

## **No. 2025.01 Distance Learning Education Course Guidelines**

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under ARS 41-1033 for a review of the statement.

### **STATEMENT OF PURPOSE AND SCOPE**

This Substantive Policy Statement is to inform the real estate education industry of the Department's current approach to, and opinion of, the requirements of education statutes and rules regarding Distance Learning Education.

The commissioner may determine minimal content requirements for approving educational courses and appropriate professional qualifications for approving instructors to teach individual educational courses pursuant to A.R.S. 32-2135(E).

The commissioner may withdraw or deny certification or approval of real estate schools, educational courses or real estate instructors for any acts inconsistent with the requirements of this chapter, including: Improperly certifying student attendance or performance. A.R.S. 32-2135(C)(2)

### **DEFINITIONS**

**"Distance Learning"** means education or prelicensure education that is an online, planned learning experience with a geographic separation that may be synchronous or asynchronous, that does not require real-time interaction between a student and an instructor and that uses a platform with self-paced or prerecorded lessons and materials that a student can access via the internet to proceed at the student's own pace. (A.R.S. 32-2101(25))

**"Certificate of Course Approval"** any [approved] school offering a course of study for original or renewal licensure of a real estate applicant shall apply for and possess a Certificate of Course Approval for each course offered by the school. The school's administrator shall submit the requirements listed in A.A.C. R4-28-404(B).

**"Credit hour"** means 50 minutes of instruction. (A.A.C. R4-28-101)

**"Instructor approval"** any person wishing to teach an approved real estate course shall apply for an instructor's approval, and shall have at least one of the qualifications on the proposed subject indicated by A.A.C. R4-28-404(C).

**"Module"** is a unit of instruction no shorter than .25 credit hours (12.5 minutes), and no longer than one credit hour (50 minutes).

**"School"** means a person or entity that offers a course of study towards completion of the education requirements leading to licensure or renewal of licensure. (A.R.S. 32-2101(54)) A school shall hold a current Certificate of School Approval. (A.A.C. R4-28-404(A))

**"Synchronous learning"** occurs when the interaction between the instructor and learner is simultaneous, or in real time.

**"Asynchronous learning"** occurs when interaction between the instructor and learner is non-simultaneous, or takes place at different times.

### **General Course Set-Up:**

Any course delivered in distance learning format must have a system that allows for the following requirements:

1. Each provider of a distance learning course must have in place a system and process for identifying and authenticating distance learners, ensuring the student who registers for a course is the student who completes the course material, and is the student who successfully passes the school's quizzes and final exam.

A simple user name and password authentication, or the use of a student attestation is not sufficient. No information which may be freely exchanged shall constitute user authentication.

2. Mandatory log-out for inactivity: A course must log students completely out of the course after fifteen (15) minutes of inactivity. The timer must be a background function that is set to log out at fifteen (15) minutes when the student is not actively engaged in the course. If the student is logged out for lack of interactivity, the student is to be returned to the start of the unit of instruction where the inactivity was detected, and student identity verification shall be required.

3. Enables the course administrator to track a student's time engaged with the course materials, units of instruction, and assignments/activities to ensure the student's time in the course and/or time on each subject meets or exceeds the required time in the course.

4. Provide a report that tracks student progress, collects date and timestamps of log in and log out activity, IP addresses of users and course completion date and time.

5. Stop the progression of course time while the student is not interactive with the course material. Students cannot accumulate time for simply being in the course, nor should a student accumulate time while not engaged in some form of interaction.

### **Course Design:**

1. **Modules.** Each distance learning course shall be divided into modules as defined above. Schools should time each module so that the student may not proceed in the course until the minimum time for the module has elapsed. The school must provide a distance learning course that shall prevent opportunities for students to move through the course too quickly and without interactivity. The course platform is to be configured such that all course modules content interactivity, quizzes and final exams have been passed prior to the issuance of a completion certificate.

2. **Instructional Content Interactivity.** Each module shall contain instances of instructional content and scenario based interactivity questions. Course delivery must include interactivity, and course performance measured by quizzes. The student must achieve a minimum passing score of 75 percent before proceeding in the course.

### **Course Timing Requirements:**

Every distance learning course is to follow the approved course outline, and is to contain enough content and/or activities to meet the minimum time requirement of 50 seat minutes for each credit hour the course is approved for.

### **NOTE: The content boxed below only applies to pre-licensing distance learning schools**

#### **Pre-Licensing In Person Final School Exam:**

All pre licensing distance learning courses are required to have an end-of-course school comprehensive examination delivered on a lock down browser covering the content of the course. Final school examination requirements shall contain a minimum of the following,

- a. Final exam questions must be pulled from a question bank with at least a 2:1 ratio
- b. The final exam may not count toward the overall time of the course;

- c. A minimum 75% score must be achieved on the final exam before a school course completion certificate is issued; and
- d. If end-of-module quiz questions are included in the final exam, they must be randomly reordered and/or have the answers reordered.

The applicant (i.e. student) must complete a final school examination of the course in a proctored online or in person environment at the approved school, or in person with an independent third party proctor selected by the school in accordance with ADRE required guidelines. The exam shall not be taken on any device provided by the student, i.e. personal computer, tablet, or phone.

Examples of acceptable third party proctors include:

- A licensed Arizona real estate school's administrator or ADRE approved pre licensing instructor at an ADRE licensed real estate facility;
- An assigned proctor employee at an official testing or learning center;
- An administrator, faculty, or academic advisor at a college or university;
- An educational officer at a military installation;
- An employee at a real estate association.

**The school administrator is responsible to ensure the proctor follows the established school policy and procedures to administer the in person final school online exam. ADRE required minimum standards for proctor responsibilities include, but are not limited to,**

**Pre-Licensing School Final Exam Proctor Responsibilities:**

- Identify the applicant (student) with a photo ID – student identity authentication required at each login.
- Notify the applicant of what they are allowed to use on the exam as described in the exam instructions. **Cell phones and other electronic devices must be turned off and placed out of reach.**
- Online proctors must verify the applicant is clearly visible at all times with no one else in the room and that camera view and lighting is sufficient to clearly see the applicant and the applicant's surroundings.
- Make sure the applicant is aware of the time limit on the exam; proctors do not need to keep track of time for the student.
- Supervision of the student taking the exam.
- Terminate the exam if the testing procedure is compromised due to the applicant's improper conduct. Notify the school administrator as soon as possible.
- If unusual circumstances occur, please contact the school administrator or appropriate local authority as soon as possible.

**Issuance of Course Completion Certificate:**

Every student upon successful completion, at the end of every course, is required to be issued a course completion certificate signed by the school administrator. At a minimum, the course completion certificate is to include the following information:

- Name of the course provider
- School certification number
- Course number
- Course title
- Course start date
- Course completion date
- Student's name
- Credit hours awarded
- Category or Categories of credit hours awarded
- School contact information
- Administrator signature

**Application of Provisions:** The above provisions apply to every original and renewal application for distance learning course approval.

**Authority:** A.R.S. §§ 32-2101, 32-2108, 32-2130, 32-2135 and 32-2153, and A.A.C. R4-28-101, R4-28-401, R4-28-402 and R4-28-404.

**Policy Program:** Education/Regulation

**Effective Dates:** Established January 3, 2019; Revised on September 28, 2022 to reflect renumbering of SPS 2022.04 - Instructor Professional Development Requirements, which was updated due to amendments made in Ariz. Laws Ch. 298 § 1 (2022). Revised on October 3, 2024 due to updates in Arizona Laws Title 32, Chapter 20. Revised March 6, 2025 for clarification on requirements specific to pre-licensing distance learning.