



**AGENDA FOR TEXAS REAL ESTATE COMMISSION
EDUCATION STANDARDS ADVISORY COMMITTEE (ESAC)**

Conference Room 400A, TREC Headquarters Office
1700 N. Congress, Austin, Texas

April 7, 2015 10:00 a.m.

- 1. Call to order**
- 2. Discussion and possible action to approve the January 6, 2015 meeting minutes**
- 3. Report on March 31, 2015 ESAC work group meeting on course delivery criteria**
- 4. Public comment on non-agenda items**
- 5. Discussion and possible action regarding distance course delivery criteria and additional ESAC work group meetings**
- 6. Discussion and possible action regarding qualifying instructor requirements**
- 7. Discussion and possible action regarding guidelines for acceptable courses for adult education training for instructors**
- 8. Discussion and possible action regarding determination of the examination passage rate for a provider**
- 9. Discussion and possible action regarding time and agenda items for next meeting**
- 10. Adjourn**



**MINUTES FOR TEXAS REAL ESTATE COMMISSION
EDUCATION STANDARDS ADVISORY COMMITTEE (ESAC)**

Conference Room 400A, TREC Headquarters Office
1700 N. Congress, Austin, Texas

January 6, 2015 10:00 a.m.

1. Call to order

The meeting was called to order at 10:10 a.m.

Members in Attendance: Susan Jones, Dianne McCoy, Bob Baker, Bill Evans, Andy Hemmings, Ronny Willis, Dave Dalzell, Bill Bradshaw, Pat Strong, Rebecca Ray, Rita Klein, Rick Albers

Guests in Attendance: Mike Handcock, Dan Robertson, Jeanne Lamere, Lynn Morgan, Deborah Hernandez, Andrew Cates, Jerry Rutledge, Philip Schoewe

Staff in Attendance: Kerri Lewis, Gwen Jackson, Jennifer Wheeler, Christine Anderson, Janell Senn

2. Discussion and possible action to approve the September 30, 2014 meeting minutes

The minutes were approved with no changes.

3. Election of officers

The members unanimously voted Susan Jones as Chair and Dianne McCoy as Vice Chair.

4. Report on December 2, 2014 ESAC work group meeting on course delivery criteria

A written report was included in the materials for this meeting. The members of the committee that were in attendance at the work group meeting shared their impressions of the meeting with the rest of the committee.

5. Discussion and possible action regarding appointing members to and setting additional ESAC work group meetings on course delivery criteria

The group nominated Susan Jones, Dianne McCoy, Ronny Willis, Bill Bradshaw, and Rebecca Ray to come to the next working group meeting. The next meeting will be held on March 31, 2015. Staff will work with the chair to create a list of invitees from the industry.

6. Discussion and possible action regarding qualifying instructor requirements

Staff presented a draft form that is used as a guideline internally to review qualifications for applicants. Staff will be presenting a formal form at the next meeting that will encompass these guidelines and comments received from the committee.

7. Discussion and possible action regarding guidelines for acceptable courses for adult education training for instructors

TREC staff presented several guidelines and requirements for other states for training for instructors. Based on those findings the committee has asked staff to create a comparison spreadsheet of other states and jurisdictions requirements to see if there is a process in place that may work for Texas.

8. Discussion and possible action regarding determination of the examination passage rate for a provider

The committee reviewed the current methods for determining passage rates. Members discussed concerns about the current standards and that they may not be fair or consistent over time. Some suggestions included, tying the student taking the exam to the school where the student took the majority of courses, not just the last course, shortening the time period measured, grouping the schools by their size, setting one benchmark below the average percentage for probationary status and another lower benchmark for when the school would not be able to renew, or having one benchmark for below average and then allow TREC staff to evaluate each situation to determine if probation is appropriate. TREC staff will be reviewing possible options for presentation at the next meeting.

9. Discussion and possible action regarding roll over CE credit from prior license renewal periods

The committee voted unanimously against this proposal.

10. Discussion and possible action regarding agenda items for next meeting

The next meeting of the committee was set for April 7, 2015.

11. Adjourn at 1:10 p.m.

PRE –LICENSURE REAL ESTATE INSTRUCTOR REQUIREMENTS

ILLINOIS

1. Hold an active broker’s license for the last three years; **AND**
2. Pass a pre-license instructor exam within one year of application; **AND**
3. Attend and successfully complete a 12 hour pre-licensure instructor training program approved by the Advisory Council; **AND either**
 - a) Hold a DREI (Distinguished Real Estate Instructor designation designed by the Real Estate Educators Association) and/or be approved by a college or university’s governing body to teach real estate in a degree program; **OR**
 - b) Be an attorney with a minimum of three years of experience actively engaged in real estate matters; **OR**
 - c) Be properly licensed or certified to engage in appraisal, finance and/or related real estate occupations, being a member of a nationally recognized association in that field, actively engaged in practice for three years.

TENNESSEE

1. Hold an active broker’s license for a minimum of five years; **AND**
2. Complete a Commission approved course in instructor training; **AND**
3. Hold a high school diploma or equivalent; **AND**
 - a) If a course concerns the principles of real estate, math, or sales techniques, the instructor must have at last five years of experience in the subject matter;
 - b) If the course concerns the law of real estate, the broker must have graduated from a law school accredited by the American Bar Association or be approved by the State Board of Law Examiners;
 - c) If the course concerns any other field in which a degree or other recognized designation is commonly awarded, the instructor has earned such degree or designation or has at least five years of satisfactory experience actively engaged in the field;
 - d) If the course is offered for credit at a college or university, the instructor must have a master’s degree and three years of satisfactory experience in the area of instruction.

WASHINGTON

1. Have 150 classroom hours as an instructor within the two years preceding the application in acceptable courses as determined by the commission; **OR**
2. Hold a DREI (Distinguished Real Estate Instructor) designation; **OR**
3. Successfully complete an instructor training course approved by the commission and satisfy two years of experience in real estate or a related field within the last five years; **OR**
4. Hold a bachelor’s degree or advanced degree in education and two years teaching experience or two years of experience in real estate or a related field within the last five years; **OR**
5. Hold a current teaching certificate issued by an authorized governmental agency in a field relating to the topic that the instructor has applied to teach; **OR**
6. Evidence 90 hours as an instructor at an institution of higher learning in a field relating to the topic that the instructor has applied to teach within the last two years; **OR**
7. Selection by a national or state association whose selection criteria have been approved by the Commission.

TEXAS REAL ESTATE COMMISSION
Instructor Requirements for Qualifying Courses

NAME _____ TREC ID# _____

Real Estate Principles

- Hold an active sales agent/broker's license for a minimum of 5 years;

Law of Agency; Law of Contracts; Real Estate Law; Promulgated Contract Forms

- Hold an active sales agent/broker's license for a minimum of 5 years; or
- Attorney with real estate specialization licensed for a minimum of 5 years;

Real Estate Finance

- Hold an active broker's license for a minimum of 5 years; or
- 5 years of acceptable experience in mortgage lending;

Real Estate Investments

- Hold an active broker's license for a minimum of 5 years with 2 years of investment experience; or
- 5 years of acceptable experience in real estate investments; or

Real Estate Appraisal

- Hold an active sales agent/broker license for a minimum of 5 years; or
- Certified appraiser for a minimum of 5 years

Real Estate Marketing

- Hold an active sales agent/ broker license for a minimum of 5 years with 2 years of real estate marketing experience; or
- BA in marketing plus a minimum of 2 years as an active sales agent/broker; or
- 5 years of acceptable experience in real estate marketing

Property Management

- Hold an active sales agent/broker license for a minimum of 5 years with 2 years of property management experience

Residential Inspections for RE Agents

- Hold an active sales agent/broker license for a minimum of 5 years with 2 years of inspection related experience; or
- Hold an active Real Estate or Professional Inspector license for a minimum of 5 years

Real Estate Brokerage

- Hold an active broker's license for a minimum of 5 years with 2 years of experience operating a real estate brokerage

Real Estate Math

- Combination of active salesperson/broker experience for a minimum of 5 years; or
- BA in math with a minimum of 2 years of experience as an active sales agent/broker

Successful Completion of Required Instructor Training Course **Yes/No** **Date** _____

OBJECTIVES OF INSTRUCTOR CERTIFICATION PROGRAMS

CDEI PROGRAM (Certified Distance Education Instructor) IDECC (International Distance Education Certification Center)

1. Evaluate whether or not teaching can be taught
2. Describe how adults learn
3. Interpret how adult students differ
4. Compare how approaches to teaching differ
5. Appraise strategies for assessing adult learners in distance education courses
6. Identify distinct elements of distance education
7. Explore and list categories of distance education
8. Describe technology used in distance education
9. Interpret standards for distance education

This program is divided into two courses: (1) How and Why Adults Learn, and (2) Principles of Good Practice for Teaching Online. Each course is approximately eight hours in length. The cost for each course is \$200.00. Successful completion of both courses is required for certification to be awarded. The certification is valid for three years and the cost for renewal is \$195.00.

DREI PROGRAM (Distinguished Real Estate Instructor) REEA (Real Estate Educators Association)

1. Knowledge and command of subject matter
2. Coverage of key elements of subject
3. Ability to provide logical and satisfactory answers to questions
4. Ability to relate new ideas by tying to existing knowledge
5. Concern for learners' understanding
6. Participation of learners in the learning process
7. Conciseness and organization of presentation
8. Naturalness and non-dependence on prepared notes
9. Timing and pace of presentation
10. Voice, pitch, enunciation, expression
11. Enthusiasm for subject matter
12. Instructor's attire and grooming
13. Room set-up
14. Physical Movement
15. Ability to follow outline material
16. Proper choice of equipment
17. Use of equipment properly

This is a six month program which includes a coaching and mentoring component. The applicant is required to pass an exam consisting of 100 questions. Fifty percent of the exam is based in real estate knowledge and fifty percent is based in knowledge of education and the DREI criteria. The cost for this program is \$1299.00 for non-members, \$299.00 for members and renewal is \$65.00 annually.

TENNESSEE REAL ESTATE COMMISSION – INSTRUCTOR TRAINING COURSE

1. Mission and vision of the Tennessee Real Estate Commission
2. Bloom's Taxonomy: Poses that adult learners benefit from a higher level of education than simple recall of facts
3. Adult teaching techniques
4. Pre-license education requirements (affiliate broker, broker, timeshare salesperson, acquisition agent)
5. Continuing education requirements
6. Vacation Lodging Service
7. Error and omissions insurance
8. Tennessee Real Estate Commission policies (review of revised and adopted rules)
9. 2013 – 2014 Tennessee Real Estate Commission core (mandatory non-elective CE course)
10. Law of Agency in Tennessee
11. Education Information (uploading rosters, maintaining education records, withdrawal of approval)
12. Additional resources
13. Affidavit of completion

§535.63

(a) Application for approval.

(1) A person desiring to be approved by the Commission to teach real estate or real estate inspection qualifying courses shall:

(A) file an application on the appropriate form approved by the Commission; and

(B) submit the required fee required by §535.101 or §535.210 of this title.

(2) The Commission may:

(A) request additional information be provided to the Commission relating to an application; and

(B) terminate an application without further notice if the applicant fails to provide the additional information not later than the 60th day after the Commission mails the request.

(b) Standards for instructor approval. To be approved as an instructor by the Commission to teach real estate or real estate inspection qualifying courses, the applicant must **not have had a real estate or real estate inspector license revoked or suspended, including probated revocation or suspension in the past two years and** meet the following standards:

(1) The applicant must satisfy the Commission as to:

(A) the applicant's honesty, trustworthiness, and integrity; and

(B) the person's competency in the subject matter to be taught and ability to teach effectively.

(2) Except as provided by paragraph (3) of this subsection, the applicant must possess the following qualifications:

(A) a college degree in the subject area or five years of professional experience in the subject area and three years of experience in teaching or training; and

(B) beginning January 1, 2016, a completion certificate from an adult education instructor training course of at least 8 hours that is acceptable to the Commission and dated within 5 years of the date of the application; or

(C) the equivalent of paragraphs (2)(A) and (B) of this subsection as determined by the Commission after consideration of the applicant's professional experience, research, authorship, or other significant endeavors in the subject area.

(3) **To be acceptable to the Commission, an adult education instructor training course must contain the following topics:**

(A)....

(4) To be approved as an instructor of Texas Standards of Practice, Standards of Practice/Legal/Ethics Update, or as an instructor of a ride along inspection course as defined in §535.218 of this title, an applicant must have five years of active licensure as a Texas professional inspector, and have:

(A) performed a minimum of 200 real estate inspections as a Texas professional inspector; or

(B) three years of experience in teaching and/or sponsoring trainees or inspectors.

(c) Approval notice. An applicant shall not act as or represent itself to be an approved instructor until the applicant has received written notice of the approval from the Commission.

(d) Certification required to teach real estate non-elective CE courses.

(1) An applicant may not teach a real estate non-elective CE course until the applicant has:

(A) been approved as an instructor of qualifying courses; and

(B) received written certification from the Commission to teach a specific non-elective continuing education course.

(2) To obtain certification to teach a real estate non-elective continuing education course, the applicant must:

(A) be currently approved by the Commission as an instructor for qualifying courses in the subject areas of Principles of Real Estate, Law of Agency and Law of Contracts to teach Legal or Ethics Update; or

(B) be currently approved by the Commission as an instructor of qualifying courses in the subject areas of Principles of Real Estate, Law of Agency, Law of Contracts and Real Estate Brokerage to teach Broker Responsibility; and

(C) successfully complete an instructor training program approved by the Commission for the non-elective continuing education course for which certification is sought.

(3) A previously certified instructor must be recertified to teach a non-elective course whenever the previous course has expired and a new course has been approved.

(4) An instructor's certification to teach a legal or ethics update course expires on December 31 of every odd-numbered year.

(5) An instructor's certification to teach the broker responsibility course expires on December 31 of every even-numbered year.

(e) Period of initial approval. The initial approval of an instructor is valid for two years.

(f) Disapproval of an application.

(1) If the Commission determines that an applicant does not meet the standards for approval, the Commission shall disapprove the application and provide written notice of the disapproval to the applicant.

(2) The disapproval notice, applicant's request for a hearing on the disapproval, and any hearing are governed by the Administrative Procedure Act, Texas Government Code, Chapter 2001, and Chapter 533 of this title (relating to Practice and Procedure). Venue for any hearing conducted under this section shall be in Travis County.

(g) Renewal.

(1) Not earlier than 90 days before the expiration of its current approval, an approved instructor may apply for renewal for another two year period.

(2) Approval or disapproval of a renewal shall be subject to the standards for initial applications set out in the section.

535.63

(a)-(j) No change

(j) Renewal.

(1) Not earlier than 90 days before the expiration of its current approval, an approved provider may apply for renewal for another four year period.

(2) Approval or disapproval of a renewal application shall be subject to:

(A) the standards for initial applications for approval set out in this section; and

(B) whether the approved provider has met or exceeded the exam passage rate benchmark established by the Commission under subsection (k).

(3) The Commission will not require a financial review for renewal if the applicant has provided a statutory bond or other security acceptable to the Commission under §1101.302 of the Act, and there are no unsatisfied final money judgments against the applicant.

(k) Exam passage rates and benchmark.

~~(1) [For purposes of this subsection, a student is affiliated with the approved provider where the student took his or her last qualifying courses. The Commission will not count the student in calculating the approved provider's exam pass rate if the student's last qualifying course was taken more than two years before the date the approved provider or student submitted the course to the Commission.]~~

~~(2)~~ The exam passage rate for an~~[of]~~ approved provider shall be:

(A) calculated~~[providers]~~ for each license category ~~[of license]~~ for which the provider offers courses; and

(B) displayed on the Commission website by license category.

(2) The Commission will calculate the exam passage rate of an approved provider ~~[The will be calculated]~~ on a monthly~~[quarterly]~~ basis by:

(A) determining~~[dividing]~~ the number of students affiliated with that approved provider, who passed the examination on their first attempt in the two-year~~[four-year]~~ period ending on the last day of the previous month; and

(B) dividing that number~~[quarter,]~~ by the total number of students affiliated with that provider~~[the approved provider's graduates]~~ who took the exam for the first time during that same period.

(3) A student is affiliated with a provider under this subsection if the student took the majority his or her qualifying courses with that provider.

(4) For purposes of approving a renewal application under subsection (j), the ~~[(3)]~~ established exam passage rate benchmark for each ~~[the]~~ license category is 80 percent of the average percentage of the total examinees for that license category, who passed the examination on the~~[their]~~ first attempt in the two-year ~~[four-year]~~ period ending on the last day of the previous month.~~[most current rate published by the Commission as of the date the Commission receives the timely application for renewal or, if the approval expired before being renewed, the most recent rate published by the Commission as of the expiration date of that provider's approval.]~~

~~(4) Providers who do]~~ (5) The renewal application for a provider whose exam passage rate does not meet the established benchmark for a license category as of the date the Commission receives the application may be:

(A) disapproved~~[denied-renewal]~~ for that license category; or

(B) placed on probation by the Commission under terms acceptable to the Commission.

~~(6)~~~~(5)~~ In determining whether to renew an application on probationary status under subsection (k)(5)(B) ~~[an approved provider qualifies for renewal for a particular license category based on its examination passage rate]~~, the Commission may consider the following ~~[a variety of]~~ factors~~[, including]~~:

(A) the overall exam passage rate for the provider for all license categories taught by that provider~~;~~~~[sales, broker, and inspector applicants; and]~~

(B) any trends within the approved provider's passage rate over the four-year approval period; and

(C) any factors that are outside of the control of the approved provider.

~~[(6) The Commission will publish exam passage rate of providers by category of license on the Commission's website on a quarterly basis.]~~