NEW INSTRUCTOR ORIENTATION

PART 1

LICENSE LAW

ALABAMA REAL ESTATE COMMISSION

REV10122017
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- In this document, the use of the phrase *Prelicense courses* will refer to the Salesperson, Broker and both reciprocal prelicense courses.

- The term *Commission* will refer to the Alabama Real Estate Commission.
Training Requirements

- All Prelicense/Post License Instructors are required to obtain 12 hours of instructor training prior to the end of the current instructor license period which is September 30, 2019. Instructors approved in the second year of the approval period will be exempt from the training requirement for their first instructor renewals.

- The Commission will offer training throughout the year. Go to the Auburn University Outreach Program website to see the offerings and registration information. The website is http://auburn.edu/outreach/opce/re/.

- Instructors may obtain instructor training out of state or from sources other than the Alabama Real Estate Commission. Instructors should gain approval from the Commission prior to attending these training programs to ensure instructor credit can be given.

- Six (6) instructor training hours may be obtained by completing the Certified Distance Education Instructor (CDEI) Certification. Go to the website www.idecc.org for more information. The CDEI must be renewed every three (3) years to maintain certification.

- Instructors approved to teach the Risk Management courses must attend a Risk Management Instructor Training before teaching the courses. The courses will be added at no charge to the instructor’s record after attending the training.

- The Administrator Training is available on the Commission’s website and is required for all new school administrators. No instructor training hours are awarded for the completion of this course. This training must be completed before a school may offer its first course.

- There is no instructor training requirement for individuals approved as a Continuing Education Instructor or for those individuals serving in the capacity as a full-time university instructor.
Renewals

- The approval for schools, instructors, administrators, and courses must be renewed every two years. Renewals are done online every odd year with the next renewal being in the summer of 2019.

- Renewals must be completed by September 30 of every odd year to avoid being placed on inactive status. Any school, instructor, or administrator on inactive status may not teach or offer courses until the renewal is complete. Courses not renewed will be removed from the instructor’s list of approved courses. Any approval not renewed by December 31 will lapse resulting in the requirement to begin the application process over as if never approved.

- Although there is no fee to renew an approved school or administrator, the fee to renew a licensed school is $250.

- All prelicense and post license instructors must pay the $100 renewal fee along with obtaining their 12 hours of required instructor training. The renewal fee for Continuing Education Instructors is $50 for the two (2) year approval period.

- Courses for which the Commission provides the outline, such as Salesperson Prelicense, Post License, Broker Prelicense and the three Risk Management courses (Avoiding Violations, Risk Management for Salespersons, and Risk Management for Brokers), are renewed at no cost. All other courses are charged a $50 renewal fee for the two (2) year period. Information for courses requiring a fee, such as timed outlines, objectives, and learning strategies may not be obtained from the Commission. Instructors are responsible for maintaining this information from one renewal to another.

- Processing fees may be applied to online renewal transactions depending upon the fee amount necessary to renew.

- Renewal reminders and instructions are provided by the Commission in the summer of each renewal year to allow ample time to compete the renewal process.
School Information

- With the exception of colleges and universities, schools seeking to become licensed to offer prelicense and post license courses must submit proof to the Commission of a $20,000 surety bond made payable to the Commission and pay a license application fee of $500.

- There is no application fee for schools seeking approval to offer only continuing education courses.

- Processing fees may be applied to online application transactions depending upon the fee amount necessary to apply.

- All schools must name an Administrator who will serve as the responsible party for all offerings and activities of the school. The Administrator may be an instructor or an individual not involved with the instruction.

- Schools must be in compliance with the Americans with Disabilities Act. Information on the ADA regulations may be obtained at http://www.access-board.gov/

- Classrooms should be equipped with a writing surface for each student as well as with some type of writing surface for the instructor to use for illustration such as a dry erase board. Each student should also have ample space and an unobstructed view of the instructor and/or instructional surfaces during the presentation. When teaching a continuing education class at an off-site location, instructors must ensure that the facility and teaching environment is acceptable and compliant with all regulations.

- Student records must be kept by all schools for a minimum of four (4) years. The specific records to be maintained are listed below.

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School Information
(Continued)

- If a school or instructor advertises its school or course offering, the school name must be included in the advertisement. Schools advertising their prelicense courses may not include any mention of their pass rates on the state licensing exam unless directing students to the pass rates on the Commission’s website. They may also not provide any type of guarantee for passage or include false or misleading statements.

- If a school wishes to advertise in conjunction with another company (ex. related brokerage company), a written statement must be submitted to the Commission stating that the school takes full responsibility for any potential violations in a school advertisement. This relieves the liability from the other company for any potential disciplinary action. The letter should be submitted only once and will cover ongoing multiple advertisements with multiple companies or organizations.

- The prelicense and post license courses may only be offered at the licensed location of the school. If an alternative location is desired, the school would need to open a branch school at the alternative location before a course may be offered at that location. Continuing education courses may be taught at other locations and are not held to this requirement.

- Any broker seeking to become a prelicense/post license instructor must acquire 70 points on the instructor application, pay the application fee, and attend a New Instructor Orientation at the Commission.

- The Commission’s Education Division has full-time auditors that audit schools and instructors. School audits are planned in advance and instructor audits are unannounced. There are checklists available on the Commission’s website that identify items to be reviewed by auditors. These checklists can be accessed by going to www.arec.alabama.gov and logging into Online Services and selecting Instructor Resources which is located under the instructor’s Available Services.
## School Information

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### Education Rules

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Course Administration

- Content outlines for the Salesperson Prelicense, Post License, Broker Prelicense, Risk Management: Avoiding Violation, Risk Management for Salespersons, and Risk Management for Brokers courses may be found on the Commission’s website at www.arem.alabama.gov by clicking on Education Resources under the Professionals tab. The outlines are also found in the Instructor Resources section which is under the Available Services after logging into an instructor’s record.

- Continuing Education courses must be submitted to and approved by the Commission prior to the course being offered. Course content should be real estate related and show a direct benefit to the consumer. Orientations, sales meetings, as well as motivational and personal development courses, are examples of unacceptable content. The Education Division should be contacted with any questions regarding acceptable content prior to course submission.

- A review fee of $100 is required for each continuing education course submitted for approval. These applications must be completed online and submitted to the Commission at least 14 days prior to the scheduled offering and include the timed content outline, learning objectives, and learning strategies. Courses are submitted only through the online application which may be found under an instructor’s Available Services once logged into the instructor’s record from the Commission’s website.

- All courses must be set up in the Manage Course Schedules feature of CMap at least five (5) business days prior to the scheduled course offering.

- All credit must be reported in CMap under the Manage Course Credit feature using the following deadlines:
  - Salesperson Prelicense – within three (3) business days of completion
  - Post License – within three (3) business days of completion
  - Broker Prelicense – within three (3) business days of completion
  - Reciprocal Salesperson Prelicense – within three (3) business days of completion
  - Reciprocal Broker Prelicense – within three (3) business days of completion
  - Continuing Education – within 10 days of completion
Course Administration
(Continued)

- Students have one year from the start date of a prelicense course (Salesperson and Broker) to successfully complete it. The deadline for the Post License course is associated with the individual student’s temporary license expiration date.

- All prelicense and post license students must have a minimum course grade of 70% to pass the course. The prelicense course should include incremental testing to periodically measure the student’s mastery of the content. Exams should be substantive in length and difficulty. A course is not considered complete until the student successfully passes each exam with a grade of at least 70%. Instructors should have multiple versions of their exams in the event a re-take becomes necessary.

- Students must attend a minimum of 90% of a prelicense or post license course. If more than 10% of the course hours are missed, the time must be made up with the topics missed during the absence. Make-up sessions may be no longer than the allowable hours for that particular course and must be completed within the one year of eligibility.

- A single unapproved guest speaker may be used for a portion of any approved continuing education course but may not teach the entire course. The approved instructor must be present during their presentations. Multiple unapproved guest speakers can be used in a single continuing education course to share their expertise as long as the approved instructor is present during the entire course.

- Continuing Education courses require 100% attendance.

- Continuing education courses must be a minimum of three (3) hours in length to be eligible to award continuing education credit. The maximum amount of credit per course that can be awarded is 9 hours regardless of the actual clock hours included in the course.

- A Licensing Process and Deadlines form must be completed by all students taking a Salesperson Prelicense, Post License, Broker Prelicense, Reciprocal Salesperson Prelicense, or Reciprocal Broker Prelicense course. After this form has been explained by the instructor, the original must be signed by the instructor and the student and then kept in the school files. A copy must be given to the students for their files and later reference. This form may be found in the Education Resources section under the Professionals tab on the Commission’s homepage.
Course Administration
(Continued)

- With the exception of the Salesperson Prelicense course, class sessions in all courses are limited to nine (9) hours of instruction per day. The Salesperson Prelicense course is the only course in which the class session is limited to only six (6) hours of instruction per day.

- Instructors teaching a prelicense course with unlicensed students, (Salesperson prelicense or Reciprocal prelicense) should direct their students to complete the online registration process on the Commission’s website to receive their student ID number. This number is given to the school and the student’s course credit is entered into CMap under this ID number. It is suggested that the students complete the registration just prior to completing the prelicense course.

- The PSI/AMP Candidate Handbook must be given to all salesperson, broker, and reciprocal prelicense students. These handbooks may be ordered from PSI/AMP (licensing exam provider) at no cost. Due to the frequent changes and updates to the handbook, it is not advisable to order in great excess.

- All instructors teaching the Post License course should ensure that their students have been issued a temporary license prior to the beginning of the class. Students will not receive credit for any class sessions taken prior to having their temporary license issued.

- At the conclusion of the Post License course, the instructor or school must provide the licensee with instructions for the completion of the Application for Real Estate Salesperson Original License. Instructors should also provide the information on all applicable deadlines and fees. The application can be completed online or the paper version of the Original License may be accessed on the Commission’s website at www.arec.alabama.gov by clicking on Forms on the Commission’s homepage.

- All students must be given the opportunity to submit an evaluation of their courses. Students must be given instructions on how to submit an electronic evaluation on the Commission’s website. The CMap Student Instruction Sheet may be given to students in lieu of verbal directions. This sheet is located on the Commission’s website in the Education Resources section under the Professionals tab. The sheet can also be found in the Instructor Resources section under Available Services after logging into an instructor record.
Classroom Management

• Instructors must monitor the attendance of students enrolled in their classes. Students in prelicense and post license courses may miss up to 10% of the course hours without the requirement of a make-up. The 10% may include the time a student was tardy for class as well as actual class sessions that were missed in their entirety.

• Continuing education course attendance is 100% which includes tardiness in arrival and/or the return from a break or meal. Credit may be denied for students failing to attend 100% of the course offering. It is permissible to award credit to students who arrive during the instructor’s or administrator’s welcome.

• Instructors must also monitor and attempt to correct the behavior of students during their class. Credit may be denied from students who:

  □ Fail to direct their attention to the instruction being provided and engage in activities unrelated to instruction. (ex. Texting, emailing, or reading unrelated materials etc.)

  □ Fail to refrain from engaging in activities which are distracting to other students or the instructor such as personal conversation, talking on cell phones, or anything else that causes a distracting noise.

Rule 790-X-1-.14(2) states that instructors shall not submit course credit for individuals who fail to comply with these standards.

• A 10-minute break is allowed for every 50 minutes of instruction. This schedule may be modified to some degree, but only if the class is in agreement and the modification does not create an undue burden on the students. For example, it would not be allowable for an instructor to combine all the breaks for a three (3) hour session into one long 30-minute break and take that break during the last 30 minutes of the class and dismiss early. It is unreasonable to ask students to sit for two and one half (2 ½) hours without any type of break. It would be acceptable to modify that same break schedule into two (2) 15 minute breaks taken at reasonable intervals during the three (3) hour class session.
Student Information

The following information should be provided, as applicable, to students in the prelicense and post license courses.

- All applicants are required to disclose their social security number to the Commission. Failure to do so will result in the denial of the license (Alabama Attorney General ruling dated January 5, 1998). Unlicensed students will submit their social security numbers when completing the Commission’s online registration process. Students should register with the Commission just prior to completing their prelicense course.

- All applicants must submit to a Criminal History Background Check and includes the submission of the applicant’s fingerprints. It is the applicant’s responsibility to obtain acceptable fingerprints for submission.

- Applied Measurement Professionals (AMP, owned by PSI), is the testing service that administers the Alabama salesperson, broker, and reciprocal examinations. A Candidate Handbook, which includes information on the content and format of the exams, should be given to all students in all prelicense courses. Students may also view the Candidate Handbook and obtain testing information from the PSI/AMP website at www.goamp.com.

- The state exams are given Monday through Saturday in Birmingham, Dothan, Huntsville, Mobile and Montgomery. The cost is $75. Information on how to schedule an exam and the requirements on the day of the exam can be found in the Candidate Handbook.

- Students have one year to successfully complete the prelicense course after enrolling. Students must pass all exams within the prelicense course with a minimum score of 70%.

- Students have six months to pass the state licensing exam after successfully completing the salesperson, broker, or reciprocal prelicense course.

- The completion of the Post License course will satisfy the education requirement for the first renewal of the Original License, even if completed during the previous license period.
Student Information
(Continued)

• Students have 90 days to apply for a license after passing the state exam.

• Once someone obtains an active Temporary License he/she has six (6) months in which to complete the Post License course and have an Original License issued. If this is not done, the license will be placed on inactive status until the course is completed and the Original License is issued. After one year, if the Original License is not issued, the Temporary License will lapse and may not be renewed. If the Temporary License is issued on inactive status, the licensee has the full year to complete the Post License course and have his/her Original License issued.

• Licensees will be awarded 15 hours of continuing education credit by taking the entire Post License or Broker Prelicense course.

• Licensees applying for a broker’s license must have completed the 60-Hour Broker Prelicense course, passed the state broker’s licensing exam with a minimum score of 70, and held an active license for 24 of the previous 36 months of licensure. Students do not have to have these requirements met at the time they complete their coursework, just before they apply for the license.

• All unlicensed students must register with the Commission and receive an ID number which is given to the school for their use in entering that student’s credit into CMap. This registration will allow the student access to the Commission’s online services to check their credit and submit the online course evaluation. It is suggested that the student complete this registration just prior to completing the course.

• Once prelicense credit is entered into CMap, the Commission will notify the testing provider (AMP, owned by PSI) of the student’s eligibility to take the state licensing exam. The student will receive an email from PSI/AMP when they may register for a testing appointment to take the state licensing exam.
DISTANCE EDUCATION

• Instructors who wish to teach distance education courses must obtain the Certified Distance Education Instructor (CDEI) certification prior to course approval.

• The CDEI certification is obtained through the International Distance Education Certification Center (IDECC) and their website is www.idecc.org.

• All distance education courses must first obtain ARELLO certification before being submitted to the Commission for approval. That certification must be maintained in order for that course to remain approved by the Commission.

• Schools that offer distance education may do so on either a referral basis or as a primary or secondary provider. There are no instructor responsibilities for those offering distance education through a referral basis. The primary provider is the course developer and the party responsible for obtaining ARELLO certification for all their courses. A secondary provider is defined as a school which obtains a distance education course from a primary provider and offers it directly to the consumer.

• Primary and secondary providers have specific responsibilities that are outlined in Rule 790-X-1-.21 (2) and they are as follows:
  ▪ Enroll students
  ▪ Provide course registration
  ▪ Monitor student progress
  ▪ Answer student questions
  ▪ Administer and grade exams
  ▪ Verify and report course completion
  ▪ Verify student identity

• The secondary provider must be a school approved by the Commission.

• Distance education courses must be submitted for approval via the Commission’s online application. To access the application, instructors must log into their record and click on New Course Application which is located in their Available Services. The Commission does not accept paper applications for courses.
DISTANCE EDUCATION
(continued)

- All distance education courses are required to pay the $100 review fee. Those courses for which the Commission provides the outline, such as the salesperson and broker prelicense, post license, and the three Risk Management courses, are renewed at no charge.

- At the conclusion of the course, the licensee must be given instructions on how to check his or her credit and submit a course evaluation for any course. The CMap Student Instruction Sheet may be obtained by going to the Commission’s website at www.arec.alabama.gov. This sheet is located on the Commission’s website in the Education Resources section under the Professionals tab on the homepage. The sheet can also be found in the Instructor Resources section under Available Services after logging into an instructor record.
Commission Website

www.arec.alabama.gov

- The majority of everything an instructor will need may be found on the Commission’s website.

- The following items are located under Education Resources which can be accessed under the Professionals tab on the Commission’s homepage:
  - All Instructor Applications
  - School Administrator Application
  - Surety Bond Application for Licensed Schools
  - Instructions for completing the school and course applications
  - Commission-prescribed course outlines
  - Licensing Process and Deadlines Forms
  - Prelicense Student ID Number Registration Instructions
  - CMap Student Instructions
  - Commission Deadlines
  - Commission Fee Schedule

- The following items are located in Instructor Resources after logging into an instructor record.
  - Course folders with all required forms and requirements
  - Prelicense and Post License Course Content Outlines
  - Risk Management Course Content Outlines and Instructor Guides
  - Risk Management Course PowerPoint Presentations
  - Risk Management Course Level Logos
  - Student Handouts on License Law Deadlines, Fees, and the Licensing Process
  - Prelicense Student ID Number Registration Instructions
  - Licensing Process and Deadlines Forms
  - CMap Student Instruction Sheet
  - Instructor and School Audit Checklists
  - Sample Instructor Teaching Tools
  - New Instructor Orientation Manuals
  - School Administrator Training Course Manuals
  - Links to Related Websites
  - Textbook Publishers
Commission Website

(Continued)

www.arec.alabama.gov

- The following items are located under the **Available Services** heading which can be accessed through logging into an instructor record from the Commission’s homepage:

  - CE Credit (Broker and Instructor)
  - New Course Application (Once instructor is approved)
  - Approved Courses
  - School Application
  - Instructor Resources
  - Education and License Renewals
  - Official Document Printing
  - Unique Prelicense Pre-Registration link request
  - Change username and password

- The following items are located under the **Education** heading under the **Professionals** tab on the Commission’s homepage:

  - Exam Pass Rates by School
  - Applications
  - Course Requirements
  - Course Search
  - CMap
  - Education Resources
  - Exam locations
  - Instructor Renewal
  - Instructor Resources
  - ID Registration link

- The following items are located under the **Media** heading on the Commission’s homepage:

  - Briefly Legal and Briefly Legal Index
  - Consumer Guide
  - License Law
  - The Educator Newsletter and The Educator Index
  - The Update Newsletter
CMap
(Course Management Application Program)

- CMap is the program in which all courses and credit are entered. It can be found on our website at www.arec.alabama.gov. Only Administrators have access to CMap so if you decide to be the Administrator of your own school, you will receive training on the use of this program in the Administrator training manual.

- All courses must be set up in CMap under Manage Course Schedules at least five (5) business days prior to the course offering.

- All credit must be reported in CMap under Manage Course Credit using the following deadlines:
  
  o Salesperson Prelicense – within three (3) business days of completion
  o Post License – within three (3) business days of completion
  o Broker Prelicense – within three (3) business days of completion
  o Reciprocal Salesperson Prelicense – within three (3) business days of completion
  o Reciprocal Broker Prelicense – within three (3) business days of completion
  o Continuing Education – within 10 days of course completion
Responsibility to the Licensee

**Course Credit and Electronic Course Evaluation 790-X-1-.06 and 790-X-1-.12**
All students must be provided with instructions on how to check their credit on the Commission’s website and how to submit an electronic evaluation of the courses. The handout entitled “CMap Student Instructions” clearly directs students on checking credit and submitting an evaluation to the Commission. This form may be found in the Education Resources section under the Professionals tab or in the secure Instructor Resources section after logging into the Commission’s website.