIONS: (attach additional sheet is necessary)

Date: _____ Place: _____
 Date: _____ Place: _____

THE INSTRUCTOR(S) FOR THE ACTIVITY WILL BE: (see attached instructor application for each instructor)

THE MAIN BENEFIT TO THE CUSTOMERS/CLIENTS OF THE LICENSEE WHO ATTENDS THIS ACTIVITY WILL BE: _____

SIGNATURE OF ACTIVITY SPONSOR CONTACT PERSON:

DATE _____

Time:	DETAILED CONTENT OUTLINE Break into segments no longer than 15 minutes. Also indicate length of break(s).	LEARNING OBJECTIVES Please provide a minimum of 3 to 5 learning Objectives for every 3 hours of your activity. A Learning Objective defines: "WHAT WILL THE STUDENT BE ABLE TO DO UPON COMPLETION OF THIS ACTIVITY?"
SAMPLE:		
5 minutes	Five fiduciary responsibilities of an agent to his client	The student will be able to define either verbally or in writing the 5 fiduciary responsibilities an agent has to his client and give an example of how each of the 5 responsibilities could be applied in a real estate transaction.
10 minutes	a. confidentiality	
10 minutes	b. obedience	
5 minutes	c. loyalty	
5 minutes	d. accounting	
15 minutes	e. disclosure	

Revised October, 2011

REAL ESTATE CONTINUING EDUCATION INSTRUCTOR APPLICATION

NAME _____

ADDRESS _____

CITY, ST., ZIP _____

WORK PHONE _____ HOME PHONE _____

ENCLOSED IS: _____ a resume,

ACTIVITY(IES) I WISH TO TEACH:

(1) _____

(2) _____

ACTIVITY SPONSOR(S) FOR WHOM I WILL INSTRUCT:

I HAVE HAD THE FOLLOWING EDUCATION:

I HAVE ATTENDED A REAL ESTATE INSTRUCTOR DEVELOPMENT
WORKSHOP: _____ YES _____ NO If YES, When: _____

Where: _____ Sponsored by Whom: _____

I HAVE HAD THE FOLLOWING EMPLOYMENT EXPERIENCE:

I HAVE HAD THE FOLLOWING EXPERIENCE TEACHING ADULTS:

I HOLD THE FOLLOWING LICENSES AND DESIGNATIONS:

_____ Date first issued _____
_____ Date first issued _____
_____ Date first issued _____
_____ Date first issued _____

REFERENCES (entities for whom I have taught a similar course):

1. Name _____ Address _____
Phone _____ Association with Applicant _____
2. Name _____ Address _____
Phone _____ Association with Applicant _____
3. Name _____ Address _____
Phone _____ Association with Applicant _____

I attest to having qualities of honesty, integrity and trustworthiness. I have not had any real estate license or instructor certification revoked or suspended, or had a real estate license or instructor certification renewal denied by any regulating entity of any state. I have not been convicted of nor entered a plea of nolo contendere to any criminal offense involving moral turpitude. I have not had any civil judgment entered against me based on fraud, misrepresentation or deceit. I attest that the information provided on this application is true and correct.

(Signed) _____ (Date) _____

CERTIFICATION OF COMPLIANCE
INSTRUCTOR APPROVAL POLICY

PLEASE ATTACH POLICY STATEMENT

I hereby certify that _____
(Provider Name)
has established minimum standards for all instructors used by our organization which standards comply with the Instructor Approval Standards established by the Nebraska Real Estate Commission for continuing education activities that meet the provisions of the Nebraska Real Estate License Act.

Administrator Signature

Name of Provider

Date

**THIS FORM MUST HAVE THE STATEMENT OF POLICY
REGARDING INSTRUCTOR REQUIREMENTS ATTACHED.**

Example CE-5

EXAMPLE OF
ACTIVITY COMPLETION
CERTIFICATE

Attendees Name John Jaston ID# _____

License Type: (salesperson or broker)

Continuing Education Activity Completed _____

—

Easements (4-digit activity content number)

Number Hours Activity Approved for 3 hours

Date(s) Offered May 6, 2002

Name of Provider Activity Provider, Inc.

Name of Instructor Lee S. Hold

I certify that the above named licensee did attend this continuing education activity for the full time for which the activity is approved by the Nebraska Real Estate Commission.

Signature of Administrator
or Instructor

THIS IS JUST AN EXAMPLE, YOU MAY USE ANOTHER FORMAT
AS LONG AS ALL REQUIRED INFORMATION IS INCLUDED.

EXAMPLE OF
CONTINUING EDUCATION
ACTIVITY SCHEDULE

Activity Provider, Inc. has scheduled the following approved activities to meet the continuing education requirement of the Nebraska Real Estate License Act.

May 6, 2011 - "Easements" (Activity Content Number); 8:45 a.m. to 12:00p.m. CST; Talbot Community College - Room 212 - Lincoln, NE; Instructor - Lee S. Hold

November 13, 2011 - "Easements" (Activity Content Number); 1:00 p.m. to 4:15 p.m. CST; Activity Provider, Inc., 3145 Amory Dr., Omaha, NE; Instructor - Lee S. Hold

THIS IS JUST AN EXAMPLE, YOU MAY USE ANOTHER FORMAT
AS LONG AS ALL REQUIRED INFORMATION IS INCLUDED.

SUBMISSION FOR
CHANGE IN AN APPROVED
CONTINUING EDUCATION ACTIVITY

NEBRASKA REAL ESTATE COMMISSION
P.O. Box 94667
Lincoln, NE 68509-4667
402-471-2004

PLEASE TYPE OR PRINT IN INK.

Date _____

Title of Activity _____ (Activity Content Number) _____

Name of Provider _____

Date Change will be Effective _____

Description of change in subject matter and difficulty level if level has changed because of the change described:

ATTACH COPY OF ACTIVITY OUTLINE
THAT REFLECTS THE ABOVE DESCRIBED CHANGE

Signature of Administrator: _____

Office Use Only
Do Not Write In This Space

Received _____ 1st Offer Date _____

To Commission: _____ Expiration _____

Comments: _____

Example CE-8

EXAMPLE OF
RECORD TO BE KEPT ON
INDIVIDUALS BY
A PROVIDER

Licensee's Name - Jaston, John S. ID# 903211

Address: 201 S. Canton, Lincoln, NE 68510

Activity Completed & Hours	Date
1. Easements (#0000) - 3 hrs	5/6/11
2.	
3.	
4.	
5.	
6.	

THIS IS JUST AN EXAMPLE, YOU MAY USE ANOTHER FORMAT
AS LONG AS ALL REQUIRED INFORMATION IS INCLUDED.

Example CE-9

EXAMPLE OF
ANNUAL REPORT
TO BE SENT TO THE
COMMISSION OFFICE
BY JANUARY 31

The following are a chronological list of approved continuing education activities that were offered by Activity Provider, Inc. during calendar year 2002:

January 20, 2011 - Maintaining a Trust Account (#000R)-(6 hrs);
Talbot
Community College, Lincoln; 15 attendees;
Instructor - Sam Roberts

May 6, 2011 - Easements (#0000)-(3 hrs); Talbot Community
College, Lincoln; 5 attendees; Instructor -
Lee S. Hold

November 13, 2011 - Easements (#0000)-(3 hrs); Activity Provider,
Inc., Omaha; 12 attendees; Instructor - Lee S.
Hold

I certify that the above listing is true and correct.

I.M. King
Administrator

THIS IS JUST AN EXAMPLE, YOU MAY USE ANOTHER FORMAT
AS LONG AS ALL REQUIRED INFORMATION IS INCLUDED.

RENEWAL OF APPROVAL
CONTINUING EDUCATION ACTIVITY

NEBRASKA REAL ESTATE COMMISSION
P.O. Box 94667
Lincoln, NE 68509-4667
402-471-2004

PLEASE TYPE OR PRINT IN INK

Date _____

Name of Provider _____

Address _____

Contact Person _____ Telephone Number (____) _____

Names of Approved Continuing Education Activity(s) submitted for Renewal. Attach copies of outlines with time allotments and difficulty level for all activities for which renewal is sought.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Name(s) of those approved continuing education activities for which renewal of approval will not be sought.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Names of Approved Instructors and activity(s) they will be instructing.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Have any adverse actions or disciplinary actions been taken by any regulatory or licensing authority against your institution in any matter?

_____ No
_____ Yes, if yes explain fully

Has your approval to offer continuing education activities or pre-license courses been revoked or suspended by any real estate regulatory body?

_____ No
_____ Yes, if yes explain fully

I hereby certify that all information contained above and on all attachments is true and correct.

Signature of Administrator: _____

Office Use Only
Do Not Write In This Space

Received _____ Approval Date _____

To Commission: _____ Expiration _____

Comments: _____

Statutory References to Continuing Education

81-885.49. Continuing education and training; purpose.

The purpose of sections 81-885.49 to 81-885.54 is to establish requirements for continuing education and training of real estate brokers and salespersons who are licensed in order to maintain and improve the quality of real estate services provided to the public.

81-885.50. Continuing education and training; terms, defined.

As used in sections 81-885.49 to 81-885.54, unless the context otherwise requires:

- (1) Commission shall mean the State Real Estate Commission;
- (2) Licensee shall mean a natural person who is licensed by the commission as a real estate broker or salesperson; and
- (3) Two-year period shall mean twenty-four months commencing on January 1 following either the date of licensing of the real estate broker or salesperson or March 8, 1985, whichever is later, and each succeeding twenty-four-month period.

81-885.51. Continuing education and training; evidence of completion.

In each two-year period, every licensee shall complete twelve hours of approved continuing education activities and six hours of broker-approved training. Evidence of completion of such continuing education and training activities for the two-year period shall be submitted to the commission pursuant to rules and regulations adopted and promulgated by the commission.

81-885.52. Continuing education and training; certify activities.

(1) The commission shall certify as approved continuing education activities those courses, lectures, seminars, or other instructional programs which it determines would protect the public by improving the competency of licensees. The commission may require descriptive information about any continuing education or training activity and refuse approval of any continuing education or training activity which does not advance the purposes of sections 81-885.49 to 81-885.54. The commission shall not approve any provider of continuing education or training courses, lectures, seminars, or other instructional programs unless such provider meets the standards established by the commission.

(2) The commission shall certify the number of hours to be awarded for participation in an approved continuing education activity, based upon contact or classroom hours or other criteria prescribed by rule and regulation of the commission.

(3) The commission may certify the number of hours to be awarded for successful completion of a course delivered in a distance education format, based upon the number of hours which would be awarded in an equivalent classroom course or program or other criteria prescribed by rule and regulation of the commission.

81-885.53. Continuing education and training; licensee; requirements.

Except for inactive licensees, the commission shall not renew a license or issue a new license to any licensee who has failed to comply with the requirements of sections 81-885.49 to 81-885.54. Inactive licensees may renew their licenses at the end of the two-year period without having completed the hours of continuing education and training activities required by section 81-885.51 for each two-year period. Inactive licensees shall not be activated until the licensee has satisfactorily completed the total number of deficient hours of continuing education activities and filed evidence of such completion with the commission, except that no inactive licensee shall be required to make up more than the number of hours of continuing education required by section 81-885.51 for a two-year period.

81-885.54. Continuing education and training; rules and regulations.

The commission shall adopt and promulgate rules and regulations necessary for the effective administration of sections 81-885.49 to 81-885.54 pursuant to the Administrative Procedure Act. Such rules and regulations may include, but not be limited to, the establishment of minimum standards for schools, courses, and instructors.

Title 299 - NEBRASKA REAL ESTATE COMMISSION

Chapter 7 - CONTINUING EDUCATION ACTIVITIES; REQUIRED HOURS; APPROVAL; RESTRICTIONS; DENIAL; REVOCATION; APPEAL PROCESS; RECORD KEEPING.

001 Of the twelve hours of continuing education required in Section 81-885.51 of the Nebraska Real Estate License Act, six hours in each two-year period shall be taken in continuing education activities which are derived from material covering ethical decision-making or federal or state laws, rules, or regulations dealing with or pertaining to real estate or real estate transactions, and which are approved and designated by the Commission as meeting this six-hour requirement.

001.01 Continuing education activities approved under this Section are not subject to the duplication provision as set forth in Section 003.07 of this Chapter, except that continuing education activities approved under this Section and which are of the same content, or if in the opinion of the Commission so similar as to be indistinguishable in content, cannot be duplicated within the same two-year continuing education period.

002 The six hours of training required in Section 81-885.51 of the Nebraska Real Estate License Act may be fulfilled by satisfactorily completing training activities approved by the licensee's designated broker and recognized by the Commission **OR** by satisfactorily completing Commission approved continuing education activities **OR** by some combination of both. Training activity shall be required to be met and submitted as provided in the License Act and these regulations beginning in calendar year 2012.

003 Qualifications for approval of continuing education activities shall be as stated herein.

003.01 A continuing education activity offered in the State of Nebraska shall be qualified for approval if the Real Estate Commission determines that:

003.01A The continuing education activity contributes to the maintenance and improvement of the quality of real estate services provided by real estate licensees to the public; and

003.01B An in-class continuing education activity must consist of at least three in-class clock hours but no more than eight in-class clock hours in any one day of instruction. In the case of a continuing education activity delivered in a distance education format there must be at least the content equivalent of three in-class clock hours, and certification pursuant to 299 NAC 7-002.02. An in-class clock hour is defined as 60 minutes in length; and

003.01C The provider has submitted a complete application as prescribed by the Real Estate Commission at least thirty days prior to the beginning of the continuing education activity; and

003.01D All instructors have met the qualification standards as established by the Real Estate Commission; and

003.01E The provider has met the provisions of all other applicable state laws.

003.02 Continuing education activities offered in a distance education format must be certified by the Association of Real Estate License Law Officials. A student must complete the distance education activity within one year of the date of enrollment. Distance education as it is used in this chapter shall mean courses in which instruction does not take place in a traditional classroom setting but rather through other media where instructor and student are separated by distance and sometimes by time.

003.03 Courses taken by salesperson licensees toward meeting the broker pre-license requirements, with the exception of Real Estate Principles and Practices or its equivalent courses, may be used toward meeting the continuing education requirement and also as meeting the pre-license broker requirement.

003.04 In addition to continuing education activities directly approved by the Real Estate Commission, the Commission shall accept:

003.04A Continuing education activities approved to meet the continuing education requirements for renewal of a salesperson or broker license in another real estate jurisdiction and taken outside the State of Nebraska.

003.04B Instruction by instructors of approved continuing education activities toward meeting the continuing education requirement. The same restrictions of usage as set forth in Title 299, Chapter 7, Section 003 will apply.

003.04C Reviews of continuing education activities that are provided in a distance education format and have been submitted for approval as provided in this Chapter when the appointed reviewer, who must meet the same qualification standards established for continuing education instructors, successfully completes the activity and provides a report prescribed by the Commission.

003.04D The Commission shall have no obligation to accept a continuing education activity otherwise considered acceptable under this subsection if the activity has been identified by the Commission as unacceptable according to Nebraska continuing education criteria.

003.04E Written affirmation from non-resident licensees that they have met the current continuing education requirement in their state of residence.

003.05 Licensees may use appraisal continuing education approved by the Nebraska Real Estate Appraiser Board toward their salesperson or broker continuing education requirement, when taken during the applicable two-year period for their salesperson or broker license.

004 The following activities shall not be approved as continuing education and cannot be used toward meeting the continuing education requirement:

004.01 Those which are specifically examination preparation in nature.

004.02 Those which deal with office or business skills, such as typing, speed reading, memory improvement, body language, motivation and similar activities.

004.03 Those which are completed by a challenge examination (testing-out of the activity).

004.04 Sales promotion or sales meetings held in conjunction with a brokerage firm's general business.

004.05 Orientation courses for licensees held by trade organizations.

004.06 Continuing education activities taken prior to approval date of the continuing education activity.

004.07 Continuing education activities of the same content, or if in the opinion of the Commission an activity is so similar as to be indistinguishable in content, cannot be used for a minimum of four years after the activity was taken to be applied toward meeting the continuing education requirement, except that activities meeting the required hours set forth in Section 001 of this Chapter may be repeated but not in the same two-year continuing education period.

004.08 Broker licensees cannot retake courses taken as part of their pre-license requirement and use them toward meeting their continuing education requirement except as provided in Title 299, Chapter 7, Section 003.07.

004.09 Continuing education activities taken to make up a deficiency of the continuing education requirement from a previous continuing education period may not be used toward the current period's continuing education requirement.

005 Qualifications for recognition of training activities shall be as stated herein.

005.01 A training activity offered in the State of Nebraska shall be recognized by the Real Estate Commission pursuant to Section 81-885.51 if the Real Estate Commission determines that:

005.01A The training activity directly relates to real estate services provided by real estate licensees to the public; and

005.01B The training does not materially misstate elements of the Real Estate License Act or other provisions of the law; and

005.01C A training activity must consist of at least one sixty minute hour. In the case of a training activity

delivered in a distance education format there must be at least the content equivalent of one sixty-minute hour; and

005.01D The provider has submitted a complete application as prescribed by the Real Estate Commission at least thirty days prior to the beginning of the training activity.

005.02 The Commission shall have the authority to require additional information regarding training content in order to determine eligibility.

005.03 The Commission may determine that an activity submitted to meet the training requirement would more appropriately be recognized as continuing education because the level of complexity or legal nature of the training requires a more detailed review of the subject matter as provided in these regulations for continuing education.

006 The following activities cannot be used toward meeting the training requirement:

006.01 Those which are specifically examination preparation in nature.

006.02 Those which are completed by a challenge examination (testing-out of the activity).

006.03 Orientation courses for licensees held by trade organizations.

006.04 Training activities taken prior to the Commission's recognition date of the training activity.

007 The Commission shall notify applicants in a timely manner, in writing, whether an application is approved or denied. If an application is denied, the denial notice shall state the reason(s) for denial. This section applies to initial submittals of applications for approval of training activities, and providers, activities, and instructors of Nebraska real estate continuing education; resubmittals of continuing education activities for reapproval every three years; and resubmittals of activities due to substantial changes in the activities.

008 Approved continuing education activities shall be resubmitted by the provider for approval and reviewed every three years by the Commission unless substantial changes are made in the activity prior to that time.

009 If substantial changes are made, the activity shall be submitted by the provider for review and approval, and may not be offered prior to receiving notice that the altered activity has been approved.

010 Decisions of the Real Estate Commission to deny approval of training activities or continuing education providers, activities, or instructors may be reviewed by the Commission when such review is requested within twenty days of notification of said decision. The Real Estate Commission may at any time re-evaluate an approved training activity or continuing education provider, activity, or instructor. If a basis for consideration of revocation of approval is found, the Commission shall notify said provider by mail at least twenty business days prior to said hearing on the revocation.

011 Providers of approved training or continuing education activities shall be governed by the provisions of this Section in addition to any other applicable statutes or rules and regulations.

011.01 The provider shall submit to the Commission a notice of the scheduling of an approved activity prior to offering the activity. The notice shall be submitted in a form prescribed by the Commission. This subsection shall not apply to distance education activities offered in an independent study format.

011.02 Successful completion of an approved training or continuing education activity requires full-time attendance at the activity.

011.03 A completion certificate, not larger than 8 ½ by 11, must be issued to each student upon completion of the activity and shall include such information required by the Commission.

011.04 In the case of students using a pre-license broker course toward both pre-license and continuing education as set forth in Title 299, Chapter 7, Section 002.03, upon request by the student a separate continuing education completion certificate will be issued by the provider upon completion of the course in addition to the pre-license proof of completion.

011.05 Records shall be maintained by each provider on each individual student for four years. Said records to include: name and real estate license identification number of the student; residence or business address of the student; the

title of the activity completed in full; the number of training or continuing education hours granted the activity; the date the student completed the activity; and, activity content numbers for continuing education activities.

011.06 A verification listing of the attendees at an approved training or continuing education activity who have met the requirements of completion as established by the Commission pursuant to Section 81-885.52 of the Nebraska Real Estate License Act shall be submitted to the Commission, in the current format specified by the Commission, within ten business days of the conclusion of the activity.

011.07 By January 31st of each year all approved providers shall submit to the Commission a chronological list to include the title, number of hours granted, date, location, instructor and number of attendees for each training or continuing education activity conducted during the preceding year.

012 Nothing in this Chapter shall be construed to preclude training or educational offerings sponsored, or conducted, by the Real Estate Commission from being accepted toward meeting the continuing education requirement of the Nebraska Real Estate License Act.

Laws 1985, LB 101, §10; RS 1943, §81-885.54, R.S. Supp., 1985. Effective date March 7, 1985.