

## **201 KAR 30:150. Education provider approval.**

RELATES TO: KRS 324A.035(3)(d), (f), 12 U.S.C. 3331-3351

STATUTORY AUTHORITY: KRS 324A.020, 324A.035(3)(d), (f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 324A.035(3)(d) and (f) require the board to establish requirements for education and continuing education of appraisers. This administrative regulation establishes the requirements for approval of education providers for real estate appraisers.

### **Section 1. Definitions.**

- (1) "Approved instructor" means an instructor who has been approved under 201 KAR 30:160 to teach continuing education or qualifying education.
- (2) "Education provider" means a school or organization that teaches continuing education courses, programs, or seminars required by 201 KAR 30:125 or qualifying education courses required by 201 KAR 30:125 and 30:190.

### **Section 2. Education Provider Approval.**

- (1) To apply for approval as a real estate appraiser education provider or to renew approval, a provider shall submit a:
  - (a) Completed Real Estate Appraiser Education Provider Application, including the information required concerning curriculum, approved instructors, educational materials, and policies;
  - (b) Copy of the Certificate of Approval from the Kentucky Commission on Proprietary Education or the Kentucky Department of Education, if applicable;
  - (c) Sample schedule outlining how a course will be presented; and
  - (d) Completed course outline for each course, which shall include:
    1. A Real Estate Appraisal Instructor Application for each instructor, as required by 201 KAR 30:160;
    2. A copy of a contract or agreement signed by the student which outlines the class schedule, grading system, and attendance requirements, if a contract or agreement is executed between the student and the provider;
    3. A copy of the written material, including the textbook and other materials that will be used in the classroom;
    4. A sample copy of an education provider brochure or information sheet promoting the education provider;
    5. A copy of legal documentation required to support an answer made on the form, if applicable; and
    6. A sample copy of an official transcript from the education provider.
- (2) An approved real estate appraisal education provider shall include a statement in the education provider's application for admission into the program that informs the prospective students that a criminal conviction may prevent that person from qualifying for licensure by the Real Estate Appraisers Board. Failure to include this notification shall result in suspension of an approved education provider's approval until the information is included in the application.
- (3) Courses from institutions that have been accredited by a regional accrediting agency approved by the U.S. Department of Education or listed in the Transfer of Credit Practices of Designated Educational Institutions, published by the American Association of Collegiate Registrars and Admissions Officers shall be approved by the board without review.
- (4) The applicant shall be required to supply a syllabus or course outline to verify that the content of the course satisfies an area of study outlined in 201 KAR 30:190.

### **Section 3. Requirements for an Approved Education Provider.**

- (1) An approved education provider shall notify the board within fourteen (14) days of a material change in the information originally furnished on the application or in an attachment to the application.
- (2) A renewal application shall be submitted by May 31 of each year.
- (3) The curriculum offered by the education provider shall:
  - (a) Include a minimum of two (2) academic hours for a continuing education course;
  - (b) Include a minimum of fifteen (15) academic hours, including examination time, for each qualifying education course;
  - (c) Be conducted for a maximum of no more than eight (8) hours during a twenty-four (24) hour period; and
  - (d) Consist of courses covering the topics listed by the Real Estate Appraisers Board in 201 KAR 30:050, Section 3, or 201 KAR 30:190.
- (4) An approved real estate appraisal education provider shall maintain accurate and permanent records on each student enrolled in a course.
  - (a) A permanent record shall include:
    1. Each student's record of courses completed or attempted, academic hours awarded, and final grades; and
    2. A board-approved Certificate of Completion form for each student and proof that it was mailed to each student upon completion of a course.
  - (b) A permanent record shall:
    1. Be maintained for five (5) years; and
    2. Include student attendance records and test scores.
  - (c) The education provider shall submit to the board a roster with the names of the individuals who attended the course and each student's final examination grade with numerical score by June 1 of each licensure year.
  - (d) The education provider shall submit to the student a certificate of course completion within ten (10) days of the completion of each course.
- (5) An approved real estate appraisal education provider shall file with the board a Notification Form for Course Dates and Locations no later than ten (10) days prior to beginning a qualifying education course or a continuing education class.
- (6) An approved real estate appraisal education provider shall permit an inspection and monitoring by the board or its designee to evaluate all aspects of the administration or operation of the education provider.
- (7) Education provider status approval shall be withdrawn if the board determines that:
  - (a) Information contained on the application or renewal is inaccurate or misleading;
  - (b) The establishment or conduct of the education provider is not in compliance with this administrative regulation;
  - (c) The instruction is so deficient as to impair the value of the course; or
  - (d) The education provider failed to meet any policy or statement made in its application.
- (8) If an education provider has been given notice of a deficiency under this section, the board shall give the education provider an opportunity to correct the deficiency within thirty (30) days.
- (9) An effort made directly or indirectly by an education provider, official, or employee, or a designee to reconstruct the national real property appraisal licensing or certification examination for any licensed or certified real property appraiser, or a portion of these examinations shall result in immediate revocation of education provider approval.

#### Section 4. Incorporation by Reference.

- (1) The following material is incorporated by reference:
  - (a) "Approved Real Estate Appraisal Education Provider Application", 2016;
  - (b) "Course Outline", 2005;

(c) "Certificate of Completion", 2005; and

(d) "Notification Form for Course Dates and Locations", 2005.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Real Estate Appraisers Board, 321 N. Madison Avenue, Richmond, Kentucky 40475, (859) 623-1658.

(31 Ky.R. 2056; Am. 32 Ky.R. 254; eff. 8-25-2005; TAm 12-28-2009; 37 Ky.R. 2050; 2381; eff. 5-6-2011; 40 Ky.R. 118; 534; eff. 10-4-2013; TAm 3-11-2016; TAm eff. 1-11-2018.)