

KENTUCKY REAL ESTATE COMMISSION

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Distance Education Guidelines

1. APPLICABLE LAWS AND REGULATIONS

KRS 324.010

KRS 324.046

201 KAR 11:170

201 KAR 11:230

201 KAR 11:240

KRS 324.085

KRS 324.281

201 KAR 11:175

201 KAR 11:235

201 KAR 11:460

2. CERTIFICATION

The Kentucky Real Estate Commission (the “Commission”) no longer requires distance education courses as defined in 201 KAR 11:240 to have ARELLO certification. A distance education course seeking Commission approval may be certified by ARELLO, but the provider will still be required to meet the standards the Commission has developed for distance education courses as set forth in 201 KAR 11:240 and as detailed in these Distance Education Guidelines.

3. INSTRUCTORS

All persons who will serve as instructors must be approved by the Commission under the provisions of 201 KAR 11:175. All instructors must be thoroughly familiar with the provisions of the Kentucky License Law (KRS Chapter 324) and how those laws impact the course they will teach. The education qualifications of the instructor, and experience in the subject area as well as their teaching credentials will be evaluated as a component of the course. Instructors will only be allowed to teach the courses for which they have been approved.

Instructor Note: If you have an instructor who will be teaching multiple CE or PLE courses for your school or organization, attach the instructor application to the first course outline. Then on subsequent course outlines, attach a separate sheet indicating the names of the instructors who will be teaching this course. Thus, only one instructor application is required when submitting your certification package.

4. APPROVAL PROCESS

The completed application, fees, and all attachments must be received by the Commission no later than 60 days for all distance learning courses prior to the next scheduled Commission meeting. The package will be reviewed by the Education Director and placed on the agenda for final approval by the Commission. A course number will be assigned to each course as it is approved by the Commission. The class may be offered as many times as necessary during the calendar year. All continuing and post-license course approvals expire on December 31st of each year.

Incomplete applications will be returned to the provider for correction.

5. COURSE REQUIREMENTS

A. SECURITY & IDENTIFICATION:

All courses are required to provide secure and accurate documentation of student identity. Providers must submit a written explanation to the Commission as to what methods and tools are utilized to ensure sufficient proof of student identity.

Each student must complete an affidavit which certifies his or her identity and that states that he or she has completed all components of the course and the final exam. A student may not receive credit for the course until the affidavit has been signed and submitted to the provider. The completion date for the course shall be the date that the student has completed both the final exam with a passing score and has signed and submitted the affidavit to the provider. The signature on the affidavit may be an electronic signature.

B. STUDENT ASSISTANCE:

All distance education courses submitted to the Commission for approval are required to have student support services. These services will include:

1. A course orientation prior to the start of the course which informs students of the following information:
 - a. course tuition (including fees, if any, for extension of time to complete)
 - b. how long student has to complete the course
 - c. refund policy
 - d. fees, if any, for materials/books
 - e. explanation of methods of contact for questions
 - f. identification of contact person for questions;
2. Offer access to a syllabus or student manual that provides each student with course requirements, provider policies and instructions for taking the course;
3. Instructor's contact information for instructional support purposes;
4. Provider's contact information for assistance and technological support;
5. Explanation of requirements to obtain credit for the course; and
6. Technology requirements to access course.

Providers are required to monitor student progress. Providers must monitor the qualitative characteristics of the course such as course completion and dropout rates, remediation frequency, course completion times, instructor response times and interactivity.

C. COURSE CONTENT:

All courses being submitted to the Commission for approval must consist of topics that are real estate specific. The course should enhance a student's understanding of the course material to both develop their knowledge and skills in the real estate brokerage business, which will serve to protect the public interest.

1. STUDENT LEARNING STYLES & INTERACTION

Providers should include a variety of activities in a course to accommodate different student learning styles (i.e. visual, auditory, kinesthetic, etc.). Each application for a distance education course should include a brief summary of the types of learning styles incorporated into the course. During each initial course evaluation or renewal, providers should include information about how they've improved their course to accommodate different student learning styles during the past year and state any current plans for potential updates during the upcoming year.

The Commission promotes the use of interactivity in distance education courses. Each application for a distance education course should include a brief summary of the provider's integration of activities and exercises that promote student interaction into the course. Interactivity with the student is an important component in distance education. Interactivity requires students to become more deeply engaged in their learning. Activities and exercises that promote student interaction may include, but are not limited to:

Matching exercises

Editable forms

Case studies/Demonstration

Discussion boards

Written responses to instructor

Collaborative projects

Small group discussions

Role play

Research assignments

Topical reports

D. DISTANCE EDUCATION COURSE TIMING:

1. TIME TRACKING

All distance education courses submitted to the Commission for approval are required to have a time tracking functionality. Providers are required to have a learning management system (LMS) in place that quantifies the amount of time students spend taking the course. Providers will be required to demonstrate that its LMS has time tracking and reporting capability when submitting it for approval.

In addition to the required time tracking, providers are encouraged to engage in advanced tracking of time, number of times content is accessed, and student results from the topic level so instructors

have real actionable data when considering which updates to the course will result in the greatest benefit to students.

2. COURSE CLOCK HOURS

All distance education courses submitted to the Commission for approval are required to have measureable evidence of the time the course will take to complete. Providers are required to submit a written description of the course timing. The description of the course timing must inform the Commission as to how the course content satisfies the amount of time requested for approval.

a. Minimum Time Requirements:

Every 50 minutes of an approved distance education course is equal to 1 credit hour. Each distance education course must comply with having a minimum amount of time it takes each student to complete the course. Taking into consideration that different students learn at different paces, the minimum time that will be required for a student to complete a distance education course must be that it will not be possible for any student to complete an approved course any time less than 75% of the time approved for the course. For instance, a student taking a 3-hour CE course, which would be 150 minutes, can possibly complete the course within 112.50 minutes but no less.

b. Methods of Calculating Course Clock Hours:

The following methods are those to be used by providers when quantifying and explaining the course timing:

1. **Text:** The course provider must submit a document or chart containing reference to the text, which quantifies the number of words included in the course content. In order to calculate the amount of time a student will spend reading the course content for comprehension, the Commission will use a standard of 250 words per minute.
2. **Instructional Elements:** – The course provider must also document the timing of instructional elements in the course. Instructional elements are components through which content may be delivered. Instructional elements can be the following items, including but not limited to:
 - a. links to external websites – time it takes to review the linked information,
 - b. interactive exercises – estimated time it takes to complete
 - c. in-course assessments – assign 30 seconds for basic level questions and 60 seconds for higher level questions
 - d. video and audio content – estimated time it takes to review
 - e. review of diagrams and forms – estimated time it takes to review
 - f. review sections– estimated time it takes to review

Providers must submit written documentation with the application for course approval that summarizes and calculates the timing of the course using the above-stated methods for calculating the clock hours.

If the Commission is concerned that a course is not meeting its stated clock hours, then the Commission may ask the Provider to conduct time studies on that course in order to assess the appropriate clock hours. The method by which a provider will meet a Commission-requested time study requirement is to have 6 individuals of an appropriate sample audience to complete the course and submit a time study report.

E. IN-COURSE ASSESSMENTS:

Distance education courses are required to contain in-course assessments that compel students to demonstrate the student's comprehension and mastery of the course content. These assessments must occur periodically throughout the course. Assessments can come in various formats, including but not limited to pretests, quizzes, and interactive learning exercises that are given throughout at each logical unit of instruction. The assessments should not be repetitive and must be related to the stated course objectives.

Each distance education course shall have an item bank from which the in-course assessments will be pulled. The item bank must contain forty (40) percent more assessments than required. Each course must have a minimum number of assessments as stated below:

Pre-License Education:

96 hour course: 350 assessments

48 hour course: 175 assessments

Continuing and Post-License Education:

Each CE & PLE course must have 4 assessments for each hour of instruction.

The assessments should be given periodically throughout the course and the instructor should include the assessments where they are logically helpful in gauging the student's comprehension of the course content.

For example, a 3 hour course will be required to have a minimum of 12 assessments with an item bank of 17 questions ($12 + 40\% = 16.8$)¹.

Providers must ensure that items in the bank provide adequate distribution across the stated course objectives. Providers are required to submit all item banks with answers to the Commission when submitting the application for approval.

¹ If the number is uneven, a provider should round up to the next number and provide that as the number of questions in the item bank.

F. EXAMINATIONS:

Distance education courses are required to have a final examination in order for a student to receive credit for the course. Students must receive a score of at least seventy-five percent (75%) to pass the exam. A provider is required to have an item bank from which the final examination questions are pulled and that bank must contain multiple choice items and have forty (40) percent more questions than required on the final exam. 201 KAR 11:240.

A pre-license distance education course must have a monitored final examination as set forth in 201 KAR 11:240. The final examination for a pre-license course shall have a minimum of:

- 48 Hour Course: Fifty (50) items
- 96 Hour Course: One Hundred (100) items

A continuing and post-license education course must have the final exam included as the last module of the course. The final examination for a continuing or post-license education course shall have a minimum of five (5) questions for each approved hour of education. For example, a 3 hour course will be required to have a 15 question final exam with an item bank of 21 questions ($15 + 40\% = 21$).

G. COURSE CHANGES AND UPDATES:

i. SUBSTANTIVE CHANGES

Providers must give advance written notice to the Commission of substantive changes to a course. A provider considering substantive changes to a course must notify the Commission in writing of any proposed changes sixty (60) days in advance of the change.

Substantive changes are generally defined as any changes in the course that will affect the instructional design and/or delivery. Substantive changes may include, but are not limited to:

- Changes in course clock hours
- Major content revisions
- New administration and/or owners
- New facilities or locations
- Additions, removals or modification of course instructors

Upon written notification of substantive changes to an approved course, the Commission may require the provider to submit a new course application and to undergo a new approval process requiring placement of the modified course on the agenda of the Commission at a regularly-scheduled meeting.

ii. NON-SUBSTANTIVE UPDATES

It is incumbent upon providers to stay informed and updated with law changes or information updates that may affect the content or information contained in an approved distance education course. Providers should continually work to update courses throughout the duration of the course's approval as needed to ensure students receive the most current and applicable knowledge from the course. Providers must submit a brief summary (including the dates changes were made) of the non-substantive course updates to the Commission when re-submitting a course for approval.

6. AUDITS

The Commission is authorized to perform course audits at any time during the period in which a course has been approved. At any point during the time a distance education course has been approved for credit, the Commission may conduct the following procedures that include but are not limited to:

- Anonymously audit courses
- Randomly check courses to ensure course design is consistent with the certification
- Request that the provider document historical information pertaining to learner completion time
- Request that the provider verify course orientation
- Request documentation of instructor interaction with learners
- Monitor the advertising regarding certified courses
- Address other concerns brought to Commission attention

7. ATTENDANCE RECORDS AND COMPLETION CERTIFICATES

All completion records for distance education courses must be maintained by the provider for a period of three (3) years. This includes records for pre-license, post-license and continuing education courses. For continuing and post-license education courses, providers must submit a typed, alphabetized attendance roster of all students attending an approved course on a semi-monthly basis. Providers must contact the Commission to obtain the proper attendance roster to be utilized for continuing and post-license education courses. All rosters must contain the provider's name, name of the course, the course number assigned by the Commission, date of the course, number of hours, the licensee's full name, and residence address.

The provider must also provide a completion certificate to students at the end of the course. Advise the students to retain all completion certificates as part of their personal records. Unless requested by the Commission, students should not submit their completion certificate to the Commission.

8. EVALUATION PROCESS

The Course Evaluation (Form E108) **MUST** be used by all approved providers. Evaluations should be provided immediately before the conclusion of the course. Students may fill out and submit the evaluation electronically. Completion certificates should only be distributed to those students who complete and submit an evaluation form, pass the exam and complete the student affidavit. The attached Evaluation Transmittal Form (Form E109) must be completed by the provider and returned to the Commission along with the roster and the evaluation forms. This must be done when the roster is submitted at the semi-monthly basis.

The evaluation statistical results (information contained on the transmittal forms) may be shared with the instructor. The transmittal should contain all comments provided by the students.

9. FEES

Application fees are non-refundable. All fees must be paid directly to the Commission. Course reviews will not begin until the appropriate fee has been paid.

First Time Submission for 48/96 Hour Course Review/Application:	\$300
Subsequent Courses or Renewal of Approved 48/96 Hours Course:	\$200
First Time Submission for PLE course (9-47 hour course):	\$200
Subsequent PLE Courses or Renewal of Approved PLE (9-47 hrs.):	\$150
First Time Submission for CE & PLE Course (1-8 hour course):	\$125
Subsequent CE & PLE Courses or Renewal of Approved CE/PLE (1-8 hrs.):	\$75

A “First Time Submission” is the first course offered by the provider via a specific delivery method. Due to the implementation of the new distance education guidelines and approval process, the first course submitted by each provider for approval in 2016 will be defined as a “First Time Submission”. A “First Time Submission” fee is required both for the first continuing and post-license education course and the first 48/96 hour pre-license course.

A “Subsequent Course” is any additional distance education course submitted to the Commission for approval from a provider utilizing the same distance education delivery method that was used in the “First Time Submission”.

A “Renewal” is a distance education course that has been previously approved by the Commission and has not undergone any substantive changes.

Any “Real Estate Instructor Application” which is submitted separately from the Course Approval Application must be accompanied by a \$10 fee.