State of Idaho
Division of Occupational & Professional Licenses
Real Estate Commission

Education & Certification Policy

This booklet contains Idaho Real Estate License Law, Rules, and established policies of the Idaho Real Estate Commission, as incorporated into the Division of Occupational & Professional Licenses (DOPL), pertaining to education and exam requirements for licensing purposes, and the certification of real estate providers, instructors, and courses.

This Education & Certification Policy supersedes all other revisions.

The portions of the Real Estate License Law and Rules contained in this policy are intended as a reference and should not be used as a substitute for the official Idaho Code and Idaho Administrative Rules.

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REFERENCE INFORMATION

This booklet includes select Idaho **statutes** (identified with code numbers), **rules** (identified with rule numbers), and ***policies*** (identified in italics) that have been adopted by the Division of Occupational & Professional Licenses' (DOPL) real estate Education Council and Commission regarding general education procedures, licensure and education requirements, and the certification of providers, instructors, & courses.

DEFINITIONS

Relevant Idaho Code Citations: 54-2004. Definitions

54-2004(1) "Accredited college or university" means an institution accredited by the regional accrediting associations, as reported in the most current publication of the accredited institutions of postsecondary education.

Alternative Delivery Methods *refers to the delivery of "live" education via the use or incorporation of video and sound technology.*

Approved Course Delivery Methods *refers to the various modalities by which real estate educational content may be conveyed from instructors to students for credit. There are* ***FOUR*** *approved methods:*

- ***Live:*** *Course is presented by an instructor and attended by students at the same time and in the same location.*
- ***Remote:*** *Course is presented by an instructor and attended by students via a virtual platform at the same time; considered a "live presentation" and an "alternative delivery method."*
- ***Hybrid:*** *Course is by an instructor with some students attending in person and some students attending via a virtual platform; considered a "live presentation" and an "alternative delivery method."*
- ***Online:*** *Course is delivered via a learning management system (LMS); the instructor and student are separated by both distance and time; also called a "distance learning course."*

ARELLO® *refers to the Association of Real Estate License Law Officials, a membership-based organization that supports jurisdictions in the administration and enforcement of their real estate license laws.*

54-2004(14) "Commission" means the Idaho real estate commission [as incorporated under the Division of Occupational & Professional Licenses (DOPL)], unless the context clearly indicates a different meaning.

54-2004(15) "Commission core course" means the annual course covering the twelve (12) month period between July 1 and June 30, which contains curriculum identified by the commission that stresses that year's trends in real estate practices and changes in laws in real estate related industries. A core course must contain no more than four (4) classroom hours of instruction.

54-2004(16) "Continuing education elective course" means a real estate course offering, other than the commission core course for which continuing education credit hours may be obtained.

54-2004(19) "Council" means the Idaho real estate education council.

Course Developer *refers to the individual or entity who develops course material for dissemination.*

Homework *refers to a set of tasks assigned to all students in a class by their instructor. This work is to be completed outside of the classroom and should consist of tasks designed to prepare the students for the following lesson.*

Instructor *refers to the individual who teaches the course material to students.*

54-2004(31) "Live presentation" means, in reference to a real estate course offering, a real estate course that is personally presented by the instructor and personally attended by the student at the same facility, or, if separated by distance, the instructor and student are connected by contemporaneous, two-way audio and visual communication.

Make-up Work *refers to a set of tasks assigned to an individual prelicense student by that instructor to replace a portion of the class time the individual student did not attend due to absence.*

Moderator *refers to an appointed representative of the certified provider who manages classroom activities for the remote location when a course is presented by remote or hybrid delivery.*

54-2004(36) "Post license course" means a commission-approved or certified elective course that is specifically oriented toward salespersons in their first two (2) years of Idaho practice. The course must contain no more than twelve (12) classroom hours of instruction.

Provider (school) *refers to the certified entity who offers or hosts education course sessions for prelicense or continuing education purposes and is responsible for the administrative tasks related to offering courses.*

Provider Director *refers to the individual appointed to oversee the provider's operation; the provider director accepts the responsibility on behalf of the provider to ensure the education is conducted according to DOPL's real estate education standards.*

Special Consideration Policy *refers to the policy, as approved by the Real Estate Commission, as part of DOPL, that outlines the requirements for applicants who are requesting a waiver of one or more of the licensure requirements and have good cause to support their request.*

54-2004(48) "Successfully completed" means, in reference to a real estate course offering, completing all required course hours and, except where the licensee seeks continuing education credit for having regularly attended the live presentation of a course, passing a commission-approved assessment or final examination.

BYLAWS OF THE IDAHO REAL ESTATE EDUCATION COUNCIL

Relevant Idaho Code Citations: 54-2008. Establishment Of Idaho Real Estate Education Council; 54-2009. Council Appointment, Qualifications and Term; & 54-2010. Compensation

ARTICLE 1. *The Idaho Real Estate Education Council is charged with the responsibility of planning, coordinating, and directing a viable education program for all licensees in the State of Idaho. This responsibility shall include the development of required education for initial licensure at the sales associate and broker levels, continuing education for general professional development, and coordination of education programs for specialized development. The following functions reflect the Council member's duties:*

1. *Technical direction regarding the development of standards of certification for education programs.*
2. *Technical direction regarding research, development and/or revision, and publication of education courses or materials.*
3. *Coordination, cooperation, and visitations with colleges, universities, private institutions, etc., for conducting real estate-oriented courses and the auditing of such.*
4. *Technical direction regarding the instructor development training programs.*
5. *Technical direction concerning the development of standardized course outlines, instructor guidelines, training aids, etc.*

In addition, the Council is delegated the following authority by the Real Estate Commission:

1. *In accordance with Commission policy, to grant or deny a license/certification applicant's request concerning waivers or modifications of prelicense education requirements.*
2. *To grant or deny requests to extend the period of time for the Commission to accept license exam results or courses completed to satisfy licensing or certification requirements.*

ARTICLE 2. *The Council shall cooperate and provide coordination with the public educational institutions and private schools for the conduct of industry-oriented courses offered throughout the state. Additionally, coordination shall be maintained with nationally sponsored and/or endorsed educational organizations presenting courses in or near our state. The primary purpose of the Council is to serve the Commission, the industry, and comply with the law. Every effort will be made to establish open and effective lines of communication to all levels and areas of the industry.*

ARTICLE 3. *Administrative staff shall carry out the day-to-day workload of the Council. This staff is administratively aligned with and functions as a division of the Real Estate Commission.*

ARTICLE 4. *Selection criteria for appointees to the Idaho Real Estate Education Council shall include:*

1. *Appointees shall provide evidence of a reasonable degree of real estate-related knowledge;*
2. *Appointees shall provide evidence of an involvement in real estate education in Idaho; and*
3. *Appointees shall not serve in any capacity which may adversely affect the performance of the appointee's official duties nor create an appearance of impropriety. Appointees must avoid self-dealing in any decision made in their official capacity. Any appointee having a private interest in any discretionary matter shall not act but shall withdraw him or herself.*

ARTICLE 5. *Each of the four appointed members shall be appointed on a staggered basis for a term of at least four years-one new appointee each year. Replacements for such representatives shall be made concurrently with the dismissal date but in no case shall the appointments be made later than thirty days after such dismissal.*

ARTICLE 6. *A Chair and a Vice Chair shall be elected from within the Council membership and by the Council membership during its annual reorganization meeting. Officers shall be elected to serve for a term of one year but may be reelected.*

ARTICLE 7. *In the event of temporary inability or disability of a member, the Chair of the Idaho Real Estate Commission may appoint a temporary active member to insure the probability of a quorum at all times.*

ARTICLE 8. *Regular attendance at meetings is essential for the smooth functioning of the Commission and administrative staff. Individuals are responsible for notifying the Chair in the event of unforeseen circumstances or emergency situations. Absence, even with prior notification, should be avoided. Two absences shall be considered grounds for possible dismissal by the Commission.*

ARTICLE 9. *It shall be the duty of the Chair to preside at all meetings of the Council. He/she shall have the power to call meetings of the Council at such time and place as he/she may direct. In the absence of the Chair, or his/her inability to act, the Vice Chair shall possess all powers of the Chair.*

ARTICLE 10. *The Council shall hold an annual reorganization meeting each year. Other meetings of the Council shall be at least quarterly.*

ARTICLE 11. *A quorum of members shall be required before any official action may be taken by the Council. A majority of members shall constitute a quorum.*

POLICIES RELATED TO THE DELIVERY OF EDUCATION

STUDENT ATTENDANCE POLICIES

DOPL REAL ESTATE PRELICENSE COURSE ATTENDANCE POLICY

Regular attendance means 100% attendance at all sessions of a live, remote, and/or hybrid course offering. The Commission (as part of the Division of Occupational & Professional Licenses (DOPL)) obligates instructors and course providers to monitor student attendance and strictly enforce this attendance policy. A certified instructor or course provider may have their certification withdrawn for failure to enforce the 100% attendance policy at all course offerings.

Use of any electronic devices is not permitted during class time, unless required as part of the course. This includes texting, checking messages, incoming and outgoing calls, or any activities not related to the instruction of the course content.

Students will engage in professional behavior and maintain a professional demeanor while attending classes. This includes dressing appropriately for the classroom environment. All students are expected to interact with others in a way that promotes and enhances learning for all. Offensive or inappropriate language is not to be used in any form of communication. Students are allowed to disagree with each other or the instructor but must do so in a civil manner.

A student who misses any portion (even a few minutes) of a prelicense course may, at the discretion of the instructor and provider, complete make-up work to satisfy the 100% attendance requirement. ***Make-up work is allowed ONLY for prelicense courses and MUST be completed for all portions of the course the student does not attend.*** *Make-up work is defined as one or more of the following:*

1. *Extra homework or other assignment given by the instructor (assignment cannot duplicate material already presented in portion of class attended and must relate to subject matter the student missed);*
2. *Attendance of a corresponding class session(s) in a subsequent offering of the same course;* ***OR***
3. *Supervised presentation of an audio or video recording of the class session(s) missed.*

A student who does ***NOT*** *complete the required make-up work within 90 days of the scheduled course completion date for a prelicense course* ***MAY NOT*** *receive credit for the course.*

A note for students: *Your provider (school) is required to report your attendance to DOPL within 5 business days. Please check your education record to ensure it is posted and if not, contact the provider to report it. If the provider does not post the attendance to your record until after the 5 business days have passed, they are required to notify you in writing when it is posted. If you have reached out to the provider and made reasonable attempts to get it posted with no success, please notify DOPL.*

NOTES FOR PRELICENSE COURSE PRESENTATIONS: *If an instructor wishes to allow electronic notetaking, the provider must establish a written classroom participation policy governing the use of electronic notetaking in the classroom. The policy must adhere to the following minimum guidelines:*

- *A student shall direct his/her attention to the instruction being provided and refrain from engaging in activities unrelated to the instruction, such as texting, checking email, surfing the internet, completing contracts or other work.*
- *A student shall refrain from engaging in activities which are distracting, or which otherwise disrupt the orderly conduct of a class including distracting noise.*

Providers are expected to take appropriate steps to ensure all students comply with their participation policy. The provider shall require the instructor to make an announcement at the beginning of the course and at the beginning of each subsequent day that electronic devices shall only be used for course-related activities and notetaking purposes.

The provider must develop and maintain a school policy that outlines how make-up work will be handled. The provider's records regarding make-up work must include a list of all sessions missed by the student and documentation to support the make-up work that was assigned and completed. The school's make-up work policy should address the consequences of missing too many class sessions or classroom hours and inform students of how they will communicate potential absences and receive and submit their make-up work assignments.

DOPL REAL ESTATE CORE, POST LICENSE, & CE COURSE ATTENDANCE POLICY

Regular attendance means 100% attendance at all sessions of a live, remote, and/or hybrid course offering. The Commission (as part of the Division of Occupational & Professional Licenses (DOPL)) obligates instructors and course providers to monitor student attendance and strictly enforce this attendance policy. A certified instructor or course provider may have their certification withdrawn for failure to enforce the 100% attendance policy at all course offerings.

Use of any electronic devices is not permitted during class time, unless required as part of the course. This includes texting, checking messages, incoming and outgoing calls, or any activities not related to the instruction of the course content.

A student who misses any portion (even a few minutes) of a course taken for Post License or CE elective credit WILL NOT receive credit for the course unless the provider allows the student to attend the corresponding class session(s) in a subsequent offering of the same course.

Students will engage in professional behavior and maintain a professional demeanor while attending classes. This includes dressing appropriately for the classroom environment. All students are expected to interact with others in a way that promotes and enhances learning for all. Offensive or inappropriate language is not to be used in any form of communication. Students are allowed to disagree with each other or the instructor but must do so in a civil manner.

A note for students: *Your provider (school) is required to report your attendance to DOPL within 5 business days. Please check your education record to ensure it is posted and if not, contact the provider to report it. If the provider does not post the attendance to your record until after the 5 business days have passed, they are required to notify you in writing when it is posted. If you have reached out to the provider and made reasonable attempts to get it posted with no success, please notify DOPL.*

Unless you have taken a designation course through a non-certified provider or an elective class from another jurisdiction that you wish to have reviewed for continuing education credit in Idaho, ***DO NOT*** *submit course completion certificates to DOPL.*

NOTES FOR POST LICENSE COURSE PRESENTATIONS: *Recently licensed agents should be advised and reminded that prelicense course attendance is handled in a different manner than education taken after licensure. Licensees* ***MUST*** *abide by this policy for all classes once prelicense courses are finished.*

MINIMUM STANDARDS FOR ALTERNATIVE DELIVERY METHODS

To offer real estate education via an alternative delivery method (remote delivery or hybrid delivery), providers and instructors must first meet the requirements set forth below. Individuals who are found to be out of compliance with one or more of the requirements are not eligible to instruct or participate in a class offered via an alternative delivery method until they have demonstrated full compliance with all these Minimum Standards.

GENERAL REQUIREMENTS

1. *The setup and technology at each location must be pre-approved by DOPL.*
   - *Approved Platforms: Zoom Pro or higher or WebEx Meeting.*
2. *All students must have a full view of at least one monitor at each class location.*
   - *Additional monitors should be placed, as required, to ensure students have a clear view of the screen and its contents.*
3. *The instructor must have a screen(s) sufficiently large to allow them to have a full and clear view of all students' faces.*
   - *Cell phones, personal tablets, and laptop screens do not have screens of a sufficient size to meet this requirement.*
4. *All students must be able to hear the question and response when questions are asked.*
   - *Instructors are expected to repeat any questions asked by students to ensure the entire class has heard the question.*
5. *Class sessions with 25 or less students **DO NOT** require a moderator. Classes with 26 or more students require at least one (1) moderator separate from the instructor.*
   - *A student enrolled in the class may not be utilized as a moderator.*

PROVIDER REQUIREMENTS

1. *Complete and file a Provider Remote Delivery Application form with DOPL.*
2. *Provide basic technical support and training for instructors and moderators.*
3. *Ensure any required class materials have been distributed to students before the first session.*
4. *Ensure end-of-course evaluations are conducted.*
5. *Maintain detailed attendance records and provide them upon request.*
6. *Arrange prelicense end-of-course testing, as approved by DOPL.*
7. *Ensure instructors and moderators are up to date on all required training(s) or certification(s).*
8. *Communicate with instructors and moderators to address any concerns.*

INSTRUCTOR REQUIREMENTS

1. *Hold a current Certified Distance Education Instructor (CDEI) Certification through IDECC.*
   - *Guest speakers do not need to have a CDEI certification; however, they must be directly supervised by a CDEI certified instructor during all portions of their instruction.*
2. *Manage classroom time, cover all materials, and engage students frequently.*
3. *Explain the required Student Remote Delivery Engagement Terms and DOPL Real Estate Attendance Policy at the beginning of each class.*

MODERATOR REQUIREMENTS

1. *Be a co-host of the class session and identify themselves as a moderator in their name.*
2. *Keep video feed on during class introductions.*
3. *Ensure compliance with the DOPL's Real Estate Attendance policies.*

4. *Ensure students and instructor have continuous audio and video feeds.*
5. *Provide basic technical support.*
6. *Promptly address any unprofessional behavior or distractions.*
7. *Timely report student attendance, class participation, and concerns to the instructor and provider **daily.***

STUDENT ENGAGEMENT TERMS – ALTERNATIVE DELIVERY

1. *Test your equipment and technology prior to the start of class; you are required to have a:*
   - *Reliable internet connection with sufficient bandwidth,*
   - *Video camera able to maintain a continuous feed, and*
   - *Working microphone.*
2. *Cell phones **ARE NOT** to be used as the main device to connect to the virtual classroom.*
   - *Cell phone use is prohibited during instruction.*
3. *Attend 100% of the course as outlined in the Attendance Policies from an area that is free from background noise, other people, or other distractions.*
4. *Keep a continuous video feed during all classroom instruction.*
   - *You may only turn off or pause your video feed, use a virtual background, or assign an avatar during scheduled breaks.*
5. *Engage in the same behavior, decorum, and attire as you would in a live classroom and do not engage in any distracting behaviors.*
   - *Examples may include driving, eating, sleeping, smoking, vaping, excessive movement or walking with your camera, and unnecessary chats during class.*
6. *Remain actively engaged for the duration of the course and respond to all questions, polls, and prompts from the instructor and moderator.*
7. *Prelicense students **MUST** keep any test questions or information learned during the exam confidential.*

RECRUITMENT & PROMOTION PROHIBITED DURING INSTRUCTION

The following policies have been developed to ensure that real estate education classes remain both instructional and professional. The policies specifically prohibit the use of instructional time for recruitment purposes or for the promotion of products and services. Additionally, these policies address students' desire for information about employment opportunities.

RECRUITMENT ACTIVITIES POLICY

No instructor, school director or provider employee shall use class time to encourage, induce, or promote student employment, affiliation, or membership with any particular real estate licensee, real estate organization, franchise, or network. "Promote" includes the making introductory remarks about a licensee, organization, franchise, or the naming of such in examples (unless a reported court case).

Classroom time must not be devoted to the discussion or promotion of marketing materials. Firm brochures and material must not be included within any DOPL approved instructional materials and course outlines. (This restriction does not apply to a brokerage firm's "in house" educational activities, except to the extent that credited classroom time may not be used to promote the firm.)

PRODUCT AND SERVICE PROMOTION POLICY

Sponsors, providers, and instructors may make available for purchase materials and services that belong to the sponsor, instructor, or some other party on a limited basis. Sponsors and instructors shall not present a

course for the main purpose of selling products or services and shall limit the announcement of products or services during the course. It is the DOPL's intent that product and service promotion does not interfere with the presentation of the approved course material and the course is presented completely as it was approved.

Course applications containing materials that violate this policy will be denied.

PERMISSIBLE PROMOTION AND RECRUITMENT ACTIVITIES

1. *Must clearly be designated as "recruitment" and student attendance must clearly be optional.*
   - *If conducted during the instructional day, permissible promotion and recruitment activities must occur before or after class, or during the lunch break.*
   - *If during a lunch break, it must be clear that students are free to leave.*
   - *Schools may organize a "recruitment session" outside of the regularly scheduled class.*
2. *Must be clear that DOPL does not favor or embrace one brokerage over any other.*

POLICIES RELATED TO LICENSURE & EDUCATION REQUIREMENTS

LICENSING EXAM – TIMELINE & WAIVER

Relevant Idaho Code Citations: 54-2012. Minimum Requirements for an Individual Primary Idaho License; 54-2014. License Exams; & 54-2015. Individuals Actively Licensed in Another State or Jurisdiction Seeking Primary Idaho Licensure

*An applicant must achieve a passing score on each part of the exam within **ONE (1) YEAR** of applying for a license. For example: if the applicant passed one part of the exam (either National or Idaho) on January 11, and then passed the other part on August 1, the applicant would have one year from January 11 to apply for a license.*

*Applicants who are outside of this window and can provide good cause as to why their exam scores should be extended, would do so through the directions provided in the **Special Consideration Policy**. Applicants should consider retaking the exam portion that has expired in lieu of submitting a Special Education Request to expedite the processing of their licensing application.*

Applicants licensed in another jurisdiction may request a waiver of the national portion of the licensing exam. Waiver request approvals are valid for six months from the date the certified license history is issued, or until the license expires or is inactivated, whichever comes first.

PRELICENSE EDUCATION REQUIREMENTS

Relevant Idaho Code Citations: 54-2022. Real Estate Education – Prelicense Requirements

Required Salesperson Prelicense Courses: *Sales Prelicense Module 1 **AND** Sales Prelicense Module 2*

It is recommended that students complete Sales Prelicense Module 1 prior to beginning Module 2.

Required Broker Prelicense Courses: *Brokerage Management (28 hours), Idaho Real Estate Law (30 hours), **AND** two (2) elective courses from the following approved list:*

- *Real Estate Finance (20 hours)*
- *Real Estate Valuation & Analysis (20 hours)*

- *Idaho GRI Courses (completing **TWO** (2) of the GRI courses fulfils **ONE** (1) elective requirement):*
  - GRI 101 – Taxation and Investment Property; Tax and the Self-Employed (12 hours)
  - GRI 102 – Professional Standards - Ethics; Risk Reduction (12 hours)
  - GRI 201 – Business Planning and Technology; Sales and Marketing (12 hours)
  - GRI 202 – Contracts in Real Estate Transactions; Negotiations (12 hours)
- *CCIM Designation Courses (online only allowed if ARELLO® certified):*
  - CI 101: Financial Analysis of Commercial Investment Real Estate (29 hours)
  - CI 102: Market Analysis for Commercial Investment Real Estate (29 hours)
  - CI 103: User Decision Analysis for Commercial Investment Real Estate (32 hours)
  - CI 104: Investment Analysis for Commercial Investment Real Estate (29 hours)

*If a broker applicant has a law degree, **AND** the applicant is currently practicing law, the following coursework will be waived upon applicant's written request: Real Estate Law.*

*If a broker applicant is currently licensed as an appraiser, **AND** the applicant is currently actively practicing as an appraiser, the following coursework will be waived upon applicant's written request: Real Estate*

*Applicants who have documentation to prove there is good cause for why a requirement of licensure should be waived, would do so through the directions provided in the **Special Consideration Policy**.*

CONTINUING EDUCATION REQUIREMENTS

Relevant Idaho Code Citations: 54-2023. Continuing Education Requirements

54-2023(1)(a) Salesperson – First active renewal or activation. *"Post license course" consists of the education specifically identified by DOPL as meeting the Post License education requirements set forth in Idaho Code. The requirement applies to all salespersons renewing or reinstating their license for the first time or activating their license for the first time after an inactive renewal or reinstatement. No other course can be substituted for the DOPL provided real estate post license course.*

54-2023(2) Credits used to reactivate license. *Credits taken to reinstate (reactivate) a license must have been taken within the current license renewal period or the license period immediately preceding the current license period.*

54-2023(6)(d)(i) Professional designation courses. *Licensees may request courses taken in the pursuit of earning a real estate-related professional designation be considered for Idaho CE credit. **Online courses MUST be ARELLO® certified.** Courses taken to earn the following professional designations will be accepted, upon submission from a licensee seeking credit:*

- *Accredited Buyer's Representative (ABR)*
- *Accredited Land Consultant (ALC)*
- *Certified Aging in Place Specialist (CAPS)*
- *Certified Commercial Investment Member (CCIM)*
- *Certified International Property Specialist (CIPS)*
- *Certified Real Estate Brokerage Manager (CRB)*
- *Certified Residential Specialist (CRS)*
- *Graduate REALTOR® Institute (GRI)*
- *Green Designation (GREEN)*
- *Performance Management Network (PMN)*
- *Seller Representative Specialist (SRS)*
- *Seniors Real Estate Specialist (SRES)*

54-2023(6)(d)(ii) Courses accredited by another profession or jurisdiction. *Licensees will not receive continuing education credit for any course that is not certified or accepted by DOPL in accordance with Idaho license law.*

Licensees may request non-certified courses (approved by and offered in satisfaction of another professional or occupational licensing authority's education requirements) be considered for Idaho CE credit. ***However, these policies ONLY apply to courses that****:*

- *Are approved for credit by another professional or occupational licensing authority (e.g., Dept. of Finance; State Bar; Wyoming Real Estate Commission);* ***AND***
- *Are offered to the other authority's licensees to satisfy their licensing requirements;* ***AND***
- *Fit within the approved topic areas established by DOPL.*

This policy does ***NOT*** *apply to any course offered to Idaho real estate licensees for credit toward Idaho's real estate CE licensing requirements. Courses that are being offered to Idaho real estate licensees in satisfaction of their CE requirements* ***MUST*** *be certified by DOPL.*

Courses that are not clearly related to current real estate law and brokerage practice will be denied. Under no circumstances will continuing education credit be given for a course offered in another jurisdiction for which DOPL real estate certification has been denied.

54-2023(6)(d)(iii) Courses offered by an accredited college or university. *Credit hours for college and university courses will be calculated using a formula of the number of credit hours times the number of weeks the course was offered.*

An accredited college or university listed in the U.S. Department of Education Database of Accredited Postsecondary Institutions and Programs will be deemed to have certification standards equivalent to ARELLO® certification.

To request any of the above types of education be applied to an Idaho real estate license for continuing education credit, licensees must submit their course completion certificates ***AND*** *course outlines to DOPL using the "Submit Continuing Education Records" link through DOPL's Online Services no later than sixty (60) days prior to the end of the renewal period.*

- *Online courses must be ARELLO® certified for credit to be granted. The online portion of courses taught through blended delivery method must also be ARELLO® certified.*

54-2023(6)(e) Certified Instructors and CE. *A certified course instructor may obtain continuing education for courses they have taught through a certified provider. To obtain continuing education credit under this section, the instructor will request the provider reports their attendance and completion of the course, along with the rest of the students via DOPL's Online Services. Certified instructors may* ***NOT*** *receive credit for teaching the same course more than once per licensing period.*

54-2023(7) Licensee duty to keep satisfactory proof. *Any licensee who renews or reinstates (reactivates) a license and who does not have sufficient continuing education hours on file with DOPL* ***WILL*** *receive an audit letter requesting proof of meeting the CE requirements.*

POLICIES RELATED TO PROVIDER, INSTRUCTOR, & COURSE CERTIFICATION

OVERARCHING POLICIES

Relevant Idaho Code Citations: 54-2020. Fees & 54-2025. Certification Requirements

No course, instructor, or provider will be certified retroactively.

Continuing education credit will not be awarded to licensees for courses not certified or accepted by DOPL in accordance with Idaho license law.

Fees paid in connection with all certification applications are non-refundable.

PROVIDER CERTIFICATION & RENEWAL

Relevant Idaho Code Citations: 54-2026. Certification of Course Providers; 54-2028. Term Of Provider Certification and Renewal; & 54-2031. Withdrawal of Idaho Certification for Cause – Process

All provider directors, or those interested in becoming a provider director, must attend an offering of Provider Training at least once every two (2) years. The requirement to complete the provider training also applies when a new director is appointed to an existing certified provider.

Providers are strongly encouraged to attend each annual DOPL's Real Estate Instructor Conference.

Renewal of provider certification must be completed online through DOPL's Online Services. Provider Training must have been completed no more than 24 months prior to renewal.

A provider may not operate without an approved provider director in place who has completed the required training within the previous 24 months.

Should DOPL identify a provider who is unable to fulfill the obligations of their statutory duties, or the policies set forth in this document on a continual basis, a 30-Day Notice Letter may be issued. The intent of a 30-Day Notice Letter is for DOPL to address the issues with the provider and allow them an opportunity to respond with a plan detailing the steps that will be taken to prevent the reoccurrence of the noted issues. Should a provider not respond to the letter or fail to follow their identified plan in their response, DOPL may revoke provider certification.

CERTIFIED PROVIDERS – DUTIES & REQUIREMENTS

Relevant Idaho Code Citations: 54-2027. Duties and Requirements of All Certified Course Providers & Rule 150.03. Minimum Teaching Standards

54-2027(2) Open access to course offerings. *Providers must schedule a course through the DOPL's Online Services for the purpose of reporting student completions, at least twenty-four (24) hours prior to course offering, regardless of whether it is open to all licensees or not.*

54-2027(3) Disclosure of fees. *For any course requiring textbooks, the textbooks must be incorporated into the curriculum by the instructor and utilized by the students.*

54-2027(4) Facilities and supportive personnel. *The premises, equipment, and facilities of the school should comply with all city, state, and federal regulations, such as, but not limited to, fire, building, occupancy, zoning, and public health codes, as well as the Americans with Disabilities Act.*

*If a provider director is not physically present at the class, there **MUST** be a provider representative on site who has been instructed in the provider duties they will be responsible for during the class. This must be documented in the provider's files.*

When a provider lends or rents their facility space to another party for the use of providing real estate education, a written agreement identifying the party acting as provider must be established, kept in the provider's documentation, and provided to DOPL upon request.

54-2027(5)(a) Records. *Providers are required to maintain student records for a period of five (5) years. These records must include the following information: legal name of school; full legal name of the student, license number when one has been issued, beginning and ending dates of attendance; clock hours completed; course/exam results.*

*Upon course completion, students **MUST** receive a certificate or statement of completion that includes the student's full legal name or the name as it appears on the real estate license, license number when one has been issued, provider name, course title, course approval number, course date(s), course delivery method, approved credit hours, and the signature of the provider director.*

54-2027(5)(b) Course completion lists. *Providers shall submit course completion lists using DOPL's Online Services. It is the provider's responsibility to ensure the accuracy of the course completion lists, including use of each student's legal name and license number or social security number, as applicable. Failure to submit course completion lists timely and accurately is a serious issue. Provider directors must provide appropriate control and supervision for clerical staff entering course completion lists on their behalf.*

Providers are required to report student completions within 5 business days, per Idaho Code 54-2027(b). In any instance when the provider reporting occurs after the 5th business day, the provider is required to notify the student in writing of the late reporting.

It remains the responsibility of the provider to ensure that the confidential information is not disseminated or used for purposes other than the creation and submission of a course completion list. A Provider is permitted to disclose confidential information only to DOPL staff, and then only as information included in the course completion list.

*A student's confidential information should never be displayed on a sign-in sheet. A student's real estate license number is **not** confidential information. Reasonable measures must be taken to protect the confidentiality of such information.*

54-2027(5)(d) Evaluations. *All certified providers must collect evaluations from students for the course and instructor. When multiple instructors are being evaluated, care must be taken to ensure students complete separate evaluations for each instructor.*

These evaluations must be provided to the instructor and/or course developer promptly upon conclusion of a course, as they must be supplied during course renewal or instructor renewal.

DOPL may request the evaluations or the summary thereof from providers on a random or occasional basis to monitor instructor and course performance and to assure compliance with the license law pertaining to collection of evaluations.

Providers must supply completed evaluations to course developers and instructors upon the conclusion of each course offering and when requested.

A provider may use any evaluation form of their choosing, so long as it provides a method to ensure the instructor demonstrates the ability to adequately teach the course. A sample form has been developed and is available online.

54-2027(5)(e) Course schedules. *Providers are required to submit schedules of courses and instructors to DOPL on an ongoing basis by entering the course schedule information into DOPL's Online Services at least twenty-four (24) hours prior to the course offering. The information entered into the course schedule must be accurate and updated, as necessary.*

54-2027(6) Instructors. *Providers have a legal duty to "take reasonable steps to ensure that the instructor is competent to teach the course offered." A provider who meets the following steps will be deemed by DOPL to have satisfied this requirement:*

- *The provider has verified with DOPL's Online Services that the instructor is currently certified to teach the course, or, if instructor certification is not required to offer the course, the provider has reviewed and verified the instructor's documented credentials to teach the course.*
- *The provider shall promptly review the student evaluations for every course and shall immediately advise the instructor of any deficiencies or concerns noted in the evaluations.*
- *The provider is also responsible for periodically evaluating its live course instructors using the DOPL real estate instructor evaluation form.*
- *Upon completion of an evaluation, the results of the evaluation shall be provided to the instructor and a follow-up plan for improvement, if needed, shall be discussed. This evaluation and documentation for improvement is to be kept with the provider's records and provided to DOPL upon request.*

Failure to take reasonable steps to ensure instructor competency may result in withdrawal of provider certification.

54-2027(8) Advertising restrictions. *All course advertisements must contain the course approval number, the exact title of the course, the number of continuing education hours the course is certified for, and the provider's name, as certified by DOPL.*

INSTRUCTOR CONDUCT

Relevant Idaho Code Citations: 54-2027(6). Instructors; 54-2032. Certification of Instructors; 54-2033. Instructor Qualifications & Rule 150.03. Minimum Teaching Standards

*Certified instructors are **NOT** required for elective courses. However, the course **MUST** still be certified by DOPL and the course **MUST** be offered through a certified provider.*

***ALL** instructors, whether certified or not, are required to conduct themselves in a professional manner while performing instructional duties. Examples of professional mannerisms include:*

1. *Avoidance of any form of student harassment.*
2. *Demonstration of sufficient subject matter knowledge of the course material being instructed.*
3. *Adherence to the DOPL's written real estate policies.*
4. *Integration of competent teaching skills, which include but are not limited to, the ability to:*
   - *Communicate effectively through speech*
   - *Present instruction in an accurate, logical, orderly, and understandable manner*
   - *Respond appropriately to questions from students*

- *Utilize varied instructional techniques in addition to lecture, such as class discussion, role playing, or other techniques that enhance student interaction and learning*
- *Utilize instructional aids and modern technology in a manner that enhances learning*
- *Maintain an appropriate learning environment and effective control of the classroom*
- *Interact with adult students in a manner that encourages student learning*
- *Utilize relevant experience and research to supplement student learning*
- *Form constructive relationships with students*
- *Utilize instruction time effectively*

CERTIFIED INSTRUCTOR QUALIFICATIONS

Relevant Idaho Code Citations: 54-2033. Instructor Qualifications & Rule 150.03. Minimum Teaching Standards

The following factors, in addition to the minimum standard as set forth in the law, will be considered.

1. ***Minimum Licensure Requirement.*** *Applicants **MUST** have active experience as a licensed real estate broker, in Idaho, for at least five (5) years.*

2. ***Course Specific Requirements.*** *Applicants must meet the following prerequisite(s) to be certified for each course:*
   - **Commission Core:** *Applicant must have active experience as a licensed real estate broker, in Idaho, for at least five (5) years.*
   - **Salesperson Prelicense – Module 1 & 2:** *Applicant must have active experience as a licensed real estate broker, in Idaho, for at least five (5) years.*
   - **Post License Course(s):** *Applicant must have active experience as a licensed real estate broker, in Idaho, for at least five (5) years. If the five (5) years of active practice is in another jurisdiction, the applicant must also pass the Idaho portion of the licensing exam within no more than 12 months immediately preceding the application for certification.*
   - **Broker Prelicense – Brokerage Management:** *Applicant must have active experience as a licensed real estate broker, in Idaho, for at least five (5) years.*
   - **Broker Prelicense – Idaho Real Estate Law:** *Applicant must be an actively licensed attorney with a minimum of five (5) years' experience **OR** have active experience as a licensed real estate broker, in Idaho, for at least five (5) years **AND** receive a waiver through the Special Consideration Policy.*
   - **Broker Prelicense – Real Estate Finance:** *Applicant must have at least five (5) years active real estate finance experience **OR** have active experience as a licensed real estate broker, in Idaho, for at least five (5) years **AND** receive a waiver through the Special Consideration Policy.*
   - **Broker Prelicense – Real Estate Valuation & Analysis:** *Applicant must be an actively licensed or certified appraiser with at least five (5) years active experience **OR** have active experience as a licensed real estate broker, in Idaho, for at least five (5) years **AND** receive a waiver through the Special Consideration Policy.*
   - **Business Conduct & Office Operations (BCOO):** *Applicant must have active experience as a licensed real estate broker, in Idaho, for at least five (5) years.*

3. ***Real Estate-Related Experience.*** *Applicants must provide documentation verifying their extensive experience as a(n):*
   - *Actively licensed real estate broker;*
   - *Attorney at law with practice in real estate transactions;*
   - *Individual with decision responsibility, in closing real estate transactions for escrow companies, mortgage companies, or similar institutions;*
   - *Officer of a commercial bank, savings and loan association, title company or mortgage company, involving all phases of real estate transactions;*
   - *Real property fee appraiser;*
   - *Developer with overside in all phases of land development, construction, financing, selling and leasing of residences, apartments, or commercial buildings;* ***OR***
   - *Property manager or real estate investor involved with real estate investment, property management, or analysis of investments or business opportunities.*

4. ***Course Attendance.*** *Applicants must attend 100% of the live course, as taught by a certified instructor within the three (3) years prior to the date of application,* ***AND*** *successfully complete the final course exam for the course (if applicable).*
   - *Applicants* ***MUST*** *attend a "live presentation" of the course; attendance of an online or distance learning course is* ***NOT*** *sufficient.*

5. ***Adult Learning Theory.*** *Applicants must have and provide evidence of their experience or education related to adult learning theory and methods, that has been completed within the previous 24 months. Acceptable training courses must be recognized by DOPL. DOPL recognized courses include:*
   - *DOPL's Real Estate Instructor Development Workshop*
   - *The Certified Distance Education Instructor (CDEI) certification via the International Distance Education Certification Center (IDECC)*
   - *The Gold Standard Instructor (GSI) courses via the Real Estate Educators Association (REEA)*
   - *The Distinguished Real Estate Instructor (DREI) certification via REEA*
   - *Applicants may request adult learning theory training be considered on a case-by-case basis; the training must be a minimum of 6 hours of instruction*

6. ***Student Teaching.*** *Applicants must complete a student teaching period, under the supervision of a certified instructor who has taught the course at least three (3) times. Applicants* ***MUST****:*
   - *Teach a minimum of 2 hours or 20% of the course materials (whichever is greater);*
   - *Receive favorable evaluations from the students attending the course;* ***AND***
   - *Receive a favorable recommendation from the certified instructor supervising the student teaching.*

Qualified instructors at degree granting institutions, as stated in 54-2033(1), are not subject to requirements 1 through 5 listed above.

Applicants who have documentation to prove there is good cause for why a requirement of licensure should be waived, would do so through the directions provided in the ***Special Consideration Policy****.*

INSTRUCTOR CERTIFICATION & RENEWAL

Relevant Idaho Code Citations: 54-2035. Term of Instructor Certification and Renewal

An instructor applicant must complete an Instructor Certification application for the initial DOPL provided real estate course they wish to instruct. Applications for additional courses must be accessed through the Manage Privileges link found on the Summary tab of the instructor's online account profile. All instructor certification applications must be completed online through DOPL's Online Services.

*Instructor certification for the Commission Core course includes observing the entire course, the rollout meeting, and passing the final course exam. DOPL will provide the opportunity to observe the new Core course and pass the final exam every year at the Real Estate Instructor Conference. Individuals who are currently certified to teach Core, who meet the criteria above, will **NOT** need to submit a new application to teach subsequent Core classes.*

Instructor recertification must be completed online through DOPL's Online Services. To maintain certification, instructors must provide a course completion certificate for DOPL recognized training focused on adult learning theory within the last two (2) years, prior to submitting their application. Instructors must also:

- *Submit the most recent set of student evaluation forms; **OR***
- *Submit a provider evaluation of the instructor no more than 24-months old; **OR***
- *Have been audited by DOPL Staff or the Education Council within the previous 24-month period.*
    - *If a certified instructor has not taught a course within the previous 12-month period, they may submit an affidavit stating they have not taught the course in place of the required evaluation documentation described above as part of their application.*

Instructors are responsible for obtaining and retaining all end of course evaluations. Instructors are required to develop a tracking method to ensure they demonstrate the ability to adequately teach the course as outlined in Idaho Code 54-2035(2)(a)(ii).

If an instructor receives an unfavorable evaluation from the Education Council, DOPL, or a provider, an Instructor Performance Improvement Plan (IPIP) should be developed by the instructor and provider. The IPIP is to be kept with the provider's records and provided to DOPL upon request. An instructor on an IPIP is not eligible to be certified to teach additional DOPL provided real estate courses or to supervise a student teacher.

*Certified instructors may take the real estate licensing exam once every five years. To obtain certification as specified in the requirements for post license instructor certification, the exam may **NOT** be taken more than once in 5 years. This will not affect the instructor's ability to take the exam for licensure.*

CONTINUING EDUCATION COURSES – CERTIFICATION, REVISIONS, & RENEWAL

Relevant Idaho Code Citations: 54-2036. Certification of Courses and Course Content; 54-2037. Term of Course Certification and Renewal; & Rule 150.03. Minimum Teaching Standards

INITIAL CONTINUING EDUCATION COURSE CERTIFICATION

***ALL** courses **MUST** be certified by DOPL. Courses submitted with half-hour increments will be considered. Any change in hours or significant change of course content for a currently certified course requires a new course application.*

A course submitted for certification should be titled in such a way that the subject matter of the course can be ascertained from the title. Applicants submitting a course for which there already exists a certified course with the same name may be asked to identify a different, unique title for the course as a condition of certification.

Courses submitted for certification must include a timed course outline that includes each major segment of the course, as well as a detailed breakdown of any subtopics; it should also include satisfactory learning objectives using action verbs from the Bloom's Taxonomy list as provided by DOPL, as well as the anticipated method(s) of teaching.

Idaho Code 54-2036(1)(e) Distance learning courses. *All asynchronous distance learning courses are classified as "online" courses and must be certified by the association of real estate license law officials (ARELLO) or another equivalent institution. All online courses must comply with the assessment standards and interactivity requirements herein.*

1. ***Assessment Standards.** All online instructional assessments must directly align with the course's learning objectives and adhere to the following technical standards:*
   - ***Progression & Formats:** Courses must require learners to pass all incremental assessments (quizzes) before progressing. Multiple-choice, matching, fill-in-the-blank, and scenario-based formats are acceptable; **true/false questions are strictly prohibited.***
   - ***Final Exam (Summative):** Final exams must include a minimum of five (5) questions per hour of instruction, capped at a maximum of fifty (50) required questions.*
   - ***Item Banking & Randomization:** All quiz and exam pools must utilize an automated system with random item selection and maintain a minimum **2:1 ratio** of questions stored to questions presented.*
   - ***Reassessment & Duplication Limits:** System settings must ensure that retake attempts do not present identical items or duplicate questions from previous attempts.*
   - ***Mandatory Remediation:** Incremental assessments must provide immediate remediation (the correct answer paired with an explanation or content review) during the testing process.*

2. ***Interactivity Requirements.** Courses must incorporate a diversified mix of interactive engagement methodologies to foster active learning and satisfy the following playback criteria:*
   - ***Engagement Variety:** Courses cannot rely on a single type of interactive activity as the sole method of student interaction. Acceptable methods include interactive case studies, scenario exercises, games, flashcards, polling, or discussion forums.*
   - ***Media Playback Restrictions:** When instructional video or audio content is utilized, the media player's fast-forward functionality must be deactivated. All such media must be immediately followed by an interactive activity or assessment requiring a demonstration of content mastery.*

For courses taught through a blended delivery method, the online portion of the course is considered distance learning—and therefore must be ARELLO® certified.

54-2036(3) Approved Topics. *The knowledge or skills taught in continuing education courses must enable licensees to better serve and protect real estate consumers and the subject matter must be directly related to current real estate practices and laws. One of the most effective ways to show this alignment is by including citations to applicable sections of Idaho Code and incorporating discussion of how those statutes apply in real-world scenarios.*

To assist providers and instructors, DOPL has prescribed examples of both acceptable and unacceptable course criteria to be taught to licensees. This list of topics may be modified as new courses are submitted for consideration and approved.

ACCEPTABLE COURSE TOPICS MAY INCLUDE:

Agency Law & Relationships: Disclosure, informed consent, & licensee safety	**Finance:** Mortgages, financing techniques, & investment strategies
Appraisal & Valuation: Principles & methods	**Inspections:** Understanding property conditions
Brokerage Management: Office operations, supervision, & business success strategies	**Land Development & Construction:** Planning, zoning, & energy conservation in building
Commercial Real Estate: Brokerage & investment	**Legislative Issues:** Impact on real estate practice
Contracts: Real estate specific agreements & general contract law	**Property Law:** Ownership, conveyances, & specialized forms (timeshares, condos, cooperatives, water rights)
Economics & Markets: Analysis, measurement, & evaluation	**Property Management:** Principles & practices
Environmental Issues: Protection laws, hazards (e.g., lead-based paint, radon), & land use controls1	**Taxation:** Real property & income tax implications
Ethics & Professional Conduct: REALTOR® Ethics, fair housing, affirmative marketing, ADA, etc.	**Technology:** Applications in real estate business, marketing, & administration

UNACCEPTABLE COURSE TOPICS MAY INCLUDE:

Courses based on proprietary and/or copyrighted information developed by others	Material that implies licensees perform duties outside of the scope of their responsibilities as a licensee
Communication skills	Motivational/success training
Examination preparation	Orientation courses
General computer or office skills	Personal development, including time management
General sales training or selling techniques	Personal safety or self-defense courses

REVISING COURSE CONTENT AFTER CERTIFICATION

*Once a continuing education course has been certified with DOPL, the content of the course **MAY NOT** be altered without first submitting the changes to DOPL for approval.*

*If the changes to the materials are **LESS** than 10% of the total course, course developers may provide DOPL staff with the updated materials for approval.*

*If the changes to the materials are **GREATER** than 10% of the total course, a new initial continuing course application will need to be completed via DOPL's Online Services. Course developers should indicate in their application, by way of attachment, that they wish to expire their original course, contingent upon the approval of the revised course.*

RENEWING A CERTIFIED CE COURSE

Certified courses are approved for a period of two (2) years. Course developers can submit a renewal application for their certified course(s) up to two (2) months prior to the course expiration date. If a course developer submits a renewal application more than two (2) months prior to the expiration date, it may be denied as a duplicate.

Course renewal applications must be completed via DOPL's Online Services. Course developers are expected to supply copies of the most current evaluations with every course renewal application submission.

DOPL PROVIDED REAL ESTATE COURSES

Relevant Idaho Code Citations: 54-2020. Fees & 54-2036. Certification of Courses and Course Content

As the owner of the DOPL provided real estate courses, DOPL retains complete control over dissemination of all DOPL provided course materials. Individuals may not distribute these materials to others without written permission from DOPL. Any inquiries about obtaining such materials should be referred to DOPL.

Creation and approval of the distance education version (online or otherwise) of any DOPL provided real estate course is at the direction of DOPL and will be handled according to procedures required and/or recommended by DOPL and the Division of Purchasing. All DOPL provided materials are copyrighted and may not be used without DOPL consent.

When a provider is authorized to develop an online version of a DOPL-provided real estate course, the developer must strictly adhere to the Assessment Standards and Interactivity Requirements outlined in this policy. While the provider remains responsible for the complete and accurate delivery of the curriculum, the LMS must be configured to enforce mandatory quiz progression, the strict 2:1 item banking ratio, random item selection, dynamic remediation, and media playback fast-forward restrictions.

For courses requiring a certified instructor, non-certified guest speakers may be utilized to present a portion of the course curriculum if the certified instructor is present in the classroom for the entire presentation and directly supervises the guest speaker. The course provider is responsible for the complete and accurate delivery of all DOPL provided real estate course content.

The DOPL-approved course exams shall be used in their entirety and may not be revised or altered without DOPL's express permission. Providers and certified instructors are responsible for preserving the validity and security of course exams. Students shall not be allowed to retain exams or copy any exam questions, answers, or distractors. DOPL provided course exams may be administered by providers and instructors in person or via a monitored electronic medium.

A student who fails a final course exam shall be given a different version of the exam and must pass the entire retake exam with a minimum score of 70% to receive credit for the course within 30 days of the conclusion of the course. Students completing make-up work are still expected to take the exam at the end of the course, as scheduled, with the rest of the class. If the student has missed enough of the course and taking the exam will jeopardize their ability to pass the exam, the provider should consider asking them to attend a subsequent offering of the missed portion in lieu of assigning make-up work.

Pursuant to the exam provider's policies, test takers are not allowed to share or discuss the questions or answers seen in the licensing exam with other candidates. It is the policy of DOPL that certified instructors and representatives of certified providers will not solicit or request students to provide license exam questions or answers from the licensing exam and will refrain from discussing such information or utilizing it in any way.

All registration fees collected by the Commission are non-refundable unless a request meets the narrow criteria established under DOPL's Refund Policy.

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