

THE EDUCATOR

Notice Of Public Hearing

Proposed Amendments To Rule 790-X-1-.10

Amendments have been proposed to Rule 790-X-1-.10 as noted in the version below. Underlined words are those added and those with the strikethroughs are words proposed for deletion. The proposed amendments are to clarify the renewal process for school, instructor and course approvals. It also adds a \$50 fee for each continuing education elective course renewed. Certain exemptions are listed in paragraph 7. Another amendment will require that instructor and school approvals be done online provided it is available. There will be a public hearing on the rule amendments on March 21st at 9:00 a.m. in the Dothan City Commission Chambers located on the 2nd floor of the Dothan Civic Center. The address is 126 N. St. Andrews Street, Dothan, Alabama. For those unable to attend the public hearing, written comments can be sent to the Commission anytime through the close of business at 4:30 p.m. on April 7, 2003. Written comments can be faxed to 334-270-9118 or mailed to:

D. Philip Lasater, Executive Director, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, AL 36106

Rule 790-X-1-.10. Application, Fees and Renewal Requirements for Instructors, Courses and Schools.

(1) Schools and instructors must submit application for approval on forms prescribed by the Commission. Instructors must submit application for elective continuing education course approval on a form prescribed by the Commission. ~~Schools and instructors~~ Instructor, course and school shall renew their Commission approval approvals must be renewed every two years in the odd numbered years. The approval ~~year-period~~ shall run from Octo-

ber 1 of the first year of the approval period through September 30 of the second year of the approval period.

(2) School and instructor renewal ~~forms-notices~~ prescribed by the Commission shall be ~~mailed sent~~ mailed sent to instructors by August 1 of the second year of the approval period. Instructors who do not receive their renewal ~~forms-notices~~ by August 10 must notify the Commission so that a ~~form-notice~~ form-notice may be ~~mailed sent~~ mailed sent to them. If online renewal is available, instructors must renew their approval online and school administrators must renew their school approval online.

(3) School renewal: School administrators must renew the school approval no later than August 31 of the second year of each approval period. Failure to meet this deadline will result in the school being placed on inactive status. If placed on inactive status, the school cannot enroll any additional students until the approval is renewed.

(4) Instructor renewal: Instructors must renew their instructor approval no later than August 31 of the second year of each approval period. Failure to meet this deadline will result in the instructor being placed on inactive status. If placed on inactive status, the instructor cannot teach any classes until the approval is renewed.

(3) (5) Course Renewal: Instructor renewal forms shall contain a list of courses which that



Continuing Education Audits In Full Swing

The Commission has begun continuing education audits. On February 27 letters were mailed out to 250 licensees who were randomly selected by computer. As soon as those are processed, another 250 will be mailed. This will continue throughout the license period. Course sponsors and instructors may get calls from licensees who are unable to locate certificates so be prepared.



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~~instructor is approved to teach.~~

~~(a) In order to retain approval for each course, the instructor must submit the renewal fee and file an updated outline and learning objectives with the renewal form. Failure to submit the outline and learning objectives will result in the course being deleted from the list of courses the instructor is approved to teach.~~

~~(b) Courses that the instructor has not taught within the renewal period will be deleted from the list of approved courses unless the course is renewed and an updated outline and learning objectives are filed. Courses which are not renewed by the deadline set forth by the Commission will be deleted from that instructor's list of approved courses. Once a course is deleted, it is subject to all requirements of new courses and cannot be offered until written approval has been received from the Commission.~~

~~(4) (6) Fees: Effective December 15, 2000 and thereafter, the The initial fee for instructor approval shall be \$50 per year or any portion thereof except that instructors who teach only elective continuing education shall pay an initial fee of \$25 per year or any portion thereof. The initial course review fee shall be \$100. The fee for instructor renewal ~~is~~ shall be \$50 per year or any portion thereof or \$100 for the two year approval period. For those who teach only elective continuing education the fee shall be ~~\$25 per year or any portion thereof or \$50 for the two year approval period.~~ There is no renewal fee for courses. The initial course review fee shall be \$100. The fee for course renewal shall be \$50 per course for the two year approval period. An initial course constitutes either one being submitted for the first time or an existing course which incurs substantial changes as determined by the Commission.~~

~~(5) (7) Instructors who teach only courses listed in Rule 790-X-1-.07(2) or Rule 790-X-1-.11(5)(a),(b),(c) and (e) or Rule 790-X-1-.21 shall not be required to pay either the initial instructor or course application fee or the instructor or course renewal fee.~~

~~(6) (8) Deadline for Renewal: The Commission prescribed renewal forms, renewal fee, and proof of completion of instructor renewal requirements shall be filed. Schools and instructors must be renewed on or before August 31 of the final-second year of each approval period in order for the respective approval to be renewed on a timely basis for the following approval period.~~

~~(7) (9) Failure by instructors to meet this the August 31 deadline shall result in ~~the~~ approval being terminated until the instructor meets all renewal requirements. If renewal requirements are not met ~~within one year which, is~~ by September 30 of the first year of the next approval period, the approval may not be renewed and the instructor must apply as an original applicant and meet all requirements applicable to new instructors.~~

~~(8) (10) Failure by the administrator of an approved school to meet the August 31 filing deadline will result in the approval of courses and instructor for that school being terminated until renewal requirements are met. If renewal requirements are not met by September 30 of the first year of the next approval period, the approval may not be renewed and the administrator must submit a new school application and meet all requirements applicable to new schools.~~

~~(9) (11) All instructors, except those who teach only elective continuing education courses, must attend the annual instructors' seminar in order to retain approval. For absences due to an approved hardship or emergency, the Commission may specify another training program in order to meet this requirement.~~

Statutory Authority:

Code of Ala. 1975, §§ 34-27-6; 34-27-8.

Education Forms Coming Soon to AREC's Website

The instructor applications, school application, continuing education course application, course information form and the course enrollment form (roster) will soon be on the Commission's website for download. It is anticipated these will be available by May 1.

Alabama Real Estate Commission Policy on Publication of License Revocations: Revised October 14, 1999



Upon the Hearing of a formal complaint resulting in a license revocation (including an affidavit of surrender) Commission staff Shall cause a public advertisement to be placed by the following criteria: After all appeals have been exhausted, a notice of the Commission revocation shall be placed in a 2x2 inch display ad one time in the newspaper of largest general circulation in the county to which the license was issued.

Who's Completing Your Certificates of Completion?

Certificates of Completion for continuing education courses have been used for years. Some of you may feel like preparation of these certificates is something that you really do not have time to do. Let's face it, if you are a full-time instructor you are constantly preparing to teach courses. If you teach and sell real estate, you have showings and closings to tend to in addition to class preparation. The temptation is to find the easiest and most effective use of your time. One solution that has been reached by some instructors is to sign the certificates and allow the students to complete the remainder of the information. Rule 790-X-1-.12(7) of Alabama License Law states "The instructor shall issue a certificate of course completion approved by the Commission to each licensee who completes an approved continuing education course at the conclusion of the class. The certificate shall at a minimum contain the licensee's name, the name of the course, school and instructor, signature of the instructor, the course date(s), number of credit hours earned, and location in which the course was taken." This rule was added for an important reason. We encountered a situation where an instructor signed the certificates and gave them to the students to complete. When one of the students was audited for CE completion, it appeared he had taken only 12 hours during the last licensing period and another 3 hours in December of 2002. Yet another certificate had dates for two courses which did not match the dates on the school's Course Information Form. After some investigation and several phone calls, it was determined that the problem was a result of the licensees being given certi-

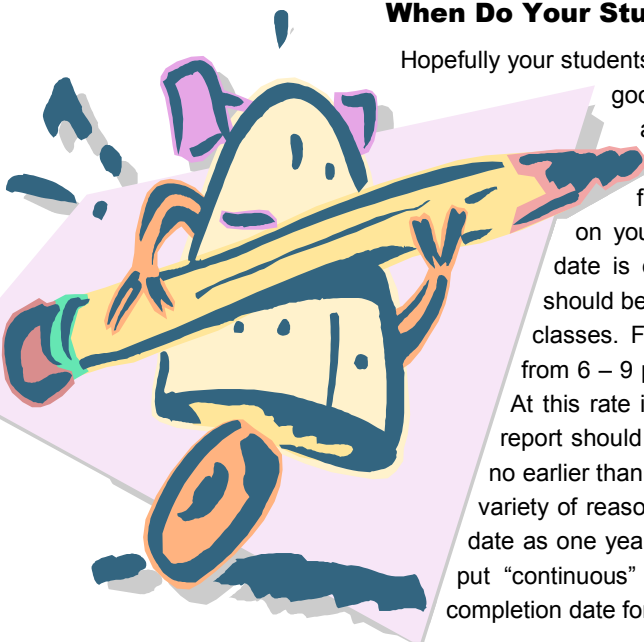


ates with nothing but the instructor's signature on them and the licensees filled in the rest. In this case, the information was obviously filled in at a later time and three of five course dates were incorrect. If the correct course information and dates had been on the certificate to begin with, we would not have had to use our time in contacting the student, instructor, and other individuals to verify the dates.

Since the Real Estate Commission has initiated the CE audit process, the only record of CE attendance that is seen is the information recorded on the certificate. That is why having the correct information is so important. Every instructor or the school administrator must complete all of the required course information on the certificates prior to giving them to the students. There is a very good chance of errors being made if the students are allowed to complete the information themselves. Please take the time before each course to prepare the certificates so no mistakes will be made. Also, the instructor's signature on each certificate must be an original signature. The Commission cannot accept certificates that have stamped or copied signatures on them. If you want to write the course information and dates on the certificates, make copies for the students, and then add the students' names and your signature, there is no problem with that. Please do not sign one certificate and make copies for all students. Following these guidelines will prevent potential problems for students, instructors, and the Education staff at the Real Estate Commission when verifying continuing education credit during the audit process. 📖

When Do Your Students Come to Class?: The Commission Wants to Know

Hopefully your students come to your class because you are an exciting instructor who has a lot of good information and a great variety of teaching methods. And, your prelicense and post license students come to every available class session, right? We know students have a year to complete the prelicense course but most finish it much sooner. Let's talk about the course dates you should be putting on your Course Information Forms for your classroom students. The beginning date is easy enough but what about the completion date? The completion date should be the earliest projected date the student could finish if he/she attended all the classes. For example, you teach prelicense on Monday and Wednesday evenings from 6 – 9 p.m. That means a student can obtain 6 hours per week of classroom time. At this rate it will take 10 weeks to complete a 60 hour course. The course dates you report should show a 10 week period. So here is the rule of thumb: a student can finish no earlier than the projected ending date reported. A student can finish later as there are a variety of reasons why a student may need more time in class. Never put the completion date as one year from the beginning date! We will return these for correction. Also, do not put "continuous" for dates on your form. Put a specific beginning date and projected completion date for every student.





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Instructors Annual Seminar October 10
Optional Instructors Program October 9
Auburn University Hotel and Conference Center

The featured speaker for this year's seminar is **Julie Garton-Good, DREI, C-CREC**. Julie is the Founder of the National Association of Real Estate Consultants (NAREC)™ and Sponsor of the Consumer-Certified Real Estate Consultant (C-CREC)™ Designation. You can read more at www.narec.com and www.juliegarton-good.com. Julie is the nation's leading expert on "Unbundling the real estate transaction and providing fee-based services as a real estate consultant."