

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD
Effective April 10, 2019

CHAPTER 6
EDUCATION ACTIVITIES

001 GENERAL

- 001.01** The Board may at any time conduct an audit of any approved education activity to verify that activity is being conducted in accordance with the Act and this Title as approved by the Board.
- 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 activity and/or instructor(s) meet the requirements of the Act and this Title as approved by the Board.
- 001.03** Board 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.
- 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 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.

002 QUALIFYING EDUCATION

002.01 Requirements

- 002.01A** All qualifying education activities shall be conducted as classroom education courses.
- 002.01B** 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 bachelor's degree or higher 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.

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- 002.01C** Any appraisal subject matter elective qualifying education activity must contribute to an attendee's development of appraiser related competency in any one or more of the following subjects:
- (1) 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) Computation, and/or
 - (7) Legal considerations.
- 002.01D** All qualifying education activities shall contain current material, theory, and methodologies.
- 002.01E** All qualifying education activities shall be conducted in conformance with the materials, presentation methodologies, and policies as approved by the Board.
- 002.01F** 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.
- 002.01G** Education providers shall require that attendee(s) successfully complete a proctored closed-book examination.
- 002.01H** Fifty minutes engaged in instruction equals one hour for a qualifying education activity.
- 002.01I** One credit hour received from an accredited college or university equals fifteen classroom hours of instruction.
- 002.01J** A document certifying completion will be issued to each attendee upon completion of any qualifying education 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 includes the name of education provider, signature of education provider and/or instructor, name of activity as approved by the Board, location at which activity was conducted or presentation method, date(s) the 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 by the Board, the number of credit hours awarded, and the name of the attendee.
- 002.01K** Education providers shall maintain a record of attendance for each qualifying education activity for a period of at least five years.
- 002.01L** No qualifying education 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 qualifying education activities must contain sufficient stand-alone instructional materials supporting the specific activity learning objectives.

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002.01M Secondary providers shall obtain written evidence that the rights to a qualifying education activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

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 Submit evidence that activity is approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for qualifying education, or submit the following:

002.02A.2a An activity description, which 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;

002.02A.2d Written learning objectives that include the following:

- (1) The specific knowledge and/or skills attendee(s) are expected to acquire,
- (2) An explanation of how learning objectives are consistent with the activity description,
- (3) An explanation of how learning objectives are consistent with instructional materials, and
- (4) An explanation of how learning objectives are reasonably achievable within the number of hours allotted for the activity;

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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 knowledge and practice, and
- (4) Do not contain significant errors and/or deficiencies;

002.02A.2f A proctored closed book final examination that:

- (1) Contains a sufficient number of questions to adequately test the subject matter covered,
- (2) Contains clear and unambiguous questions that are individually and collectively appropriate to measure student achievement of stated learning objectives, and
- (3) Utilizes The Appraisal Foundation USPAP final examination for the fifteen-hour Uniform Standards of Professional Appraisal Practice course;

002.02A.2g A written instructor policy that requires the use of instructors who meet the requirements of the Act and this Title;

002.02A.2h A written attendance policy that requires attendance to be verified in accordance with the Act and this Title; 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 copy of the completion document;

002.02A.5 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 will be returned to the education provider as incomplete.

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002.02C Any application not considered to be incomplete will be processed and reviewed by the Board. 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 Board may approve the qualifying education activity. 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.

002.02D The application may be denied at any time during the process if the education provider, submitted activity, or instructor(s) for the submitted activity fails 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 substantial change to the materials, presentation, or policies,
- (3) There is a change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved by the Board,
- (4) One or more instructors are added or removed by the education provider,
- (5) The materials, theories, and/or methodologies are no longer current, or
- (6) The activity content and/or policies are no longer communicated to the attendee(s) as presented to the Board for approval,
- (7) 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 by the Board must be included for resubmission.

002.03C 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 by the Board.

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002.04 Rescinding Approval

002.04A The Board may rescind approval of an qualifying 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) Substantial errors and/or deficiencies in the materials or presentation,
- (4) The materials, theories, and/or methodologies are not current and/or practical,
- (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) There is a change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved by the Board,
- (7) The instructor(s) responsible for the activity content and presentation are not approved by the Board,
- (8) The activity content and/or policies are not communicated to the attendee(s) as presented to the Board for approval, or
- (9) A material violation of the Act or this Title by the education provider or instructor for the activity,
- (10) There is 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 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 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.

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003 CONTINUING EDUCATION

003.01 Requirements

- 003.01A** Any continuing education activity must contribute to a credential holder's development of appraiser related competency in any one or more of the following subjects:
- (1) 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) Computation, and/or
 - (7) Legal considerations.
- 003.01B** All continuing education activities shall contain current material, theory, and methodologies.
- 003.01C** All continuing education activities shall be conducted in conformance with the materials, presentation methodologies, and policies as approved by the Board.
- 003.01D** 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.
- 003.01E** Examination hours are not included in the number of hours approved by the Board for continuing education activities.
- 003.01F** Fifty minutes engaged in instruction equals one hour for a qualifying education activity.
- 003.01G** One credit hour received from an accredited college or university equals fifteen classroom hours of instruction.
- 003.01H** A document certifying completion will be issued to each attendee upon completion of any continuing education activity. The document may be transmitted to the attendee in person, by mail, by email, or by any other electronic means which are secure. The document includes the name of education provider, signature of education provider and/or instructor, name of activity as approved by the Board, location at which activity was conducted or presentation method, date(s) the activity was conducted, number of hours, pass or fail statement, and name of credential holder, or be an official transcript from a university or college that includes the name of activity as approved by the Board, the number of credit hours awarded, and the name of the attendee.
- 003.01I** Education providers shall maintain a record of attendance for each continuing education activity for a period of at least five years.

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003.01J 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.

003.01K Online and Correspondence Activities

003.01K.1 Each online education and correspondence education activity shall be certified by International Distance Education Certification Center, or conducted by an accredited college, community college, or university that 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.

003.01K.2 Each online education and correspondence education activity shall have an appropriate mechanism to ensure that credential holder demonstrates knowledge of subject matter.

003.01K.3 Electronic access will be provided to the Board for any online education activity, or for any correspondence education activity offered by electronic means, during evaluation and at any time the activity is offered to the public for completion, without having to complete the activity in sequential order, or without having to complete quizzes or examinations to proceed with the activity.

003.01K.4 All website links will be valid and active for online education and correspondence education activities at the time such activity is offered to the public for completion.

003.01K.5 At the Board's request, a transcript of the online or correspondence activity shall be provided to the Board.

003.01L 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 appraisal practice; valuation methodology and/or techniques; market fundamentals, characteristics, conditions and analysis; real property concepts, characteristics and analysis; communication; computation; and/or legal considerations, does not meet the requirements for approval as a continuing education activity.

003.01M Secondary providers shall obtain written evidence that the rights to a continuing education activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

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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;

003.02A.2 Submit evidence that activity is approved by The Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for continuing education, or 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 Written learning objectives that include the following:

- (1) The specific knowledge and/or skills credential holders(s) are expected to acquire,
- (2) An explanation of how learning objectives are consistent with the activity description,
- (3) An explanation of how learning objectives are consistent with instructional materials, and
- (4) An explanation of how learning objectives are reasonably achievable within the number of hours allotted for the activity;

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,

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- (3) Reflect current knowledge and practice, and
- (4) Do not contain significant errors and/or deficiencies;

003.02A.2f A written instructor policy that requires the use of instructors who meet the requirements of the Act and this Title;

003.02A.2g A written attendance policy that requires attendance to be verified in accordance with the Act and this Title;

003.02A.2h A written record retention policy;

003.02A.2i If applicable, a written description detailing the online activity mechanism(s) utilized to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective; and

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 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 online activity is certified by the International Distance Education Certification Center;

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 will be returned to the education provider as incomplete.

003.02C Any application not considered to be incomplete will be processed and reviewed by the Board. If the Board finds that the education provider and submitted activity meets the requirements in the Act and this Title, the application will be considered a completed application and the Board may approve the continuing education activity. The education provider will receive a written notification of approval, which outlines the details, including the number of hours the activity is approved for.

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003.02D The application may be denied at any time during the process if the education Provider, submitted activity, or instructor(s) for the submitted activity fails 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 certification by the International Distance Education Certification Center,
- (3) There is a substantial change to the materials, presentation, or policies,
- (4) There is a change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved by the Board,
- (5) One or more instructors are added or removed by the education provider,
- (6) The materials, theories, and/or methodologies are no longer current, or
- (7) The activity content and/or policies are no longer communicated to the credential holder(s) as presented to the Board for approval,
- (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 by the Board must be included for resubmission.

003.03C 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 by the Board.

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 by the Board. An education provider may renew a continuing education activity not required to be resubmitted as specified in Section 003.03A of this Chapter by:

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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;

003.04A.2 Paying a non-refundable continuing education activity application renewal 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 certification by the International Distance Education Certification Center,
- (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) There is a change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved by the Board,
- (7) The instructor(s) responsible for the activity content and presentation are not approved by the Board,
- (8) 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,
- (9) The activity content and/or policies are not communicated to the credential holder(s) as presented to the Board for approval, or
- (10) A material violation of the Act or this Title by the education provider or instructor for the activity,
- (11) There is a change to a 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.

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004 SEVEN-HOUR SUPERVISORY APPRAISER AND TRAINEE COURSE

004.01 Requirements

- 004.01A** All trainee and supervisory appraiser courses shall contain current material, theory, and methodologies.
- 004.01B** All trainee and supervisory appraiser courses shall be conducted in conformity with the materials, presentation methodologies, and policies as approved by the Board.
- 004.01C** Education providers shall require 100% attendance for all hours as approved by the Board for successful completion of the trainee and supervisory appraiser course by attendee(s).
- 004.01D** Each trainee and supervisory appraiser course shall be 7 hours in length. 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.
- 004.01E** Education providers shall require that attendee(s) successfully complete a proctored closed-book examination by answering a minimum of 70% of exam questions correctly.
- 004.01F** Fifty minutes engaged in instruction equals one hour for a trainee and supervisory appraiser course.
- 004.01G** A document certifying completion will be issued to each attendee upon completion of a trainee and supervisory appraiser course. 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 includes the name of education provider, signature of education provider and/or instructor, name of course as approved by the Board, location at which course was conducted, date(s) the course was conducted, number of hours, pass or fail statement, and name of attendee.
- 004.01H** Education providers shall maintain a record of attendance for each trainee and supervisory appraiser course for a period of at least five years.
- 004.01I** Secondary providers shall obtain written evidence that the rights to a trainee and supervisory appraiser course has been purchased or lawfully acquired from the education provider that owns rights to activity materials.

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004.01J Online and Correspondence Activities

004.01J.1 Each online education and correspondence education activity shall be certified by International Distance Education Certification Center, or conducted by an accredited college, community college, or university that 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.

004.01J.2 Each online education and correspondence education activity shall have an appropriate mechanism to ensure that credential holder demonstrates knowledge of subject matter.

004.01J.3 Electronic access will be provided to the Board for any online education activity, or for any correspondence education activity offered by electronic means, during evaluation and at any time the activity is offered to the public for completion, without having to complete the activity in sequential order, or without having to complete quizzes or examinations to proceed with the activity.

004.01J.4 All website links will be valid and active for online education and correspondence education activities at the time such activity is offered to the public for completion.

004.01J.5 At the Board's request, a transcript of the online or correspondence activity shall be provided to the Board.

004.02 Course Objectives

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

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

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004.02B 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 a trainee real property appraiser,
- (2) Jurisdictional credentialing requirements for trainee real property appraisers,
- (3) Minimum qualifications for becoming and remaining a supervisory appraiser,
- (4) Processes and roles of the entities involved in establishing qualifications for credentialed appraisers,
- (5) Expectations and responsibilities of the trainee real property appraiser,
- (6) Qualifications to become a credentialed 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

004.03A 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 appraiser credentials and disciplining appraisers,
- (4) The typical structure of appraiser regulating bodies, and Overview of the role of professional appraiser organizations.

004.03B 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 appraiser qualifications.

004.03C 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).

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004.03D

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

- (1) The expectations and responsibilities of the supervisory 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 appraiser to understand the minimum requirements of both the supervisory appraiser and trainee real property appraiser,
- (3) The expectations and responsibilities of the supervisory 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 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 appraiser to verify that the supervisory appraiser and trainee real property appraiser are properly documenting all appropriate experience logs,
- (6) The expectations and responsibilities of the supervisory 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 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 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
- (9) The expectations and responsibilities of the supervisory appraiser to immediately notify the trainee real property appraiser if the supervisory appraiser is no longer qualified to supervise and/or sign the trainee real property appraiser's experience log.

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004.03E

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 appraiser. Points covered shall include:
 - a) Description of the supervisory appraiser-trainee real property appraiser relationship as a long-term commitment by both parties,
 - b) Information indicating that the supervisory appraiser-trainee real property appraiser relationship is inherently connected to the “good standing” of the supervisory appraiser,
 - c) Information regarding the importance of selecting a supervisory 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 appraiser is no longer qualified to serve as a supervisory appraiser.
- (3) The expectations and responsibilities of the trainee real property appraiser to have an understanding of how to determine if an appraiser is qualified and in good standing to be a supervisory appraiser by searching the Appraisal Subcommittee National Registry and/or jurisdictional websites,
- (4) The expectations and responsibilities of the trainee real property appraiser to understand it is the supervisory 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 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 appraiser in properly documenting all appropriate trainee real property appraiser’s experience logs; and
- (7) The expectations and responsibilities of the trainee real property appraiser to understand the supervisory appraiser must accompany the trainee real property appraiser on all inspections until he or she is competent to conduct inspections independently.

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004.03F The course shall include two hours of 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 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 supervisory appraiser,
 - c) Acts or omissions considered grounds for disciplinary action or denial of an application,
 - d) Formal complaints, formal hearings, and administrative law, and
 - e) Appraisal management companies, including the laws pertaining to.

004.04 Initial Application

004.04A Any education provider applying for approval of a supervisory 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;

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004.04A.2d Written learning objectives that meet the requirements specified in Section 004.02 of this Chapter, and include the following:

- (1) The specific knowledge and/or skills attendee(s) are expected to acquire,
- (2) An explanation of how learning objectives are consistent with the course description,
- (3) An explanation of how learning objectives are consistent with instructional materials, and
- (4) An explanation of how learning objectives are reasonably achievable within the number of hours allotted for the course;

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 knowledge and practice, and
- (4) Do not contain significant errors and/or deficiencies;

004.04A.2f A proctored closed book final examination that:

- (1) Contains a sufficient number of questions to adequately test the subject matter covered,
- (2) Contains clear and unambiguous questions that are individually and collectively appropriate to measure attendee's achievement of stated learning objectives;

004.04A.2g A written instructor policy that requires the use of instructors who meet the requirements of the Act and this Title;

004.04A.2h A written attendance policy that requires attendance to be verified in accordance with the Act and this Title;

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- 004.04A.2i** A written record retention policy; and
 - 004.04A.2j** If applicable, a written description detailing the online activity mechanism(s) utilized to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective;
 - 004.04A.3** Pay a non-refundable new supervisory appraiser and trainee course application fee of \$25.00;
 - 004.04A.4** Submit copy of the completion document;
 - 004.04A.5** If applicable, submit evidence that online activity is certified by the International Distance Education Certification Center;
 - 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 will be returned to the education provider as incomplete.
- 004.04C** Any application not considered to be incomplete will be processed and reviewed by the Board. If the Board finds that the education provider and submitted course meets the requirements in the Act and this Title, the application will be considered a completed application and the Board may approve the supervisory appraiser and trainee course. The education provider will receive a written notification of approval, which outlines the details of approval.
- 004.04D** The application may be denied 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 appraiser and trainee course, and if so, meet the requirements in place at the time a new application is submitted to the Board.

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004.05 Resubmission of Approved Supervisory Appraiser and Trainee Course

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

- (1) There are substantial change to the materials, presentation, or policies,
- (2) There is a change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved by the Board,
- (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 to the attendee(s) as presented to the Board for approval,
- (6) There is a change in the status of certification by the International Distance Education Certification Center, 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 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 by the Board must be included for resubmission.

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

004.06 Rescinding of Approval

004.06A The Board may rescind approval of a supervisory 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) There is a change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved by the Board,
- (5) The instructor(s) responsible for the activity content and presentation are not approved by the Board,
- (6) 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,
- (7) The course content and/or policies are not communicated to the attendee(s) as presented to the Board for approval,
- (8) A material violation of the Act or this Title by the education provider or instructor for the activity,
- (9) There is a change in the status of certification by the International Distance Education Certification Center, or
- (10) There is a change to a secondary provider's rights to the activity.

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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 appraiser and trainee course. If approval is rescinded, the education provider may file a new application for approval of a supervisory 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

An instructor is an individual who is responsible for ensuring that the activity content is communicated to the activity's audience as presented to the Board for approval, and that the activity contributes to the quality of valuation services provided to the public. An individual who communicates assigned materials or a portion of activity content under the authorization of the education provider, but is not responsible for the activity content, is not an instructor.

005.01 Requirements

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

005.01A.1 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;

005.01A.2 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;

005.01A.3 Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;

005.01A.4 Have five years of real property appraisal teaching experience directly related to the subject matter to be taught; or

005.01A.5 Have seven years of real property appraisal experience directly related to the subject matter to be taught.

005.01B An instructor for any qualifying education activity, continuing education activity, or supervisory appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.

005.01C An instructor for any qualifying education activity, continuing education activity, or supervisory appraiser and trainee course, shall not have a conviction, including a conviction based upon a plea of guilty or nolo contendere, of any felony unless his or her civil rights have been restored.

005.01D An instructor for any qualifying education activity, continuing education activity, or supervisory appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall:

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- 005.01D.1** Maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held;
- 005.01D.2** Not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and
- 005.01D.3** 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.

005.01E Any instructor of 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 seven-hour supervisory appraiser and trainee course, must:

- 005.01E.1** Be an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation;
- 005.01E.2** Be a state-certified appraiser;
- 005.01E.3** Have an instructional background in real property appraisal education; and
- 005.01E.4** Have a minimum of five years of real property appraisal experience.

005.01F Temporary approval of an instructor may be granted in an emergency situation upon written request to the Board.

005.02 Initial Application

005.02A An education provider applying for approval of an instructor for any qualifying education activity, continuing education activity, or seven-hour supervisory appraiser and trainee course, must:

- 005.02A.1** Submit an application for each activity on forms approved by the Board showing compliance by the instructor applicant with all requirements established by the Act or by this Title;
- 005.02A.2** Submit written evidence of the instructor applicant's qualifications related to the activity for which approval is requested; and

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005.02A.3 Submit evidence of the instructor applicant's approval as an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation for approval as an instructor of any qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or supervisory appraiser and trainee course.

005.02B An application received at the Board's office considered to be incomplete will not be processed and will be returned to the education provider as incomplete.

005.02C Any application not considered to be incomplete will be processed and reviewed by the Board. If the Board finds that the instructor applicant meets the requirements in the Act and this Title, the application will be considered a completed application and the Board may approve the instructor applicant for a specific activity. The education provider will receive a written notification of approval, which outlines the details of approval.

005.02D The application may be denied at any time during the process if the education provider, the activity for which application for instructor approval is made, or the instructor applicant fails 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 instructor approval, and if so meet the requirements in place at the time a new application is submitted to the Board.

005.03 Resubmission of Instructor Approval

005.03A An education provider shall resubmit an instructor for approval if:

- (1) There is a change in the status of instructor's certification as an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation if certification is required for instructor approval,
- (2) There is a change in the instructor's qualifications as specified in Section 005.01 of this Chapter under which he or she was approved by the Board as an instructor for an activity,
- (3) There is a change in the status of approval of the activity by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (4) There are substantial changes to the activity materials, presentation, or policies,
- (5) The activity materials, theories, and/or methodologies are no longer current,
- (6) The activity content and/or policies are no longer communicated to the attendee(s) as presented to the Board for approval, or
- (7) There is a change to a secondary provider's rights to the activity.

005.03B The process and requirements for resubmission of an instructor are the same as specified in Section 005.02 of this Chapter.

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005.04 Expiration and Rescinding of Instructor Approval

005.04A Approval as an instructor for an activity expires on the same date the activity is no longer approved.

005.04B The Board may rescind approval of an instructor for an activity if the Board finds:

- (1) Falsification of information submitted for activity and/or instructor approval,
- (2) A change in the status of instructor's certification as an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation if certification is required for instructor approval,
- (3) A change in the instructor's qualifications, as specified in Section 005.01 of this Chapter, under which he or she was approved by the Board as an instructor for an activity,
- (4) A change in the status of approval of the activity by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (5) Substantial errors and/or deficiencies in the materials or presentation of activity,
- (6) The materials, theories, and/or methodologies of activity are not current and/or practical,
- (7) The activity content and/or policies are not communicated as presented to the Board for approval,
- (8) A material violation of the Act or this Title by the education provider or instructor, or
- (9) There is a change to a secondary provider's rights to the activity.

005.04C If the Board finds reason to rescind its prior approval of an instructor, the Board will provide written notice to the education provider that includes a description of 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 instructor. If approval is rescinded, the education provider may file a new application for instructor approval, and if so, meet the requirements in place at the time a new application is submitted to the Board.