

### **61J2-3.011 Continuing Education for School Instructors.**

(1)(a) Any person holding “school instructor” permits shall recertify competency during each permit period by satisfactorily completing 7 classroom or distance learning hours consisting of 3 hours of Core Law and 4 hours of Instructional Techniques as approved by the Commission. A school instructor is not required to complete the 7 hours of recertification education as a condition for initial permit renewal if the time between the effective date on the initial permit as an instructor and the beginning of the initial renewal permit is less than 6 months. Of the required 7 classroom or distance learning hours, up to 3 hours may be applied toward the continuing education core law requirement for licensure pursuant to Rule 61J2-3.009, F.A.C.

(b) An Instructor may fulfill the Instructional Techniques requirement for the renewal of his or her instructor license only by attending a course taught by another instructor.

(2)(a) For all courses approved for classroom delivery, 50 minute hours means fifty minutes of classroom instruction, exclusive of any breaks, recesses, or other time not spent in instruction. Classroom hours are the hours delivered live by an instructor in a classroom, or by live streaming, or any means of video conferencing technology to students who are in attendance at permitted or approved school locations.

(b) Any school or provider requesting approval for a distance learning course via streaming video or any other means of video conferencing technology must submit to the DBPR at the time of course submission all course materials as well as information on the delivery method and software platform being used.

(c) The Commission shall approve any course, seminar or conference in the real estate practice area provided by a public or private school, firm, association, organization, person, corporation, sponsor or provider. Instructional Technique courses shall be approved for no less than 2 hours and for not more than 4 hours of instruction of 50 minutes each. Courses shall not be approved for fractional hours. The Commission will approve the course for 24 months. Approval or denial of an Instructional Techniques course will be based on its compliance with the following criteria: the course shall be related to real estate, designed to be training oriented to teach instructors how to present courses and provide updates on statutes and rules relevant to the real estate industry.

(d) A school or provider must submit the course materials for a classroom course to the Commission for evaluation at least 60 days prior to use and must receive approval before it may offer the course, The school or provider must also submit a copy of the continuing education course, and access to the course, in the format in which the course will be offered to the student. Thereafter, it is the responsibility of the school or provider offering the Commission-approved courses to keep the course materials current and accurate, as changing times and laws require.

(e) All Core Law continuing education courses shall be resubmitted for evaluation prior to every second renewal. Classroom and distance education courses may be submitted for renewal no more than 120 days prior to the course expiration date.

(f) If a school or provider develops a new version of course materials or new end-of-course examinations during the approval period, the end-of-course examinations and a summary of the changes must be submitted to the Commission at least 60 days prior to use and receive approval before it may offer the course.

(3) The Commission-prescribed Core Law course totaling 3 hours of instruction of 50 minutes each will review and update licensees on Florida real estate license law, Commission rules, and agency law, and provide an introduction to other state laws, federal laws, and taxes affecting real estate. Approval or denial of the Commission-required Core Law course will be based on the extent to which the course content covers the above-referenced subject areas. Examinations, if required, must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes for reevaluation.

(4) Successfully meeting standards established for each Commission-prescribed course constitutes satisfactory completion of the Commission-prescribed continuing education course or courses. A provider shall issue a notice of satisfactory classroom course completion only if a licensee attends a minimum of 90% of the total classroom hours for the Commission-prescribed course. Notice of course completion shall be as per Rule 61J2-3.015, F.A.C.

(5) If an examination is required by this rule, a grade of 80% or higher on the Commission-prescribed examination constitutes satisfactory course completion. The school or provider must administer a different exam to a student who fails the examination. No examination shall contain more than 20% duplication of questions.

(6)(a) A copy of the distance education course materials and a copy of each form of the end-of-course examinations that will be distributed to students shall be submitted to the Commission for evaluation and approval at least 60 days prior to use. Examinations must test the course material. The provider must submit the course materials and a minimum of five end-of-course examinations for each course to the Commission for evaluation and approval at least 60 days prior to its use. Thereafter, it is the responsibility of the provider offering the Commission-approved courses to keep the course material current and accurate. If the Commission does not

approve the course, the provider may resubmit the course, with the mandated changes for re-evaluation. If a provider develops a new version of course materials or new end-of-course examinations during the approval period, the end-of-course examinations and a summary of the changes must be submitted to the Commission at least 60 days prior to use and receive approval before it may offer the course.

(b) The objective of the distance education course of study end-of-course examination is to test fairly and reliably whether students have learned essential facts and concepts from the course. The examination shall consist of a minimum of 10 items for courses of 5 hours or less. For courses greater than 5 hours, but no more than 7 hours, the examination shall consist of a minimum of 2 items per instruction hour. All questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least 70% of the questions on each form of the test shall be at the application level or higher. No more than 10% of the questions on each form of the test shall be at the knowledge level. Any school offering the Commission-prescribed continuing education course of study by distance education must maintain a sufficient bank of questions to assure examination validity when administering the examination to licensees from a common source such as a specific business, firm or family.

1. Application level means the ability to use the learned material in a completely new and concrete situation. It usually involves the application of rules, policies, methods, computations, laws, theories, or any other relevant and available information.

2. Knowledge level means recalling specific facts, patterns, methods, terms, rules, dates, formulas, names, or other information that must be committed to memory.

(c) 50 minute hours for distance learning courses shall be the equivalent of the 50 minute classroom hour in a classroom delivery course.

(d) In all Commission-approved continuing education courses by distance education, the real estate school and school permitholder shall provide to students an address and telephone number of a permitted instructor registered with such school to answer inquiries. The school shall post the schedule of the instructor's availability.

(e) If the provider or school receives a completed examination from the student prior to or on the date of the course expiration, the provider or school has up to 15 days from the course expiration date to grade the exam and report the student's results as prescribed in Section 455.2178, F.S.

(7) Accredited universities, colleges and community colleges in this state, area technical centers, approved providers or real estate schools registered pursuant to Section 475.451, F.S., may offer the Commission-prescribed or approved Instructional Techniques courses. Accredited universities, colleges and community colleges in this state, area technical centers or real estate schools registered pursuant to Section 475.451, F.S., may offer the Commission-prescribed Core Law course.

(8) Satisfactory completion of these courses will not entitle any person to renew a permit as a school instructor until such person has met all other requirements of law.

(9) The continuing education requirements for school instructors do not apply with respect to any attorney who is otherwise qualified under the provisions of Section 475.451, F.S.

*Rulemaking Authority 455.2123, 475.05, 475.451 FS. Law Implemented 455.2123, 455.2178, 475.451 FS. History—New 7-28-80, Amended 8-24-80, 1-3-84, Formerly 21V-3.11, Amended 7-25-90, 7-20-93, Formerly 21V-3.011, Amended 12-30-97, 1-18-00, 9-17-00, 2-4-04, 10-13-10, 12-6-12, 4-19-18.*