

Important Notice for all Real Estate Continuing Education Providers

On July 1, 2011, a new law started to affect the continuing education requirements for real estate brokers and salespersons. As part of the continuing education that is due each license year, all real estate brokers and salespersons must complete a module training course. (This is part of the 15 hours that are due each year, not in addition to it.) The course will be either 3.75 hours or 7.5 hours long and cover topics in real estate that are significant and are of current interest in the real estate market and profession. Brokers will also have the additional requirement to complete a module specifically designed to address issues relevant to brokers. (Commercial-only salespersons and brokers are exempt from these new module requirements.) The Department of Commerce must publicize an outline of the topics covered by the module and the number of credit hours by April 1 each year.

Here are additional details:

- Modules may be offered by any real estate continuing education provider approved by the Department of Commerce.
- The Department of Commerce, in consultation with a statewide real estate trade association and a statewide private continuing education provider, determines the specific topics covered by the modules each license year and the number of credit hours allocated to each module.
- **There are two topics in one course for 2012-2013: Contracts and Distressed Properties. The number of credit hours is 7.5.** An outline of the topics covered by the module (the course matrix) is part of the special module course application that is available on the Department of Commerce website. Completion of this module will also satisfy the broker module training requirement for 2012-2013 (in other words, there will be no separate broker module course for 2012-2013).
- To get credit for the module, the student must pass both parts of a two-part examination (as part of the approved credit hours, not in addition to them). One part of the examination will cover the Contracts topic content and be given at the end of that half of the course, and the other part of the examination will cover the Distressed Properties topic content and be given at the end of that half of the course. Each test must not be allocated credit of more than one-sixth of the time allocated to that half of the module. Each examination will consist of 25 multiple-choice and true/false questions randomly selected from a pool of 100 that will be provided to you by the Department of Commerce. The passing score for each test is 18 or more correct. The examination questions were written by subject matter experts in consultation with the Department of Commerce. When the course is offered in a traditional classroom, both parts of the examination must be administered either on paper or via computer. When the course is offered as distance learning, both parts of the examination must follow Minn. Stat. §45.306.
- A student must be allowed to remain as long as reasonably necessary to complete the test.
- After your module course application has been approved, the Department of Commerce will send you the examination question pool. You must ensure that the 50 questions that will appear on the test form are randomly selected each time you offer the examination. You may not disclose the questions or answers to anyone other than a test administrator or other person who reasonably may need to view them to assist you with test administration (such as a clerical employee charged with physically entering the questions into a test form or database).
- The law requires the course provider to prepare, administer, score, and pay any costs related to the tests.
- A course provider may contract with a third party for scoring of the test.
- It is likely that some licensees will not take the required module course before the deadline at the end of the license year. This will cause their licenses to become inactive. Licensees in these circumstances who wish to reactivate their licenses will be required to complete the most recent past license year's module course.

(NOTE: This page does NOT need to be sent in as part of the application submission.)



STATE OF MINNESOTA
DEPARTMENT OF COMMERCE
 85 – 7TH PLACE EAST, SUITE 500
 ST. PAUL, MN 55101
 PHONE: 651-539-1599
 FAX: 651-539-0112

DOC OFFICE USE ONLY

Date: _____ Course #: _____

APPROVED DENIED RETURNED

BY _____

DISTANCE LEARNING / SELF-STUDY or INTERACTIVE INTERNET

CLASSROOM **YEAR DUE** 7/1/12-6/30/13

BROKER ONLY SALESPERSON ONLY
 BROKER & SALESPERSON

Number of credits approved _____

(Please Note: A current, correctly completed application with all required attachments and fee must be submitted at least 30 days before the initial proposed course date.)

**7/1/12-6/30/13 REQUIRED BROKER &/OR SALESPERSON SPECIFIC MODULE
 REAL ESTATE CONTINUING EDUCATION COURSE APPROVAL APPLICATION**

REQUIRED COURSE

Course Title: 7/1/12-6/30/13 REQUIRED MODULE - CONTRACTS & MN DESTRESSED PROPERTIES

(Please Print or Type)

Initial Proposed Date(s) of Course: _____

PROVIDER/COORDINATOR INFORMATION

You MUST already be a MN approved Real Estate Education Provider OR a PROVIDER / COORDINATOR APPLICATION & FEE MUST BE SUBMITTED ALONG WITH THIS COURSE APPLICATION

Provider Name (In Full - Exactly as it appears on your MN approval letter or application):	(REQUIRED) MN Provider ID #
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Provider Address: _____

City:	State:	Zip:
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Provider Phone Number: () ()	Provider Fax: () ()	Provider Toll-Free: () ()
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Website: _____

Coordinator Name: _____

Coordinator Business Telephone: () ()	(REQUIRED) Coordinator Business Email:
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Federal Employer Identification Number **(REQUIRED)** (FEIN): _____

APPLICATION FEE (Only check or money order accepted)	License Type: REAL ESTATE
New Course: \$10 per hour <u>or a fraction of an hour.</u> (Example: 1.5Hrs = \$20)	# of Hours Requested: 7.5
Total Fee Submitted: _____ \$80.00	Check Number: _____

Make sure that you are submitting the correct application located at www.commerce.state.mn.us. Incorrect submissions will be returned without review.

EXAM INFORMATION:

- After your 2-part module course application has been approved, the Department of Commerce will send you the examination question pool. You must ensure that the 25 questions that will appear on each test form are randomly selected each time you offer the examination. You may not disclose the questions or answers to anyone other than a test administrator or other person who reasonably may need to view them to assist you with test administration (such as a clerical employee charged with physically entering the questions into a test form or database).
- The law requires the course provider to prepare, administer, score, and pay any costs related to the tests.
- A course provider may contract with a third party for scoring of the test.

Method of Presentation / Instruction:

Note: You may choose ONLY ONE Instruction Method per Application and Fee

Attach an in-depth explanation of your Method of Presentation / Instruction along with this application.

See **APPENDIX B** regarding internet interactive course requirements. See **APPENDIX C** regarding verifiable proctors.

Traditional Classroom

Internet (Must meet MN Requirements for Interactivity and include a process to authenticate the student's identity. The final examination must be either an encrypted online examination or a paper examination that is monitored by a proctor who certifies that the student took the examination. The student must not be allowed to review the course content once the examination has begun.) (See Appendix C)

WebEx (Interactive) **Webinar** (Interactive) **Remote TV** (Interactive with audio)
(For every student, attendance must be physically monitored throughout the course and exam by the MN approved Coordinator for your Providership or physically monitored and certified by a verifiable Proctor.) (See Appendix D)

Self-study / Correspondence - (The course content and time must be verifiable, and for every student, attendance must be physically monitored throughout the exam by the MN approved Coordinator for your Providership or physically monitored and certified by a verifiable Proctor.) (See Appendix D)

IF COURSE APPROVAL IS GRANTED YOUR APPROVAL LETTER WILL INCLUDE THE FOLLOWING IMPORTANT NOTICE!

IMPORTANT NOTICE: A copy of the Exam will be sent to you separately within the next ten business days. Your providership is allowed 30 days from receipt of the Exam to make moderate changes to the course content as needed to better instruct the licensees. Any changes to your original course must be clearly marked and everything resubmitted to our office for review before the 30 days are up. The course may NOT be offered for credit to licensees before a final approval is received from our office. If no revisions are needed your providership may proceed with course offerings once you have received the exam.

ANOTHER IMPORTANT NOTE:

Providers are required to keep the exam questions private and not share them with any other entity other than a professional exam scoring service employed by the providership to grade the exams. The exam requires a 75% pass score.

7/1/12-6/30/13 REQUIRED REAL ESTATE BROKER &/OR SALESPERSON MODULE Core Matrix Outline

Notice Regarding the Core Matrix Outline

The following material outlines the required topics that Education Providers must include when establishing their course. **ALL TOPICS MUST BE COVERED.** While the module itself, the required topics in the core matrix outline, and the exam, were ultimately approved by the MN Dept. of Commerce, the development was delegated in part, as allowed by Minn. Statute Chapter 82.61 (i), to a statewide real estate trade association and a statewide private continuing education provider. This training course content, if effectively delivered, will enable real estate agents to gain a basic understanding of the required topic. All methods of instruction require verifiable passage of an end of course closed book exam.

(Total of 8 Pages)

Provider Name:	Provider #	Module Year: 7/1/2012 – 6/30/13
REQUIRED COURSE NAME 7/1/12-6/30/13 REQUIRED MODULE - CONTRACTS & MN DESTRESSED PROPERTIES		Hours Required 7.5

Mandatory Curriculum for this 2-Part MODULE

Required By BROKER & SALESPERSON	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
PART 1 – CONTRACTS				
I. Welcome and Course Objectives				
II. Agency Relationships in Real Estate Transaction				
A. MN Law				
B. Disclosure only, not a contract for representation				
III. Elements of a Binding Contract				
A. Bilateral versus unilateral				
B. Enforceability				
C. Essential elements				
1. Capacity				
2. Mutual agreement				
3. MN Plain Language statute				
4. Performance				
5. Discharge				
6. Breach				
7. Remedies				
D. Assignability				
IV. Seller Disclosure Issues				
A. Statute requirements				
1. Disclosure				
2. Private inspection				
3. Waiver				
a) Other statutory requirements				
B. Licensee's obligation to disclose material facts				
V. Exclusive right to Sell Listing Contract				
A. Property address				
B. Seller's name				
C. Effective Dates				
D. Price				
E. Leasing Option				
F. Seller's authorization				
G. Hold over clause				

PART 1 – CONTRACTS (Continued)	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
H. Compensation				
I. Closing services				
J. Additional costs				
K. Agency representation				
L. Electronic signatures				
M. Acceptance and dates				
VI. Purchase Agreement				
A. Parties' names				
B. Property address				
C. Earnest money obligations				
D. Personal Property				
E. Price				
1. Financing				
2. Closing date				
F. Deeds				
G. Property taxes and assessments				
H. Title and examination				
1. Dual agency				
I. Mechanics Liens				
1. Lien waiver required				
J. Risk of Loss				
K. Time is of the essence				
L. Default				
M. Definition of dimensions				
N. Final acceptance				
1. Signatures/dates of all parties				
2. Delivery				
VII. Counter Offers and Addendums				
A. Number of counter offers when using addendums				
B. Standard terms				
C. Signatures required on purchase agreement				
VIII. Blank Addendum				
A. Prevailing language				
B. Addendum versus amendment				
IX. Financing Addendums				
A. Conventional				
B. FHA				
C. VA				
D. Contract for deed				
X. Seller Contributions				
A. Closing Costs				
XI. Condominium Townhouse CIC Addendum				
A. Calculation of days				
B. Exempt properties				
C. Right to cancel provision				

PART 1 – CONTRACTS (Continued)	Minutes / Hrs of Credit Requested	MATERIAL (textbook) Pg #'s	X-Ref	Time of Presentation	Hours Approved
XII. Contingency Addendum					
A. Calculation of time					
B. Mechanics of the contingency					
C. Inspection Contingency					
1. Types of inspections					
a. Intrusive testing					
2. Calculation of days					
3. Mechanics of the contingency					
4. Cancellation					
5. Material fact disclosure					
XIII. Short sale contingency addendum					
A. Review of the short sale approval process					
B. Earnest money					
C. Inspection					
D. Marketing					
XIV. As Is addendum					
A. Seller disclosure					
B. Risk of loss					
C. Warranties					
XV. Cancellation of a Purchase Agreement					
A. Cancellation agreement signed by both parties					
B. Statutory cancellation					
C. Earnest money issues					
XVI. One Time Showing Contract					
A. Secures compensation					
B. Specific buyer					
C. One year time frame					
XVII. New Construction Purchase Agreement					
A. Earnest money options					
B. Warranties					
XVIII. Wrap Up, Summary and Questions (not more than ten minutes)					
Examination (will be sent to provider when course is approved & must not be allocated credit of more than one-sixth of the time allocated to this half of the module.)		N/A		N/A	N/A
Total Hours for PART 1 - CONTRACTS	3.75 Required	N/A		N/A	

Required By BROKER & SALESPERSON	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
PART 2 – MINNESOTA DISTRESSED PROPERTIES				
I. Welcome and Course Objectives				
II. Definitions of a Short Sale				
A. Upside down: Sale of real estate where sale proceeds fall short of the mortgage balance and all liens				
B. Reality for the lender: The lender agrees to sell at a loss instead of pursuing the owner				
C. Sale of property owned by a lender as a result of a completed foreclosure IS NOT a short sale				
D. Evolving attitudes: Local and national perspectives of a short sale				
III. Alternatives or Other Considerations by a Seller				
A. Modification of the seller's loan				
1. Refer out to an individual with a loan originator's license				
B. Contract considerations				
1. Can property be sold on a Contract for Deed?				
2. Any restrictions which would prevent renting the property?				
C. Consultation with attorney and accountant				
1. Should bankruptcy be considered?				
IV. Seller Hardships				
A. Qualifications for a short sale				
1. Home's market value has dropped				
2. Mortgage is in or near a default status				
3. Seller has experienced a hardship				
a. Loss of employment				
b. Reduced income				
c. Business failure				
d. Damage to the property				
e. Death of a spouse or a wage earner and/or family member				
f. Severe illness/medical emergency				
g. Inheritance where seller incurred large gift taxes				
h. Divorce and/or separation				
i. Relocation				
j. Military service				
k. Mortgage payment adjustment				
l. Large, major debt/no assets/bankruptcy				
m. Incarceration				
4. Whatever the reason(s), be sensitive to the seller's situation				

PART 2 – MINNESOTA DISTRESSED PROPERTIES (Continued)	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
5. What does NOT constitute a hardship				
a. Bad purchase decision				
b. Unhappy with the home/neighbors/neighborhood				
c. Buying another home/want out of the mortgage				
d. Pregnancy				
V. Distressed Property Timeline and Process				
A. Timeline				
1. Default				
2. Legal Notice				
3. Bank sale or auction date				
4. Redemption period				
B. Identify the lender/lenders				
1. What type of loan				
C. Who holds the title after closing				
VI. Evaluating the Distressed Property Seller and the Property				
A. Explain to the seller the effect of a short sale or foreclosure on a seller's credit				
1. Credit score information				
2. May also affect other licenses held by the seller (i.e. securities)				
B. Interview questions for the seller:				
1. When was the house purchased and at what price?				
2. Who is on the mortgage and who is the lender?				
3. Have you refinanced and how many mortgages are on the property?				
4. Are your payments current and will you be able to remain current?				
5. If not current, how far are you behind?				
6. Have you spoken with the lender and have you received any notices?				
7. Are you living in the property or do you plan to relocate before closing?				
8. If a CIC, are association dues current?				
9. What is the condition of the property and are any repairs needed?				
10. Are back taxes owed or are there any liens on the property?				
11. Are your financial records available?				
12. Do you have cash for a shortage?				
13. Have you spoken with an attorney or an accountant?				
14. Have you or are you considering bankruptcy?				
15. What caused you to miss payments or why do you need to sell?				

PART 2 – MINNESOTA DISTRESSED PROPERTIES (Continued)	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
VII. Pricing Strategies and Marketing the Property				
A. Obtain an Owners and Encumbrances (O & E) report				
B. Determine a fair market value of the property				
1. The CMA is critical				
a. Condition				
b. Size/location				
c. Age				
d. Realistic comps				
C. Discussion with lender				
1. "What will you accept?"				
D. Place property on MLS				
1. The need for price reductions				
a. How often?				
b. How much?				
VIII. Negotiating the Purchase Agreement				
A. Present offer to home owner seller				
1. If accepted, the property is contingent on lender approval				
B. What the lender will want to see				
1. Seller's authorization form				
2. Offer summary				
3. Copy of Earnest Money				
4. Pre-approval letter				
a. Correct address of the property				
b. Price				
c. Down payment				
d. Mortgage amount				
5. Copy of purchase agreement				
6. Seller's financial statements				
a. Last 2 months bank statements (all institutions)				
b. Last 2 paystubs				
c. Tax returns				
7. Seller's hardship letter				
8. Copy of the CMA				
9. Report of market activity				
a. Copy of MLS printout				
b. Details of marketing history and price reductions				
c. Local market statistics				
d. Inspection reports and/or repair issues/photos				
C. After the offer is submitted to the lender, now what?				
1. Call lender to confirm receipt of offer				
2. Call lender weekly for an update				
3. Call coop agent weekly with status report, even if nothing is new				
4. Be prepared for anything				

PART 2 – MINNESOTA DISTRESSED PROPERTIES (Continued)	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
D. What happens to the offer?				
1. Offer is entered in the lender's system				
a. Agent may have to enter offer into some online systems				
2. A lender negotiator is assigned				
a. Be patient				
b. Expect anything				
3. A BPO is ordered on the property				
a. Meet the BPO agent at the property				
b. Bring comps and have discussion with BPO agent				
4. You will need to get an acceptance or counter offer				
a. Work with coop agent to quickly get answer to a counter				
b. Follow up to get signatures and final delivery				
c. Update status in MLS				
5. A preliminary HUD is sent				
IX. Closing the Sale				
A. Lenders typically won't pay for the following:				
1. Title evidence				
2. Utility bills				
3. Repairs				
4. Well/septic tests				
5. Home inspection report				
6. More than 3% of the buyer's closing costs				
7. Appraisal re-inspection				
8. Courier or wire fees				
9. Recording service fees				
B. Review preliminary HUD carefully				
1. No additional or "extra" fees will be approved or paid				
2. Lender work orders				
3. Net to seller should be \$1500 or less				
X. Tax and Legal Issues and Debt Settlement				
A. Seller will receive a 1099-C				
B. Mortgage Forgiveness Debt Relief Act of 2007				
1. Must be used to buy, build or substantially improve seller's principal residence				
2. Seller can use to refinance debt incurred				
C. Maximum amount is \$2 million for a couple or \$1 million for married filing separately				
D. Current expiration date is 12/31/12				
E. Release of Mortgage Note and/or Lien				

PART 2 – MINNESOTA DISTRESSED PROPERTIES (Continued)	Minutes / Hrs of Credit Requested	MATERIAL X-Ref (textbook) Pg #'s	Time of Presentation	Hours Approved
XI. Strategies When Working with Buyers Interested in Distressed Properties				
A. Educate the buyer on the process in a frank and honest discussion				
1. Time frame				
2. When to do an inspection				
3. Making other offers				
XII. Short Sale Mortgage Fraud				
A. US Department of Justice recognizes two categories of mortgage loan fraud				
1. Fraud for property				
a. Misrepresentation by the buyer for purposes of purchasing home for a primary residence and usually involves a single loan				
2. Fraud for Profit				
a. Often involves multiple loans and elaborate schemes				
B. Other “red flags”				
1. Home deeded back or gifted to a relative of the borrower				
2. BPO or Appraisal fraud				
3. Phony or diverted payments to a payee outside of the closing				
4. Flopping: immediate sale after closing to undisclosed buyer at higher price				
5. “Loans for a Day” schemes				
6. Simultaneous closings				
XIII. Wrap up, Summary and Questions (not more than ten minutes)				
Examination (will be sent to provider when course is approved & must not be allocated credit of more than one-sixth of the time allocated to this half of the module.)				
Total Hours for PART 2 MINNESOTA DISTRESSED PROPERTIES	3.75 Required	N/A	N/A	
Total Hours for Entire 2-Part Course	7.5 Required	N/A	N/A	

SYLLABUS FOR STUDENTS

If you will not be distributing a textbook containing all of the details below, you must complete this page (or attach your own Syllabus containing all of the information below) before your application can be processed. **Syllabus must be distributed to all students, along with a copy of the detailed, timed course outline.**

Provider Name: _____

Course title: **7/1/12-6/30/13 REQUIRED MODULE - CONTRACTS & MN DESTRESSED PROPERTIES**

Dates, times, and locations of course offerings: (Write, TBD, if unknown.)

DATE & TIME	LOCATION

Required: Name and address or telephone number of Course Coordinator and ALL Course Instructors (add pages as needed)

	Name	Address	Telephone Number
Coordinator			
Instructor			

When distributing this syllabus to students, you **MUST** attach a copy of the detailed, timed course outline!

INSTRUCTOR

REAL ESTATE CONTINUING EDUCATION COURSE APPLICATION INSTRUCTOR QUALIFICATIONS AND CONTACT INFORMATION PAGE

Copy and attach additional pages as needed; one for every continuing education course instructor.

Attach a Bio or Resume to this completed form.

Instructor Full Name:	
Address:	
City, State, Zip:	
Phone Number:	Business Email Address: (Required)
Do you hold a Real Estate license in any state, including MN? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach list of license number, state, and status.	
Resident Real Estate License #	& Name of Resident State
Real Estate License #	& Name of State
Has instructor applicant ever had any occupational / professional license in any state including Minnesota that has been suspended, revoked, or terminated, or been the subject of inquiry or investigation? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach documentation and detailed explanation signed & dated by instructor.	
Has instructor applicant ever been convicted of a felony or gross misdemeanor, or been a defendant in any lawsuit involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty or breach of contract? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach documentation and detailed explanation signed & dated by instructor.	
Mandatory Qualifications (<i>Please check one below</i>)	
Minn. Stat. Chapter 45.32. Subd.2. Continuing Education instructors must meet or exceed one of the following qualifications.	
<input type="checkbox"/> a four-year degree in any area plus two years practical experience in the subject area being taught;	
<input type="checkbox"/> five years of practical experience in the subject area being taught; or	
<input type="checkbox"/> a college or graduate degree in the subject area being taught.	

APPLICABLE EDUCATION LAWS

Minnesota Statutes Chapter 45 contains licensing education laws.

Minnesota Statutes Chapter 82 contains real estate laws.

COORDINATOR'S SIGNATURE AND CERTIFICATION PAGE

I certify that I am, or I am applying to be, the Minnesota approved Coordinator for the Provider and I am responsible for compliance with Minnesota education laws and regulations.

I understand that courses may not be advertised before approval, unless this application has already been submitted to the MN Department of Commerce and the course is described in the advertising as "approval pending."

I understand that the number of approved hours must be accurately displayed on any advertisement for the course, and if the course offering is longer than the number of approved continuing education hours, any advertisement must be clear that continuing education credit is not earned for the entire course.

I understand that failure to have only qualified instructors teach an approved course offering will result in loss of course approval and possible loss of provider and/or coordinator approval.

I certify that I will notify the MN Department of Commerce in writing within 10 days of any change in the information in this application for approval, including any addition or change in the name(s) of instructors who will teach the course.

I certify that all of the information submitted in this application is true and complete, and that this document has not been changed in any manner from the form adopted by the MN Department of Commerce.

Name of Course:

7/1/12-6/30/13 REQUIRED MODULE - CONTRACTS & MN DESTRESSED PROPERTIES

I certify that I am including a new application submission for provider/coordinator approval to, or I am currently approved by, the Minnesota Dept. of Commerce as the education coordinator for the provider listed below and that I am responsible for compliance with all Minnesota education laws and regulations located in Minn. Stat. 45, and Minn. Stat. 82. Furthermore, I accept responsibility for instructor qualifications, conduct and their compliance with course content. I declare that the information provided for the above-named course on the attached continuing education course approval application, the timed, detailed content outline, and all the attachments is true and correct, and that I have answered each question fully and truthfully and without any purpose of evasion or mental reservation.

Printed name of Coordinator: _____

Signature of Coordinator: _____ Submission Date: _____

Printed name of Provider: _____ Provider #: _____

(Exactly as it appears on provider approval letter or page 1 of the provider & course application)

Appendix A - REQUIRED ATTACHMENTS - Appendix A

The application will be processed in a timely manner, assuming it is a complete application. If your application does not include all of the mandatory items listed below, it will be considered deficient, will be returned to you, and we will be unable to process the application until it is completed. In most cases, a deficient application will result in your course not being approved before the first offering date. Therefore, it is in your best interest to initially submit a complete application.

A. Course Materials

1. Detailed Course Outline – timed in 15 minute increments or less (**See Matrix Outline**) (If multiple Instructors, identify section of outline for each Instructor).
2. Attach an in-depth explanation of your Method of Presentation / Instruction
3. *Instructional Material for Instructors* – overheads, PowerPoint, etc. (if used, you must attach them, if none are used, put it in writing)
4. *Instructional Material for Students* – textbooks, notebooks, guides, etc. If textbooks are not used, you must hand out a *Syllabus* to each student in the class. *Textbooks must contain the same detailed information as the Syllabus. Please see Syllabus page for guidelines.*
5. *Examination and Answer Key* – (Not Required - Copy of the MN DOC approved exam will be sent to provider upon course approval.) (Please Note **SPECIAL REQUIREMENT** for these Module Courses: A closed book end of course exam is required for all instruction methods; this includes “Classroom”.)

B. Provider Policies

1. **Regarding Instructor Qualifications:** Attach statement that ALL instructors meet or exceed the instructor requirements as stated in Minn. Statute Chapter 45.32.

Read Minn. Law Chapter 45.32 before you submit your application.

Classroom: Any individual speaking to licensees during your course is considered an instructor.

Distance Learning: Any individual speaking at a “live” distance learning course is considered an instructor.

Interactive Internet: For the purposes of this section any author of an internet course is considered an instructor.

Distance Learning & Interactive Internet: For the purposes of this section any individual used as a contact for students to answer questions regarding a course is considered an instructor.

2. Attendance:

- How do you verify attendance **throughout** the course for **Classroom**? How do you physically monitor the students? Include a description.
 - How do you verify attendance **throughout** the course for **Distance Learning**? Certification is required. What type of certification method do you use? Include a description.
3. **Cancellation & Refund** – Attach a copy of your required course cancellation and refund procedures. *Note:* If no fees are charged attach details as to who pays the fee.

C. Assorted Attachments - Attach copy of:

1. Internet Address, Login & Password for any Distance Learning course.
2. Students’ Course and Instructor Evaluation Form
3. ALL Course Instructors’ Resumes or Bios (Note: See above regarding Instructors.)
4. Course Schedule
5. Proposed Advertising – if there is no advertising, you must state that.

(NOTE: This page does NOT need to be sent in as part of the application submission.)

Appendix B

Minnesota Department of Commerce (DOC) Interactive CE Training On-Line Basic Requirements

MN Statute effective 7.1.10

45.306 CONTINUING EDUCATION COURSES OFFERED OVER THE INTERNET.

Subd. 2. Interactive Internet course requirements.

An interactive Internet continuing education course must:

- (1) specify the minimum system requirements;
- (2) provide encryption that ensures that all personal information, including the student's name, address, and credit card number, cannot be read as it passes across the Internet;
- (3) include technology to guarantee seat time; (*See clarification below.)**
- (4) include a high level of interactivity;
- (5) include graphics that reinforce the content;
- (6) include the ability for the student to contact an instructor within a reasonable amount of time;
- (7) include the ability for the student to get technical support within a reasonable amount of time;
- (8) include a statement that the student's information will not be sold or distributed to any third party without prior written consent of the student. Taking the course does not constitute consent;
- (9) be available 24 hours a day, seven days a week, excluding minimal down time for updating and administration, except that this provision does not apply to live courses taught by an actual instructor and delivered over the Internet;
- (10) provide viewing access to the online course at all times to the commissioner, excluding minimal down time for updating and administration;
- (11) include a process to authenticate the student's identity;
- (12) inform the student and the commissioner how long after its purchase a course will be accessible;
- (13) inform the student that license education credit will not be awarded for taking the course after it loses its status as an approved course;
- (14) provide clear instructions on how to navigate through the course;
- (15) provide automatic bookmarking at any point in the course;
- (16) provide questions after each unit or chapter that must be answered before the student can proceed to the next unit or chapter;
- (17) include a reinforcement response when a quiz question is answered correctly;
- (18) include a response when a quiz question is answered incorrectly;
- (19) include a final examination;
- (20) allow the student to go back and review any unit at any time, except during the final examination;
- (21) provide a course evaluation at the end of the course. 10.1 At a minimum, the evaluation must ask the student to report any difficulties caused by the online education delivery method; and
- (22) provide a completion certificate when the course and exam have been completed and the provider has verified the completion. Electronic certificates are sufficient.

Subd. 3. Final examination. The final examination must be either an encrypted online examination or a paper examination that is monitored by a proctor who certifies that the student took the examination. The student must not be allowed to review the course content once the examination has begun.

***45.306 Subd2. (3)** While seat time is a definite requirement and you must include technology to guarantee it, this does not mean that to accomplish it, a licensee should be sitting in front of a computer waiting for X number of hours to pass. The course itself must contain the right amount of interactive instruction content to take the same X number of hours, or more, as requested by the provider. If a provider is asking for 2 hours of credit, that course must take a licensee 2 hours, or more, of interactive learning to complete. This also means that your course must have the technology to time out (automatically log out) if a licensee leaves the computer inactive for more than ten minutes so that they cannot log in and then walk away from the computer for the 2 hours and receive credit.

(NOTE: This page does NOT need to be sent in as part of the application submission.)

Appendix C

Minnesota Basic Requirements for Finding an Acceptable Proctor for Exams or Courses:

Distance Learning has strict policies regarding proctor selection. **An acceptable proctor is a disinterested third party with no conflict of interest who verifies a student's identity and processes an affidavit testifying that the student received no outside assistance with the course or examination.** Relatives, spouses, friends, neighbors and co-workers are not acceptable proctors. Proctors may not have any perceived financial relationship to the student.

Note: For each student, the chosen proctor is required to submit *original signed and dated verification information to the MN approved Education Coordinator immediately after the conclusion of the course or exam. Education Coordinators must keep these documents along with all other records relating to course offerings, for a period of three years from the date on which the course or exam was completed. The Coordinator must make these records available to the commissioner upon request.

*For continuing education courses only, verifiable Electronic Proctor Affidavits are acceptable.

Some Examples of Acceptable Proctors Include But are Not Limited To:

- The teaching staff of an accredited institution of higher education such as a community college, college, or university. **Please submit a page from the institution's directory, catalog or web address that lists the proctor's name and title and institution's name.**
- For members of the Armed Forces, a military base education officer may proctor your course or exam attendance. If there is not a representative in this capacity, a base librarian or commissioned officer of higher rank than the student is acceptable. **A letter on official letterhead from the base commander verifying the proctor's position must be submitted.**
- ~~Your employer's Human Resources Director or Manager may proctor your course or exam attendance. Please submit a letter on company letterhead from the Human Resources Department verifying the proctor's position. **No longer allowed because of perceived financial relationships.**~~
- A high school superintendent, supervising principal or other administrator within your local school system. **A letter from the superintendent or principal on official letterhead must be submitted.**
- A librarian within your local school or public library system. **A letter from the proctor on library system letterhead must be submitted.**

45.25 DEFINITIONS. Subd. 12. **Proctor.** "Proctor" means a disinterested third party with no conflict of interest who verifies a student's identity and **processes an affidavit** testifying that the student received no outside assistance with the course or examination.

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