

# **NEBRASKA REAL ESTATE COMMISSION GUIDELINES FOR COURSE APPROVAL AND INSTRUCTOR APPROVAL**

As Revised and Adopted February 27, 1979

As amended April, 2014

## **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.

**Definitions:**

Course Approval - Shall mean only approval of the course outline and matters relating to the specifics of the course content, amount of time, text and the like.

Instructor approval - Shall approve only the individual to instruct Real Estate courses indicated in the approval.

Courses meeting the educational requirement of the Nebraska License Law-  
To meet the educational requirements of the License Law both the course and the instructor must be approved by the Commission.

**It shall be the responsibility of the schools to have on file verification of course and instructor approval prior to advertising and/or instructing courses as meeting the educational requirements of the Nebraska License Law.**

## **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. 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.

Approval information required:

- (A) 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
- (B) Affirm the instruction of the prescribed course including such requirements of instruction that are deemed necessary and proper by the Commission.
- (C) Submit a course schedule including beginning and ending dates of the course, day or days per week of class sessions, and length of class sessions.
- (D) Submit a list of instructors approved by the Commission that are to be used and indicate the course that each will instruct.

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.

Information required for approval:

- (A) Submit a detailed course syllabus for each course in which approval is desired. This syllabus is to include the following information:
1. Cover page of syllabus:
    - (a) Name of course and, when applicable, course number
    - (b) School name and location
    - (c) Department through which course will be instructed
    - (d) Instructor's name
    - (e) Author's, or writer's, name and qualifications in the field.
  2. General information page:
    - (a) Pre-requisites for course
    - (b) Hours of credit to be earned
    - (c) Number of class sessions per week
    - (d) Total number of class sessions
    - (e) Time spent per session
    - (f) Total hours in the course
  3. Course information pages:
    - (a) Course description - a brief idea of what the course content is, including for whom the course is intended
    - (b) Objectives or aims of the course
    - (c) Method(s) of class presentations
    - (d) Main text to be used, including author, publisher and copyright
    - (e) Supplemental materials to be used
    - (f) Types and number of written examinations, written projects or papers to be used in the course
    - (g) A detailed course outline
- (B) Affirm that the information submitted is true and accurate at the time of reporting.

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.

**THE FOLLOWING SECTIONS APPLY TO ALL APPROVED SCHOOLS:**

Changes in Course of Study, Faculty, Schedule, etc.:

Any significant changes in the course of study, faculty, and/or other pertinent changes shall be submitted to the Commission, in writing, prior to said change(s) taking place, for Commission approval.

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.

### Advertising of Approved Courses:

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.

### 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 have 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.



## CERTIFICATION OF INFORMATION

(INSTRUCTIONS: TO BE ATTACHED TO FRONT OF EACH COURSE SYLLABUS.)

To the Commission:

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

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Signature

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Dean or Proprietor

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Institution

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Location

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Date

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Dean or Proprietor

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Institution

---

Location

---

Date



## AFFIRMATION OF INSTRUCTION OF PRESCRIBED COURSE

Instructions: This form must be filled in for each prescribed course instructed and for each location at which instruction takes place. It must be signed by the Proprietor or Dean of the College. It must be returned thirty (30) days prior to first class session.

To the Commission:

I hereby certify that we will be offering this instruction in \_\_\_\_\_

\_\_\_\_\_ as prescribed by the Nebraska Real Estate Commission at the  
(Course)

\_\_\_\_\_  
School and Address

I also certify that our school will employ an instructor approved by the Commission and a textbook will be used in the course from the list of approved text supplied.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Dean or Proprietor

\_\_\_\_\_  
Email

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Institution

\_\_\_\_\_  
Location

\_\_\_\_\_  
Date

## 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 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 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 Bachelors 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. These forms will request appropriate information regarding the instructional and other professional activities of the preceding two years.

## **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.



## REQUEST FOR TEMPORARY INSTRUCTOR APPROVAL

(ATTACH TO APPROVAL APPLICATION OF THE NEBRASKA REAL ESTATE COMMISSION BEFORE RETURNING.)

Institution \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_  
(#, Route) (City-Town) (State) (Zip Code)

Telephone Number \_\_\_\_\_ Email Address: \_\_\_\_\_

Instructor for whom Temporary Instructor approval requested:

\_\_\_\_\_

Subject matter area for which Temporary Instructor Approval requested

\_\_\_\_\_

Period for which Temporary Instructor Approval requested - Begin \_\_\_\_\_  
End \_\_\_\_\_

Reason(s) for requesting Temporary Instructor Approval:

\_\_\_\_\_

Have other avenues been explored to find an approved instructor? \_\_\_\_\_ Yes \_\_\_\_\_ No

If "NO", why not?

If "YES", explain why none found.

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

\_\_\_\_\_  
Signature of Dean or Proprietor



## 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 \_\_\_\_\_ Email address \_\_\_\_\_  
(Home) (Cell)

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 &amp; 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 &amp; 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

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
BY