

Short Title: Instructor Professional Development Requirements

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. 41-1033 for a review of the statement.

Description of Practice/Procedure:

This Substantive Policy Statement is intended to inform the regulated real estate education industry of the Department's interpretation and implementation of the education statutes and rules under the Department's original jurisdiction, through the establishment of real estate instructor professional development requirements.

CONTENT INSTRUCTOR PROFESSIONAL DEVELOPMENT REQUIREMENTS

The Law: In addition to instructor qualifications required pursuant to A.A.C. R4-28-404(C), the Department has established content instructor professional development requirements. Specifically: "The commissioner may determine... appropriate professional qualifications for approving instructors to teach individual educational courses." A.R.S. § 32-2135(E); and "The commissioner may withdraw or deny certification or approval of... real estate instructors for... failing to attend any continuing education course required by the commissioner." A.R.S. § 32-2135(C)(5).

Requirements and Administration:

1. For an Instructor Applying for Individual Continuing Education Category Teaching Approval: Upon an original or renewal instructor approval application, or during the instructor's current four year approval period, the applicant shall provide evidence to the Department of having attended any combination of six hours of live classroom and/or distance learning Department-approved continuing education (CE) courses, taken within the 48 months immediately preceding the date of application, for each of the following seven CE categories in which the applicant wishes to be approved to teach:
 - a. Agency Law
 - b. Contract Law
 - c. Commissioner's Standards
 - d. Real Estate Legal Issues
 - e. Fair Housing
 - f. Disclosure
 - g. General Real Estate

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2. For a Licensed Arizona Broker or Salesperson: As an alternative to paragraph 1 above, upon an original or renewal instructor approval application, or during the instructor's current approval period, a licensee applicant shall provide evidence to the Department of having renewed the licensee's Arizona broker's or salesperson's license twice within the 48 months immediately preceding the date of application for each of the following seven CE categories in which the applicant wishes to be approved to teach:
- a. Agency Law
 - b. Contract Law
 - c. Commissioner's Standards
 - d. Real Estate Legal Issues
 - e. Fair Housing
 - f. Disclosure
 - g. General Real Estate
3. For an Arizona Broker Applying for Approval to Teach a Prelicense Education Course: Upon an original or renewal instructor approval application, or during the instructor's current approval period, the applicant shall provide evidence to the Department of having met the requirements of either paragraph 1 or 2 above for all seven CE categories, and paragraph 5 for all three Broker Management Clinic subject areas. A currently approved prelicense instructor who does not hold a current broker's license is grandfathered and may maintain the prelicense approval by meeting the requirements of paragraph 1 above for all seven CE categories, and paragraph 5 for all three Broker Management Clinic subject areas.
4. For an Instructor Applying for Approval to Teach the 6-hour Contract Writing ("Boot Camp"): Upon an original or renewal instructor approval application, or during the instructor's current approval period, the applicant shall provide evidence to the Department of having attended twelve hours of Department-approved Contract Law courses, taken within the 48 months immediately preceding the date of application. No more than six of the CE hours may be in distance learning.
5. For an Arizona Broker Applying for Approval to Teach the Broker Management Clinic ("BMC"): Upon an original or renewal instructor approval application, or during the instructor's current approval period, the applicant shall provide evidence to the Department of having attended *two different* live classroom BMC courses for each of the following three CE subject areas in which the applicant wishes to be approved to teach, within the 48 months immediately preceding the date of application:

	<u>Courses</u>	<u>Hours</u>
a. Broker Management Clinic #1 – Statutes And Rules	2	6
b. Broker Management Clinic #2 – Broker Policies	2	6
c. Broker Management Clinic #3 – Supervision	<u>2</u>	<u>6</u>
Total:	6	18

CONTENT INSTRUCTOR DEVELOPMENT WORKSHOP ("CONTENT IDW")

The Law: Pursuant to authority of the Department: "The commissioner may determine... appropriate professional qualifications for approving instructors to teach individual educational courses." A.R.S. § 32-2135(E); and "The commissioner may withdraw or deny certification or approval of... real estate instructors for... failing to attend any continuing education course required by the commissioner." A.R.S. § 32-2135(C)(5).

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Discontinuance of the Content IDW Program:

1. The Department previously approved numerous Content IDW courses that were individually designed and approved to satisfy twice their number of CE hours required for instructor approval to teach in a specific CE or prelicense course area. Effective the date of this Substantive Policy, the Content IDW Program is discontinued and no new Content IDW applications will be accepted by the Department. Previously approved Content IDW courses will not be eligible for renewal and will expire upon the course expiration date on the Department's course approval system.
2. A three hour minimum Content IDW previously taken by an instructor applicant within the 48 months prior to the original or renewal application date, or during the instructor's current approval period, with evidence of attendance submitted to the Department, will be accepted as equal to and qualifying for two of the regular CE courses in that category of instruction.

SKILLS INSTRUCTOR DEVELOPMENT WORKSHOP ("SKILLS IDW")

The Law: "Beginning January 1, 2012, in the twenty-four months before application, each instructor original or renewal applicant, other than a panelist, guest speaker, an attorney or out-of-state instructor, shall attend at least a three hour professional seminar or workshop, approved by the department, emphasizing instruction methods, techniques and skills." A.R.S. § 32-2135(K).

Skills IDW Requirements & Administration:

1. For Approval to Teach Prelicense or Continuing Education: Upon the original or renewal instructor approval application, the applicant shall provide evidence to the Department of having attended at least one live Department-approved 3-hour Skills IDW within the 24 months immediately preceding the date of application.
2. For Approval to Teach a Skills IDW: Upon an original or renewal instructor approval application, or during the instructor's current approval period, the applicant shall provide evidence to the Department of having attended at least six hours of live Department-approved Skills IDW course(s) within the 24 months immediately preceding the date of application.

Authority: A.R.S. § 32-2135 and A.A.C. R4-28-404.

Policy Program: Education

Effective Dates: March 20, 2015