

**ALABAMA REAL ESTATE APPRAISERS BOARD
ADMINISTRATIVE CODE**

**CHAPTER 780-X-5
CURRICULA APPROVED BY THE BOARD**

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780-X-5-.01 Curricula Approved By The Board. (Repealed)

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: **Emergency adoption** filed February 15, 1991; effective February 18, 1991. **Permanent adoption** filed April 8, 1991; effective May 15, 1991. **Amended:** Filed June 18, 1992; effective July 23, 1992. **Amended:** Filed March 14, 1994; effective April 18, 1994. **Emergency adoption:** Filed May 5, 1994; effective June 1, 1994. **Repealed and Replaced:** Filed June 22, 1994; effective July 27, 1994. **Amended:** Filed January 11, 1996; effective February 15, 1996. **Repealed and Replaced:** Filed May 20, 1996; effective June 25, 1996. **Amended:** Filed January 16, 1997; effective February 20, 1997. **Amended:** Filed February 23, 1998; effective March 30, 1998. **Amended:** Filed December 4, 2003; effective January 8, 2004. **Repealed:** Filed May 18, 2007; effective June 22, 2007.

780-X-5-.02 Board Approval Of Courses. All courses taught in the State of Alabama must be approved by the Alabama Real Estate Appraisers Board for the student to receive credit by the Board for licensure or continuing education for the course.

1. In compliance with 34-27A-5(b) (13), any approved licensure course must meet the Appraiser Qualification Board (AQB) criteria adopted by the Board for the education cycle submitted for approval and must be a least fifteen hours in length with an exam, save and except continuing education courses. If the course is approved for licensure, it is automatically approved for continuing education credit and may be submitted by the licensee for continuing education credit. The Board will consider for approval only those courses which meet the module approach to course description as defined by the AQB.

2. Any approved continuing education course or seminar must be at least two hours in length and approved by the Board.

3. The Board may grant approval for appraisal related courses and instructors, offered by schools accredited by the Southern Association of Colleges and Schools (SACS), that are taught as part of the college, junior college, community college or university's curriculum without application and payment of fees for approval by the institution.

4. If the school is not accredited by SACS, the provider, course and all instructors must be approved by the board, in writing, prior to teaching the course, for approval of the credit for licensure or continuing education.

5. Approval may also be granted for courses and/or seminars offered by Community or Junior colleges. If the school is accredited by SACS, and the course is a part of the curriculum, the course is approved without necessity of evaluation by the Board. The instructor requires approval by the Board.

6. Approval may also be granted for courses and/or seminars from Real Estate Appraisal or related organizations, state or federal agencies or commissions, proprietary schools, or other providers approval by the Board. The Board may waive application and payment of evaluation fees for approval of courses taught by these entities.

7. All applications for approval of educational offering shall be made on forms provided by the Board and accompanied by a course approval certificate issued by the Appraisal Qualifications Board (AQB), a course outline or syllabus, the textbook, any handouts, a final examination, if applicable. No other applications will be accepted. Applicants may duplicate forms or enclose additional information for clarification. Applications that are not properly completed, that do not contain all the necessary information or have the

correct fees will not be processed and will be returned to the applicant.

8. Approval of educational offerings is for a two-year period. The two-year cycle ends September 30, 1994 and every two-year period thereafter. Approval for one cycle does not automatically mean approval for any other cycle.

9. All educational offerings will be reviewed by the Executive Director. If recommended for approval by the Executive Director, the educational offering will be submitted to the Board for approval at the next regularly scheduled Board meeting. Approval by the Board is required.

(i) If the educational offering is deemed unacceptable by the Executive Director, the Executive Director must submit the reason or reasons to the Board why the educational offering was found to be unacceptable. If the Board agrees that the educational offering is unacceptable, then the applicant will be provided with reason or reasons for denial.

(ii) The applicant will have 30 days from date of denial to submit a request for a hearing before the Board for reconsideration.

(iii) The Board shall provide a hearing for the course provider within 60 days of the request for a hearing.

(iv) The Board shall notify the course provider of the results of the hearing within 10 days of the conclusion of the hearing.

11. Bi-annual application fees are set by the Board. Review of each educational offerings [offering] (course or seminar) for pre-license or continuing education is \$5.00 per educational hour. These fees are non-refundable.

12. All approved courses are subject to review at any time after approval by the Alabama Real Estate Appraisers Board for compliance with AQB criteria. In the event of such a review, school or course provider officials shall make available to the authorized representative of the Board all records requested which are necessary to the review. Any action by the Board which limits or restricts approval of courses during the two-year approval cycle shall entitle the school or course provider to a hearing before the Board for reconsideration of the restriction or limitation. The request for a hearing shall be made by the school or course provider in writing to the Board on or before 30 days of notice to the school or course provider of the restriction or limitation. Notice shall be deemed complete of

the day of mailing of the notice to the school or course provider.

13. For the education approval cycle which begins on August 1, 2007, all courses submitted for approval as a licensure course must comply with the AQB module for approved licensure education. Courses will continue to be approved for two-year cycles.

14. (i) **Distance Education Courses.** Distance education is a course(s) in which instruction does not take place in a traditional classroom setting but rather through other media in which teacher and student are separated by distance and sometimes by time.

(ii) The Board approves distance education courses for which the applicant provides satisfactory documentation that the International Distance Education Certification Center (IDECC) has certified the course as meeting its distance education standards for course design and delivery mechanism and the course content meets the content requirements of the Board. Any Board approval based on such an IDECC certification will cease immediately upon notice from IDECC that certification of the course has been discontinued for any reason.

(iii) In distance education courses, a classroom hour is defined as fifty minutes of instruction out of each sixty-minute segment.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.

Amended: Filed May 23, 2000; effective June 27, 2000. **Amended:** Filed December 4, 2003; effective January 8, 2004. **Amended:** Filed May 18, 2007; effective June 22, 2007.

780-X-5-.03 Classroom Facilities. All courses, except Board approved on-line, internet courses, must be conducted in a facility that provides an appropriate learning environment. At minimum, the classroom must:

(1) Be sufficient size to accommodate comfortably all enrolled students.

(2) Be adequately equipped with student desks, worktables with chairs or other seating having a writing surface. Continuing education classes may not be required to meet this section.

(3) Have adequate light, hearing, cooling, ventilation and as needed public address equipment.

(4) Be free of distractions and irrelevant material that disrupt class sessions.

(5) Be accessible to persons with disabilities as required by the Americans with Disabilities Act.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.

Amended: Filed June 22, 1999; effective July 27, 1999.

780-X-5-.04 Requirements For The Approval Of Instructors And Assistant Instructors.

(1) All instructors and assistant instructors must be approved, in writing prior to teaching, by the Board.

(2) Approval of the instructor or assistant instructor is for a two-year period. The approval cycle ends September 30, 1994 and every two years thereafter. Approval for one cycle does not automatically mean approval for any other cycle.

(3) The Board may approve an instructor or appraisal course taught for credit at a SACS accredited four-year college or university.

(4) Applications for instructors and assistant instructors must be made on forms provided by the Board. No applications made otherwise will be accepted. Applicants may duplicate the forms or enclose additional information for clarification of experience or qualifications.

(5) Instructors must have education experience, preferably a BS degree and record of having taught the course twice or courses substantially similar in content to the course for which he or she is seeking approval. If the instructor has not taught the course before, he or she must have assisted in teaching the course four times. The exception is a new course that has little or no history of instruction. All instructors for USPAP courses must be certified by the AQB as having successfully completed the USPAP Instructor course administered by the AQB.

(6) Assistant instructors must be present during the complete course presentation and must provide assistance to the

primary instructor in order to receive credit toward becoming an instructor.

(7) Instructors must provide students with a signed uniform request for licensure and continuing education credit. The form will be retained by the student to be filed with the student's renewal form or original application.

(8) Instructor or assistant instructor should not have been found guilty of violating any provision of the Alabama Real Estate Appraisers Act, or any rule, regulation or order of the licensing authority in any state. Violations may result in the denial of the Instructor or Assistant Instructor Application.

(9) All instructors and assistant instructors may be periodically reviewed and evaluated by the Alabama Real Estate Appraisers Board.

(10) All instructor and assistant instructor applications will be reviewed by the Executive Director. If recommended for approval by the Executive Director the applications will be submitted to the Board for approval at the next regularly scheduled Board meeting. Approval by the Board is required.

(11) (a) If the instructor or assistant instructor application is deemed unacceptable by the Executive Director, the Executive Director must provide the Board with the reason or reasons why the instructor or assistant instructor was found unacceptable. If the Board agrees with the finding of the Executive Director, then the applicant will be provided with the reason or reasons for denial.

(b) The applicant will have 30 days from date of denial to submit a request for a hearing before the Board for reconsideration.

(c) The Board shall provide a hearing for a applicant within 60 days of the request for a hearing.

(d) The Board shall notify the applicant of the results of the hearing within 10 days of the conclusion of the hearing.

(12) The approval instructor must notify the Alabama Real Estate Appraisers Board in writing within seven days prior to the class, each time a guest instructor will teach the class during the approved instructor's absence. Notification must take place prior to the class meeting. In cases of emergencies, instructors may notify the Board by telephone prior to the class

meeting and then follow with written confirmation within the next three (3) business days. Notification must include the name of the guest instructor and the date the guest instructor will teach. Guest instructors must abide by the same standards established for the approved instructors.

(13) Guest instructors with expertise in particular areas may be used. These guest instructors will be for a short or limited time. An approved instructor must be present at all times. Guest instructors do not require Board approval. However, the approved instructor is responsible for the guest instructor's conduct.

(14) Bi-annual application fees are set by the Board. Evaluation of each instructor and each assistant instructor for each licensure (minimum of fifteen hours) is \$50.00. Evaluation of each instructor or each assistant instructor for each course or seminar (minimum of two hours) for continuing education is \$25.00.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.

Amended: Filed May 23, 2000; effective June 27, 2000. **Amended:** Filed December 4, 2003; effective January 8, 2004.

780-X-5-.05 Disciplinary Actions For Instructors. The Board may withdraw the approval of any instructor or assistant instructor who:

(1) Is a party to any falsification of any document or other information provided to the Board.

(2) Publishes or causes to be published any advertising which is not in accordance with the requirements of the Board.

(3) Is guilty or has been found guilty of violating or disregarding any provision of the Alabama Real Estate Appraisers Act or any rule, regulation or order of the Board.

(4) After receiving written warning from the Board, continues to make inaccurate comments to students regarding course content or continues to offer opinions represented as being the law or principles of law to students which are in conflict with any material contained in a Board prescribed continuing education course.

(5) Awards a certificate of completion to any student who fails to comply with the student attendance requirements. A classroom hour is defined as fifty minutes out of each sixty-minute segment.

(6) Fails to comply with the classroom facilities requirement set forth in Rule 780-X-5-.03.

(7) Loses certification by the AQB as a certified USPAP instructor if approval as an instructor has been made based upon that certification.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.

Amended: Filed December 4, 2003; effective January 8, 2004.

780-X-5-.06 Removal Of Course Provider And/Or Instructor. The Alabama Real Estate Appraisers Board will continue its efforts to protect the public welfare of Alabama citizens as required by Federal and State laws by approving course providers, instructors and assistant instructors. This will be accomplished by periodic monitoring of courses approved by the Board. The purpose of monitoring is to provide quality education to the citizens of the State of Alabama. This monitoring may result in disciplinary procedure.

(1)(a) A course provider, instructor or assistant instructor will be notified by the Board of complaints and/or monitoring complaints that may result in counseling, censure, probation or removal of the instructor, assistant instructor and/or the course provider. The nature of the complaint, and intended action in compliance with the Administrative Procedures Act, shall be detailed to the instructor, assistant instructor and/or course provider.

(b) The instructor, assistant instructor and/or course provider shall notify the Executive Director within 30 days of the notice of a request for a hearing with the Board.

(c) The Board shall schedule a hearing within 60 days of the request for a hearing.

(d) The Board shall notify the instructor, assistant instructor and/or course provider of the results of the hearing within 30 days.

(2) Hearings will be conducted in accordance with rules established in 780-X-14-.03, 780-X-14-.04, 780-X-14-.05 and 780-X-14-.06.

(3) The instructor or assistant instructor may file an application for a rehearing in accordance with §41-22-17 of the Code of Ala. 1975.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.

Amended: Filed May 23, 2000; effective June 27, 2000.

780-X-5-.07 Monitors For All Courses And Instructors.

Monitors are a means by which the Board can respond to complaints concerning instructors or courses. Complaints may originate from the Board, students, the general public and/or evaluation forms completed by the students.

(1) Monitors shall be selected from The State of Alabama Registry. This is the official Registry of all appraisers licensed in Alabama.

(2) Monitors may be selected by any member of the Alabama Real Estate Appraisers Board with Board approval.

(3) Monitors will provide a written report to the Board about the course and the instructors. The report will provide information about the educational offering's quality, content and degree of relevance to the appraisal profession. The report will provide information about the instructors knowledge and ability as an instructor.

(4) Monitors will not be known to the instructor or course provider. This will be done to provide an unbiased opinion about the course and instructors. The purpose is to provide for the monitoring of a class without interrupting the instructors style or method of presenting the material. An additional purpose of monitoring is to provide an unbiased report about the course and the instructor or instructors.

(5) Should there be just cause for further action, then a summary of the report prepared by the monitor shall be made available to the course provider or instructor.

(6) Monitor approved by the Board acts as an agent of the Board for the limited purpose of performing the functions of this section.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.

780-X-5-.08 School And Course Provider Advertising
Requirements.

(1) Schools or course providers approved by the Alabama Real Estate Appraisers Board may advertise course offerings. However, the school or course providers shall not utilize advertising of any type which is false, inaccurate, or misleading and must be able to substantiate any claims made in the advertisement.

(2) Advertising requirements for all approved schools and course providers are as follows:

(a) No person shall make, or cause to be made, any statement, or representation, oral, written, or visual in connection with the operation of a school or the offering of a course, if such person knows or reasonably should know the statement or representation to be false, inaccurate, or misleading.

(b) No school or course provider shall utilize advertising of any type which is false, inaccurate or misleading.

(c) Publicity shall be based upon relevant facts and supporting evidence.

(d) A guarantee of placement for graduates shall not be promised or implied except as follows: No person shall promise or guarantee employment utilizing information, training, or skills purported to be provided or otherwise enhanced by a course or school unless each person offers the student or prospective student a bona fide contract of employment agreeing to employ said student or prospective student for a period of not less than six (6) months in a business or other enterprise regularly conducted by him and in which such information, training, or skills is a normal condition of employment.

(e) Schools and course providers shall not advertise an approved course or course provider in conjunction with any non "real estate related" business.

(f) No school or course provider shall advertise or claim that it will train students completely in any given length of time.

(g) No school or course provider may advertise that it is endorsed by manufacturers or business establishments.

(h) No references whatsoever will be made in any advertisement as to the "pass/fail ration" with any licensing or certification body by any school or course provider approved by the Alabama Real Estate Appraisers Board.

(i) There shall be not advertising which guarantees or alludes to a guarantee of passing the state examination.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996.