

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

## CHAPTER 6 EDUCATION PROVIDER ACTIVITY REQUIREMENTS

### 001 GENERAL

- 001.01** The Board may at any time conduct an audit of any approved education activity to verify that the activity is being conducted in accordance with the Act and this Title as approved.
- 001.02** The Board may at any time review activity and instructor materials approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program to verify that the activity and/or instructor(s) meet the requirements of the Act and this Title as approved.
- 001.03** Approval of activities does not transfer from one education provider to another, unless one education provider obtains the legal rights to all activities of another education provider. The expiration date of any continuing education activity will remain the same as approved under the previous education provider.
- 001.04** Education providers and instructors will comply with the Nebraska Private Postsecondary Career Schools Act, NEB. REV. STAT § 85-1601, et seq. as applicable.
- 001.05** Nothing in this Chapter may be construed to preclude education activities sponsored or conducted by the Board from being accepted as qualifying education or continuing education.
- 001.06** The Board maintains a schedule of education activities on its website as a tool to notify future applicants and current credential holders of upcoming education activities. Although education providers may provide notice to the Board of upcoming qualifying education activities, continuing education activities, and supervisory real property appraiser and trainee courses for inclusion on the schedule, the education provider is responsible for scheduling and notifying future applicants and current credential holders of upcoming education activities offered by the education provider.
- 001.07** All activities shall contain current material, theory, methodologies, and Uniform Standards of Professional Appraisal Practice requirements. Activities that include Uniform Standards of Professional Appraisal Practice citations and references must be updated as necessary to reflect changes in the Uniform Standards of Professional Appraisal Practice.
- 001.08** All activities shall be conducted in conformance with the materials, presentation methodologies, and policies as approved.
- 001.09** No activity may rely upon a textbook as the primary instructional material. Textbooks are permitted to be used as a background reference for an activity; however, textbooks will not be reviewed as the activity. All activities must contain sufficient stand-alone instructional materials supporting the specific activity learning objectives.
- 001.10** Fifty minutes engaged in instruction equals one hour for all activities. The prescribed number of activity hours includes time for examinations.
- 001.11** Except for qualifying education included as curriculum in a degree program of an accredited college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board of The Appraisal Foundation, one semester credit hour received from an accredited college or university equals fifteen classroom hours of instruction.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**001.12** A document certifying completion will be issued to each attendee upon completion of any activity. The document may be transmitted to the attendee in person, by mail, by email, or by any other electronic means that are secure. The document is required to include the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of attendee, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.

**001.13** Education providers shall maintain a record of attendance for each activity for a period of at least five years.

**001.14** Secondary providers shall obtain written evidence that the rights to an activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

## **001.15 Distance Education Activities**

**001.15A** A distance education activity approved as qualifying education must include a written, closed-book final examination. The examination must be proctored in person or remotely proctored by an official approved by the education provider. Bio-metric proctoring is acceptable. The examination may be written on paper or administered electronically on a computer workstation or other device. Oral exams are not acceptable.

**001.15B** An asynchronous distance education activity, or a hybrid distance education activity in which the learning environment includes asynchronous interaction, approved as continuing education, must include at least one of the following:

**001.15B.1** A written examination proctored by an official approved by the education provider. Remote proctoring, including bio-metric procedures, is acceptable. The examination may be written on paper, or administered electronically on a computer workstation or other device. Oral exams are not acceptable; or

**001.15B.2** Successful completion of prescribed activity mechanisms required to demonstrate knowledge of the subject matter.

**001.15C** During evaluation, and at any time a distance education activity is offered to the public, electronic access is required to be provided to the Board at the Board's request. The electronic access must provide administrative rights that allow for access to the activity, quizzes, and examinations without having to take the distance education activity in sequential order and without having to take quizzes or examinations to proceed with the activity.

**001.15D** All website links must be valid and active for a distance education activity at the time such activity is offered to the public.

**001.15E** At the Board's request, a transcript of the distance education activity must be provided to the Board.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- 001.15F** Sections 001.15G through 001.15I of this Chapter are not applicable to a synchronous distance education activity, or a hybrid distance education activity in which the learning environment includes synchronous interaction but not asynchronous interaction, as these distance education activities provide for instruction and interaction substantially the same as classroom education.
- 001.15G** Delivery mechanism approval must be obtained from one of the following sources for an asynchronous distance education activity or a hybrid distance education activity in which the learning environment includes asynchronous interaction:
- 001.15G.1** The Appraiser Qualifications Board of The Appraisal Foundation;
  - 001.15G.2** An organization approved by the Appraiser Qualifications Board of The Appraisal Foundation that provides approval of activity design and delivery; or
  - 001.15G.3** An accredited degree-awarding community college, college, or university that:
    - 001.15G.3a** Offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses; or
    - 001.15G.3b** Maintains an education delivery program that approves activity design and delivery that incorporate interactivity.
- 001.15H** Each asynchronous distance education activity, or hybrid distance education activity in which the learning environment includes asynchronous interaction, must provide interaction in a reciprocal environment where the student has verbal or written communication with the instructor.
- 001.15I** For an asynchronous distance education activity or a hybrid distance education activity in which the learning environment includes asynchronous interaction, an education provider must provide documentation evidencing delivery mechanism approval by the Appraiser Qualifications Board of The Appraisal Foundation; an organization approved by the Appraiser Qualifications Board of The Appraisal Foundation that provides approval of activity design and delivery; or an accredited degree-awarding community college, college, or university. Acceptable documentation includes the official standard documentation issued to the education provider by the entity that approves the delivery mechanism, or in the case of a an accredited degree-awarding community college, college, or university that offers distance education programs and awards academic credit for the distance education courses, a written description evidencing that the delivery mechanism provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

## 002 QUALIFYING EDUCATION

### 002.01 Requirements

**002.01A** All core curriculum courses shall be approved as qualifying education by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, or be included as curriculum in a degree program of an accredited college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board of The Appraisal Foundation.

**002.01B** Any appraisal subject matter elective qualifying education activity must contribute to an attendee's development of real property appraiser related competency in any one or more of the following subjects:

- (1) Real property appraisal practice,
- (2) Valuation methodology and/or techniques,
- (3) Market fundamentals, characteristics, conditions, and analysis,
- (4) Real property concepts, characteristics, and analysis,
- (5) Real property appraiser and client communication,
- (6) Computation, and/or
- (7) Legal considerations.

**002.01C** Each qualifying education activity shall be at least 15 hours in length, not to exceed eight hours per day. At least a one-half hour break shall be given to attendee(s) by no later than the end of four hours of class in any day.

### 002.02 Initial Application

**002.02A** Any education provider applying for approval of a qualifying education activity must:

**002.02A.1** Submit an application for the activity on forms approved by the Board showing compliance by the education provider and the activity with all requirements established by the Act or by this Title;

**002.02A.2** For an activity not approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for qualifying education, submit the following:

**002.02A.2a** An activity description that clearly describes the content of the activity;

**002.02A.2b** An activity matrix reflecting hours of credit per topic;

**002.02A.2c** A timed outline that accounts for the general flow and recommended time spent on topics contained within the activity;

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**002.02A.2d** Learning objectives that:

- (1) Are appropriate for a qualifying education activity,
- (2) Clearly state the specific knowledge and/or skills students are expected to acquire by completing the activity,
- (3) Are consistent with the activity description,
- (4) Are consistent with the textbook and other instructional materials,
- (5) Are reasonably achievable within the number of hours allotted for the activity, and
- (6) Include material to adequately cover the depth and breadth of the required topic area;

**002.02A.2e** Student and instructor materials used for the activity that:

- (1) Cover the subject matter in sufficient depth to achieve the stated learning objectives,
- (2) Provide appropriately balanced coverage of the subject matter in view of the stated learning objectives,
- (3) Reflect current theory, methods, and techniques, and
- (4) Not contain significant errors and/or deficiencies;

**002.02A.2f** A proctored closed-book final examination that complies with the following:

- (1) The examination contains a sufficient number of questions to adequately test the subject matter covered,
- (2) The amount of time devoted to examination must be appropriate for the activity,
- (3) Examination questions must, individually and collectively, test at a difficulty level appropriate to measure student achievement of the stated learning objectives,
- (4) Successful completion of the examination requires the student to answer a minimum of 70% of the examination questions correctly,
- (5) Examination questions must be written in a clear and unambiguous manner, and

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- (6) If applicable, the Appraisal Foundation USPAP final examination is utilized for the fifteen-hour Uniform Standards of Professional Appraisal Practice course;

**002.02A.2g** A written instructor qualifications policy that requires the use of instructors who meet the requirements of the Act and Section 005 of this Chapter;

**002.02A.2h** An attendance policy that complies with the following:

- (1) For a classroom education activity, a written attendance policy that requires student attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, or
- (2) For a distance education activity, a written attendance policy that ensures that student achievement of the class hour requirement is met in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation; and

**002.02A.2i** A written record retention policy.

**002.02A.3** Pay a non-refundable qualifying education activity application fee of \$50.00;

**002.02A.4** Submit a copy of the completion document;

**002.02A.5** If applicable, submit evidence that distance education activity meets the requirements of Section 001.1 of this Chapter; and

**002.02A.6** If applicable, submit written evidence that the rights to the activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

**002.02B** An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**002.02B.1** An activity identified by the education provider as approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for qualifying education will be verified as such through The Appraisal Foundation's AQB Approved Courses list found on its website.

**002.02B.2** Certification of an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation will be verified through The Appraisal Foundation's Find an AQB Certified USPAP Instructor found on its website for the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course.

**002.02 C** If the Board's director finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the qualifying education activity may be approved by the director. If the Board's director finds that the education provider and submitted activity may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the qualifying education activity may be approved. The education provider will receive a written notification of approval that outlines the details, including the number of hours for which the activity is approved.

**002.02 D** The application may be denied by the Board at any time during the process if the education provider, submitted activity, or instructor(s) for the submitted activity fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for approval of qualifying education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

## **002.03 Resubmission of Approved Activity**

**002.03A** An education provider shall resubmit a qualifying education activity for approval if:

- (1) There is a change in the status of approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (2) There is a change in the status of qualifications specified in Section 001.15 of this Chapter under which a distance education activity was approved,
- (3) There is a substantial change to the materials, presentation, or policies,
- (4) There is a change in the qualifications specified in Section 005 of this Chapter for any instructor,
- (5) One or more instructors are added or removed by the education provider,
- (6) The materials, theories, and/or methodologies are no longer current,

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- (7) The activity content and/or policies are no longer communicated or administered as approved, or
- (8) There is a change to a secondary provider's rights to the activity.

**002.03B** The process and requirements for resubmission of a qualifying education activity are the same as specified in Section 002.02 of this Chapter. If a qualifying education activity is not approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, only the requirements under Section 002.02A.2 of this Chapter that have changed since approval was granted must be included for resubmission.

**002.03 C** Any education provider resubmitting a qualifying education activity must provide a written explanation detailing what changes have been made to the activity since approval was granted.

## **002.04 Rescinding Approval**

**002.04A** The Board may rescind approval of any qualifying education activity if the Board finds:

- (1) Falsification of information submitted for activity approval,
- (2) A change in approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (3) A change in the status of the qualifications specified in Section 001.15 of this Chapter under which a distance education activity was approved,
- (4) Substantial errors and/or deficiencies in the materials or presentation,
- (5) The materials, theories, and/or methodologies are not current and/or practical,
- (6) The activity has not been offered for a period of at least five years from the last date of completion or the approval date if activity has not been offered,
- (7) The instructor(s) responsible for the activity content and presentation do not meet the qualifications specified in Section 005 of this Chapter,
- (8) The activity content and/or policies are not communicated or administered as approved,
- (9) A material violation of the Act or this Title by the education provider or instructor for the activity, or
- (10) A change to a secondary provider's rights to the activity.

**002.04B** If the Board finds reason to rescind its approval of an activity, the Board will provide written notice to the education provider that includes a description of the reason(s) for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its approval. If the response is not satisfactory to the Board, the Board may rescind approval of the activity. If approval is rescinded, the education provider may file a new application for approval of the qualifying education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.



# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

## 003 CONTINUING EDUCATION

### 003.01 Requirements

**003.01A** Any continuing education activity must contribute to a credential holder's development of real property appraiser related skill, knowledge, and competency in any one or more of the following subjects:

- (1) Real property appraisal practice,
- (2) Valuation methodology and/or techniques,
- (3) Market fundamentals, characteristics, conditions, and analysis,
- (4) Real property concepts, characteristics, and analysis,
- (5) Communication,
- (6) Arbitration, dispute resolution,
- (7) Ethics and standards of professional practice, USPAP,
- (8) Valuation bias, fair housing, and/or equal opportunity,
- (9) Land use planning, zoning,
- (10) Management, leasing, timesharing,
- (11) Property development, partial interests,
- (12) Real estate law, easements, and legal interests,
- (13) Real estate litigation, damages, condemnation,
- (14) Real estate financing and investment,
- (15) Real property appraisal-related computer applications,
- (16) Real estate securities and syndication,
- (17) Seller concessions and impact on value, and/or
- (18) Energy-efficient items and "green building" appraisals.

**003.01B** Each continuing education activity shall be at least two hours in length, not to exceed eight hours per day. At least a one-half hour break shall be given to credential holder(s) by no later than the end of four hours of class in any day.

**003.01C** The seven-hour Uniform Standards of Professional Practice Update course shall be approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, or meet the Appraiser Qualifications Board's requirements for approval of an equivalent seven-hour Uniform Standards of Professional Appraisal Practice Update course.

**003.01D** An activity in which the primary purpose is training in the use of a specific software, and not utilization of a software to improve competency in real property appraisal practice does not meet the requirements for approval as a continuing education activity.

### 003.02 Initial Application

**003.02A** Any education provider applying for approval of a continuing education activity must:

**003.02A.1** Submit an application for the activity on forms approved by the Board showing compliance by the education provider and the activity with all requirements established by the Act or by this Title;

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- 003.02A.2** For an activity not approved by The Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for continuing education, submit the following:
- 003.02A.2a** An activity description, which clearly describes the content of the activity;
- 003.02A.2b** An activity matrix reflecting hours of credit per topic;
- 003.02A.2c** A timed outline that accounts for the general flow and recommended time spent on topics contained within the activity;
- 003.02A.2d** Learning objectives that:
- (1) Are appropriate for a continuing education activity,
  - (2) Clearly state the specific knowledge and/or skills students are expected to acquire by completing the activity,
  - (3) Are consistent with the activity description,
  - (4) Are consistent with the textbook and other instructional materials,
  - (5) Are reasonably achievable within the number of hours allotted for the activity, and
  - (6) Include material to adequately cover the depth and breadth of the required topic area;
- 003.02A.2e** Student and instructor materials used for the activity that:
- (1) Cover the subject matter in sufficient depth to achieve the stated learning objectives,
  - (2) Provide appropriately balanced coverage of the subject matter in view of the stated learning objectives,
  - (3) Reflect current theory, methods, and techniques, and
  - (4) Not contain significant errors and/or deficiencies;

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**003.02A.2f** If applicable, an examination that complies with the following:

- (1) The examination contains a sufficient number of questions to adequately test the subject matter covered,
- (2) The amount of time devoted to examination must be appropriate for the activity,
- (3) Examination questions must, individually and collectively, test at a difficulty level appropriate to measure student achievement of the stated learning objectives,
- (4) Successful completion of the examination requires the student to answer a minimum of 70% of the examination questions correctly, and
- (5) Examination questions must be written in a clear and unambiguous manner;

**003.02A.2g** A written instructor qualifications policy that requires the use of instructors who meet the requirements of the Act and Section 005 of the Chapter;

**003.02A.2h** An attendance policy that complies with the following:

- (1) For a classroom education activity, a written attendance policy that requires student attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, or
- (2) For a distance education activity, a written attendance policy that ensures that student achievement of the class hour requirement is met in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation; ;

**003.02A.2i** A written record retention policy; and

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- 003.02A.2j** A completed 7-Hour USPAP Course Checklist for AQB Equivalency Approval as developed and published by The Appraisal Foundation for any seven-hour Uniform Standards of Appraisal Practice Update course not approved by the Appraiser Qualifications Board of The Appraisal Foundation;
- 003.02A.3** Submit a copy of the completion document;
- 003.02A.4** If applicable, submit written evidence that the rights to the activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials;
- 003.02A.5** If applicable, submit evidence that distance education activity meets the requirements of Section 001.15 of this Chapter; and
- 003.02A.6** Pay a non-refundable continuing education activity application fee of \$25.00.
- 003.02B** An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.
- 003.02B.1** An activity identified by the education provider as approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for continuing education will be verified as such through The Appraisal Foundation's AQB Approved Courses list found on its website.
- 003.02B.2** Certification of an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation will be verified through The Appraisal Foundation's Find an AQB Certified USPAP Instructor found on its website for the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course.
- 003.02C** If the Board's director finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the continuing education activity may be approved by the director. If the Board's director finds that the education provider and submitted activity may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the continuing education activity may be approved. The education provider will receive a written notification of approval, which outlines the details, including the number of hours for which the activity is approved.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**003.02 D** The application may be denied by the Board at any time during the process if the education provider, submitted activity, or instructor(s) for the submitted activity fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for approval of continuing education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

## **003.03 Resubmission of Approved Activity**

**003.03A** An education provider shall resubmit a continuing education activity for approval if:

- (1) There is a change in the status of approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (2) There is a change in the status of qualifications specified in Section 001.15 of this Chapter under which a distance education activity was approved,
- (3) There is a substantial change to the materials, presentation, or policies,
- (4) There is a change in the qualifications specified in Section 005 of this Chapter for any instructor,
- (5) One or more instructors are added or removed by the education provider,
- (6) The materials, theories, and/or methodologies are no longer current,
- (7) The activity content and/or policies are no longer communicated or administered as approved, or
- (8) There is a change to a secondary provider's rights to the activity.

**003.03B** The process and requirements for resubmission of a continuing education activity are the same as specified in Section 003.02 of this Chapter. If a continuing education activity is not approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, only the requirements under Section 003.02A.2 of this Chapter that have changed since approval was granted must be included for resubmission.

**003.03 C** Any education provider resubmitting a continuing education activity will provide a written explanation detailing what changes have been made to the activity since approval was granted.

## **003.04 Expiration and Rescinding Approval**

**003.04A** Except for the seven-hour Uniform Standards of Professional Practice Update course, which expires on the date on which the approval by the Appraiser Qualifications Board expires, a continuing education activity expires on the date five years after the date of approval. An education provider may renew a continuing education activity not required to be resubmitted as specified in Section 003.03A of this Chapter by:

- 003.04A.1** Submitting an application for the activity on forms approved by the Board showing compliance by the education provider and the activity with all requirements established by the Act or by this Title; and

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**003.04A.2** Paying a non-refundable continuing education activity renewal application fee of \$10.00.

**003.04B** The Board may rescind approval of a continuing education activity if the Board finds:

- (1) Falsification of information submitted for activity approval,
- (2) A change in approval by Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (3) A change in status of the qualifications specified in Section 001.15 of this Chapter under which a distance education activity was approved,
- (4) Substantial errors and/or deficiencies in the materials or presentation,
- (5) The materials, theories, and/or methodologies are not current and/or practical,
- (6) The instructor(s) responsible for the activity content and presentation do not meet the qualifications specified in Section 005 of this Chapter,
- (7) The activity content and/or policies are not communicated or administered as approved,
- (8) A material violation of the Act or this Title by the education provider or instructor for the activity, or
- (9) A change in the secondary provider's rights to the activity.

**003.04C** If the Board finds reason to rescind its approval of an activity, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its prior approval. If the response is not satisfactory to the Board, the Board may rescind approval of the activity. If approval is rescinded, the education provider may file a new application for approval of the continuing education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

## **004 SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE**

### **004.01 Requirements**

**004.01 A** Each supervisory real property appraiser and trainee course shall be at least two hours in length, not to exceed eight hours per day. At least a one-half hour break shall be given to attendee(s) by no later than the end of four hours of class in any day.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

## 004.02 Course Objectives

**004.02 A** The course must provide adequate information to ensure the supervisory real property appraiser understands the qualifications and responsibilities of that role. Specifically, that the attendee(s) understand:

- (1) Minimum qualifications for becoming and remaining a supervisory real property appraiser,
- (2) Jurisdictional credentialing requirements for both supervisory real property appraisers and trainee real property appraisers,
- (3) Expectations and responsibilities of being a supervisory real property appraiser,
- (4) Basics of the Uniform Standards of Professional Appraisal Practice,
- (5) Responsibilities and requirements of a supervisory real property appraiser in maintaining and signing all appropriate trainee real property appraiser experience logs, and
- (6) Expectations and responsibilities of the trainee real property appraiser.

**004.02 B** The course must provide adequate information to ensure that a trainee real property appraiser understands the qualifications and responsibilities of that role. Specifically, that the attendee(s) understand:

- (1) Minimum qualifications for becoming and remaining a trainee real property appraiser,
- (2) Jurisdictional credentialing requirements for trainee real property appraisers,
- (3) Minimum qualifications for becoming and remaining a supervisory real property appraiser,
- (4) Processes and roles of the entities involved in establishing qualifications for real property appraisers,
- (5) Expectations and responsibilities of the trainee real property appraiser,
- (6) Qualifications to become a real property appraiser,
- (7) Basics of the Uniform Standards of Professional Appraisal Practice, and
- (8) Responsibilities and requirements of a trainee real property appraiser's role in maintaining and signing all appropriate trainee real property appraiser experience logs.

## 004.03 Course Content

**004.03 A** The course must provide adequate information pertaining to qualification and credentialing entities. Specifically, the following shall be included:

- (1) The role of The Appraisal Foundation,
- (2) The role of the Appraiser Qualifications Board in establishing qualifications for real property appraisers,
- (3) The jurisdiction's role in issuing real property appraiser credentials and disciplining real property appraisers,
- (4) The typical structure of real property appraiser regulating bodies, and overview of the role of professional real property appraiser organizations.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**004.03 B** The course must provide adequate information pertaining to qualifications for real property appraiser credentials. Specifically, the following shall be included:

- (1) Minimum qualifications for each real property appraiser classification,
- (2) Education, experience, and examination requirements for trainee, licensed residential, certified residential, and certified general real property appraiser credential, and
- (3) Supervisory real property appraiser qualifications.

**004.03 C** The course must provide an overview of the Uniform Standards of Professional Appraisal Practice relevant to trainee real property appraisers, which shall include the following topics:

- (1) Ethics Rule,
- (2) Competency Rule,
- (3) Scope of Work Rule,
- (4) Record Keeping Rule, and
- (5) Standard 1 (Development) and Standard 2 (Reporting).

**004.03 D** The course must provide adequate information pertaining to the requirements, expectations, and responsibilities of a supervisory real property appraiser, and at a minimum, include and discuss the following topics:

- (1) The expectations and responsibilities of the supervisory real property appraiser to provide the trainee real property appraiser with a basic understanding of the Uniform Standards of Professional Appraisal Practice,
- (2) The expectations and responsibilities of the supervisory real property appraiser to understand the minimum requirements of both the supervisory real property appraiser and trainee real property appraiser,
- (3) The expectations and responsibilities of the supervisory real property appraiser to provide proper guidance to the trainee real property appraiser when he or she selects a specific credentialing path (i.e., licensed residential, certified residential, or certified general),
- (4) The expectations and responsibilities of the supervisory real property appraiser to monitor the trainee real property appraiser's progress in satisfying both the education and experience requirements necessary to achieve his or her selected credentialing path,
- (5) The expectations and responsibilities of the supervisory real property appraiser to verify that the supervisory real property appraiser and trainee real property appraiser are properly documenting all appropriate experience logs,
- (6) The expectations and responsibilities of the supervisory real property appraiser to accompany the trainee real property appraiser on all inspections until the trainee real property appraiser is competent to conduct inspections independently,
- (7) The expectations and responsibilities of the supervisory real property appraiser to monitor and provide assignments and duties that ensure the trainee real property appraiser is developing an understanding and progression of knowledge and experience of valuation methodologies and approaches to value applicable to the level of credential to be obtained,
- (8) The expectations and responsibilities of the supervisory real property appraiser to verify that the trainee real property appraiser is properly identified and acknowledged in the report in compliance with the Uniform Standards of Professional Appraisal Practice, and



# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- (9) The expectations and responsibilities of the supervisory real property appraiser to immediately notify the trainee real property appraiser if the supervisory real property appraiser is no longer qualified to supervise and/or sign the trainee real property appraiser's experience log.

## 004.03 E

The course must provide adequate information pertaining to the requirements, expectations, and responsibilities of a trainee real property appraiser, and at a minimum, include and discuss the following topics:

- (1) The expectations and responsibilities of the trainee real property appraiser to have a basic understanding of the minimum requirements to become a trainee real property appraiser,
- (2) The expectations and responsibilities of the trainee real property appraiser to have an understanding about the importance of selecting an appropriate supervisory real property appraiser. Points covered shall include:
  - a) Description of the supervisory real property appraiser-trainee real property appraiser relationship as a long-term commitment by both parties,
  - b) Information indicating that the supervisory real property appraiser-trainee real property appraiser relationship is inherently connected to the "good standing" of the supervisory real property appraiser,
  - c) Information regarding the importance of selecting a supervisory real property appraiser with the experience and competency that best matches the trainee real property appraiser's selected credentialing path, and
  - d) Options for a trainee real property appraiser if a supervisory real property appraiser is no longer qualified to serve as a supervisory real property appraiser.
- (3) The expectations and responsibilities of the trainee real property appraiser to have an understanding of how to determine if a real property appraiser is qualified and in good standing to be a supervisory real property appraiser by searching the Appraisal Subcommittee Appraiser Registry and/or jurisdictional websites,
- (4) The expectations and responsibilities of the trainee real property appraiser to understand it is the supervisory real property appraiser's responsibility to monitor the progression of the trainee real property appraiser's education and experience necessary to achieve the trainee real property appraiser's selected credentialing path,
- (5) The expectations and responsibilities of the trainee real property appraiser to understand it is the supervisory real property appraiser's responsibility to provide assignments and duties that ensure the trainee real property appraiser is developing an understanding and progression of knowledge and experience of valuation methodologies and approaches to value applicable to the level of credential to be obtained,
- (6) The expectations and responsibilities of the trainee real property appraiser to understand the responsibilities of both the trainee real property appraiser and the supervisory real property appraiser in properly documenting all appropriate trainee real property appraiser's experience logs, and

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- (7) The expectations and responsibilities of the trainee real property appraiser to understand the supervisory real property appraiser must accompany the trainee real property appraiser on all inspections until he or she is competent to conduct inspections independently.

**004.03 F** The course shall include elective real property appraiser education as determined by the education provider. Education providers are strongly encouraged to address State law and regulations, and the effect of those laws and regulations on supervisory real property appraisers and trainee real property appraisers. This section may include the following topics:

- (1) Overview of state laws, regulations, and policies pertaining to real property appraisal practice,
- (2) Overview of the investigation process, including how it pertains to the following:
  - a) A grievance against a trainee real property appraiser,
  - b) A grievance against a supervisory real property appraiser,
  - c) Acts or omissions considered grounds for disciplinary action or denial of an application, and
  - d) Formal complaints, formal hearings, and administrative law.

## **004.04 Initial Application**

**004.04A** Any education provider applying for approval of a supervisory real property appraiser and trainee course must:

**004.04A.1** Submit an application for the course on forms approved by the Board showing compliance by the education provider and the course with all requirements established by the Act or by this Title;

**004.04A.2** Submit the following:

**004.04A.2a** A course description that clearly describes the content of the course, and meets the requirements specified in Section 004.03 of this Chapter;

**004.04A.2b** A course matrix reflecting hours of credit per topic;

**004.04A.2c** A timed outline that accounts for the general flow and recommended time spent on topics contained within the course;

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**004.04A.2d** Learning objectives that meet the requirements specified in Section 004.02 of this Chapter, and that:

- (1) Clearly state the specific knowledge and/or skills students are expected to acquire by completing the activity,
- (2) Are consistent with the activity description,
- (3) Are consistent with the textbook and other instructional materials,
- (4) Are reasonably achievable within the number of hours allotted for the activity, and
- (5) Include material to adequately cover the depth and breadth of the required topic area;

**004.04A.2e** Student and instructor materials used for the course that:

- (1) Cover the subject matter in sufficient depth to achieve the stated learning objectives,
- (2) Provide appropriately balanced coverage of the subject matter in view of the stated learning objectives,
- (3) Reflect current theory, methods, and techniques, and
- (4) Not contain significant errors and/or deficiencies;

**004.04A.2f** A closed-book final examination that complies with the following:

- (1) The examination contains a sufficient number of questions to adequately test the subject matter covered,
- (2) The amount of time devoted to examination must be appropriate for the activity,
- (3) Examination questions must, individually and collectively, test at a difficulty level appropriate to measure student achievement of the stated learning objectives, and
- (4) Successful completion of the examination requires the student to answer a minimum of 70% of the examination questions correctly,
- (5) Examination questions must be written in a clear and unambiguous manner;

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- 004.04A.2g** A written instructor qualifications policy that requires the use of instructors who meet the requirements of the Act and Section 005 of this Chapter;
- 004.04A.2h** An attendance policy that complies with the following:
- (1) For a classroom education course, a written attendance policy that requires student attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, or
  - (2) For a distance education course, a written attendance policy that ensures that student achievement of the class hour requirement is met in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation; and
- 004.04A.2i** A written record retention policy.
- 004.04A.3** Pay a non-refundable new supervisory real property appraiser and trainee course application fee of \$25.00;
- 004.04A.4** Submit a copy of the completion document;
- 004.04A.5** If applicable, submit evidence that online or correspondence activity meets the requirements of Section 001.15 of this Chapter; and
- 004.04A.6** If applicable, submit written evidence that the rights to the activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.
- 004.04B** An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.
- 004.04B.1** Certification of an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation will be verified through The Appraisal Foundation's Find an AQB Certified USPAP Instructor found on its website for a supervisory real property appraiser and trainee course.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

**004.04C** If the Board’s director finds that the education provider and submitted course meet the requirements in the Act and this Title, the application will be considered a completed application and the supervisory real property appraiser and trainee course may be approved by the director. If the Board’s director finds that the education provider and submitted course may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the education provider and submitted course meet the requirements in the Act and this Title, the application will be considered a completed application and the supervisory real property appraiser and trainee course may be approved. The education provider will receive a written notification of approval, which outlines the details, including the number of hours for which the course is approved.

**004.04D** The application may be denied by the Board at any time during the process if the education provider, submitted course, or instructor(s) for the submitted course fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for approval of a supervisory real property appraiser and trainee course, and if so, meet the requirements in place at the time a new application is submitted to the Board.

## **004.05 Resubmission of Approved Supervisory Real Property Appraiser and Trainee Course**

**004.05A** An education provider shall resubmit a supervisory real property appraiser and trainee course for approval if:

- (1) There is a substantial change to the materials, presentation, or policies,
- (2) There is a change in the qualifications as specified in Section 005 of this Chapter for any instructor,
- (3) One or more instructors are added or removed by the education provider,
- (4) The materials, theories, and/or methodologies are no longer current,
- (5) The course content and/or policies are no longer communicated or administered as approved,
- (6) There is a change in the status of qualifications specified in Section 001.1 of this Chapter under which a distance education activity was approved, or
- (7) There is a change to a secondary provider’s rights to the activity.

**004.05B** The process and requirements for resubmission of a supervisory real property appraiser and trainee course are the same as specified in Section 004.04 of this Chapter. Only the requirements under Section 004.04A.2 of this Chapter that have changed since approval was granted must be included for resubmission.

**004.05C** Any education provider resubmitting a supervisory real property appraiser and trainee course will provide a written explanation detailing what changes have been made to the course since approval was granted.

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

## 004.06 Rescinding of Approval

**004.06 A** The Board may rescind approval of a supervisory real property appraiser and trainee course if the Board finds:

- (1) Falsification of information submitted for activity approval,
- (2) Substantial errors and/or deficiencies in the materials or presentation,
- (3) The materials, theories, and/or methodologies are not current and/or practical,
- (4) The instructor(s) responsible for the activity content and presentation do not meet the qualifications specified in Section 005 of this Chapter,
- (5) The activity has not been offered for a period of at least five years from the last date of completion submitted to the Board or the approval date if activity has not been offered,
- (6) The course content and/or policies are not communicated to the attendee(s) as approved,
- (7) A material violation of the Act or this Title by the education provider or instructor for the activity,
- (8) A change in the status of qualifications specified in Section 001.15 of this Chapter under which a distance education activity was approved, or
- (9) A change to a secondary provider's rights to the activity.

**004.06B** If the Board finds reason to rescind its approval of a course, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its prior approval. If the response is not satisfactory to the Board, the Board may rescind approval of the supervisory real property appraiser and trainee course. If approval is rescinded, the education provider may file a new application for approval of a supervisory real property appraiser and trainee course, and if so, meet the requirements in place at the time a new application is submitted to the Board.

## 005 INSTRUCTORS

Any instructor(s) that meet the education provider's instructor qualifications policy, who is responsible for ensuring that the activity content is communicated to the activity's audience as approved, must be identified on the education provider's application submitted for approval of the activity. Such identification must include first name, last name, email address, and phone number, and state the instructor's qualification as specified in Section 005.01 of this Chapter.

**005.01** An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must satisfy at least one of the following qualifications:

**005.01A** Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;

**005.01B** Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;

**005.01C** Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;

**005.01D** Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or

# TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Effective June 5, 2023

- 005.01 E** Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.
- 005.02** An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.
- 005.03** An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall:
- 005.03A** Maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held;
- 005.03B** Not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and
- 005.03 C** Not have had disciplinary action taken against his or her credential that may constitute a violation of NEB. REV. STAT. § 76-2238 within three years.
- 005.04** An instructor for the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must be an AQB Certified USPAP Instructor, certified by the Appraiser Qualifications Board of The Appraisal Foundation.
- 005.05** The standing of an instructor identified on an education provider's application submitted for approval, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction, may be verified through the Appraiser Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.