

On October 8, 2020, the Appraisal Board voted to adopt the following emergency rule 21 NCAC 57B .0615 and goes into effect October 19, 2020.

**TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS
CHAPTER 57 - APPRAISAL BOARD**

Rule-making Agency: *Appraisal Board*

Rule Citation: *21 NCAC 57B .0615*

Effective Date: *October 19, 2020*

Findings Reviewed and Approved by the Codifier: *October 9, 2020*

Reason for Action: *On September 4, 2020, the Governor of North Carolina, signed into law Session Law 2020-97, entitled "An Act to Provide Additional and Revised Uses for Federal Coronavirus Relief Funds, to Provide Funding for Disaster Recovery, and To Make Other Revisions of Law." Section 3.20 of SL 2020-97, entitled "Reauthorize State Agencies to Exercise Regulatory Flexibility During the Coronavirus Emergency in Order to Protect the Economic Well-Being of the Citizens and Businesses of the State," requires that if a State agency determines that, due to the impacts of the coronavirus, it is in the public interest, including the public health, safety, and welfare and economic well-being of the citizens and businesses of the State, the agency shall take certain steps, as set forth in Section 3.20(b). The NC Appraisal Board has made the determination that due to the impacts of the coronavirus, it is in the public interest, including public health, safety, and welfare and the economic well-being of its licensees to take the steps set forth in this emergency rule to modify continuing education and qualifying education requirements and allow for extensions of time to take the licensing examination. Section 3.20(e) authorizes the Board to adopt this emergency rule without commencing temporary rule making.*

**SUBCHAPTER 57B - REAL ESTATE APPRAISAL EDUCATION
SECTION .0600 - CONTINUING EDUCATION COURSES**

21 NCAC 57B .0615 EMERGENCY PROVISIONS FOR EXTENSION FOR REMOTE LEARNING FOR QUALIFYING EDUCATION, CONTINUING EDUCATION AND TAKING OF LICENSING EXAMINATION

Due to the current State of Emergency in North Carolina and the United States, the North Carolina Appraisal Board is taking the following action:

- (1) Until March 31, 2021, schools and course sponsors may offer remote distance learning for continuing education courses. In order to offer remote distance learning, the school shall provide to the Board documentation that it has met the following requirements prior to the course taking place:
 - (a) The educational offering under consideration is currently approved for traditional classroom presentation;
 - (b) The platform utilized for distance education is live and interactive;
 - (c) The instructor verifies photo identification of the students; and
 - (d) The instructor maintains an attendance roster, which includes verifying 100 percent classroom attendance by, for example, taking attendance at various established times during the course.
- (2) Until March 31, 2021, qualifying education course offerings that are approved to be presented in a traditional live in person classroom setting, may be offered as synchronous delivery without the

required approval set forth in Item (4) of this Rule. The school shall provide to the Board documentation that it has met the following requirements prior to the course taking place:

- (a) The educational offering under consideration is currently approved for traditional classroom presentation;
 - (b) The platform utilized for distance education is live and interactive;
 - (c) The instructor verifies photo identification of the students;
 - (d) The instructor maintains an attendance roster, which includes verifying 100 percent classroom attendance by, for example, taking attendance at various established times during the course; and
 - (e) The examination required for qualifying education under Section III.E.7. of the AQB criteria remains in effect.
- (3) Until March 31, 2021, schools shall allow students to make-up qualifying education course hours by attending another course that is equivalent to the original course offered by the same school. The make-up hours attended by the student shall be for the same content that the student missed.
- (4) Until March 31, 2021, schools and course sponsors may offer remote asynchronous distance learning for qualifying education courses, as long as the qualifying education courses are approved in accordance with Sections III D.3 and III.F.6 of the AQB criteria.
- (5) All other Board rules that apply to continuing education or qualifying education that do not conflict with this rule are in effect and enforced by the Board.
- (6) An appraiser licensee applicant who is unable to take the licensing examination within one year pursuant to 21 NCAC 57A .0301, due to illness or the testing service locations being closed shall make a written request to the Board. The Board shall grant appraiser licensee applicants an extension to take the licensing examination.

History Note: Authority G.S. 93E-1-6; 93E-1-7; 93E-1-8; 93E-2-6; S.L. 2020-97, s. 3.20; Emergency Adoption Eff. April 1, 2020; Emergency Adoption Eff. May 21, 2020 to expire pursuant to S.L. 2020-3, s. 4.38 (e); Emergency Adoption Expired Eff. August 1, 2020 pursuant to S.L. 2020-3, s. 4.38 (e); Emergency Adoption Eff. October 19, 2020 to expire pursuant to S.L. 2020-97, s. 3.20(e).

Course Providers

What does this extension mean for course providers?

Providers may offer in class courses as long as they comply with any current Executive Order and City and Municipal ordinances.

Continuing Education Providers – Pursuant to Board Policy, sponsors may offer remote distance learning for continuing education courses through March 31, 2021. Sponsors must submit the Request for Virtual Course Approval Form and meet the following requirements prior to the course taking place:

1. Course is currently Board approved for traditional classroom presentation.
2. Platform being utilized is live and interactive. The instructor must be able to see the student and the student must be able to see the instructor. The student and instructor must be able to interact either over the video or a chat/message function.
3. Instructor is verifying photo identification of the students.
4. Instructor maintains attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course.

For those that have already received Board approval for Virtual Course offerings, please update the Board with any changes to courses and/or schedules as soon as possible.

Qualifying Education Providers - Sponsors may offer remote distance learning for qualifying education courses through March 31, 2021 if the qualifying education courses are approved in accordance with Sections III D.3 and III.F.6 of the AQB Criteria. This includes Basic Appraisal Principles, Basic Appraisal Procedures and the 15 HR USPAP course. If you wish to offer these courses online, you must submit a new application and be sure to include the current IDECC/AQB approval letters. Students do not have to complete the course by March 31, only be registered by March 31, 2021.

Sponsors may also offer qualifying education courses that are currently approved to be presented in a traditional live in person classroom setting, as synchronous delivery. Sponsors must provide the Board with documentation that it has met the following requirements prior to the course taking place.

- (a) The educational offering under consideration is currently approved for traditional classroom presentation;
- (b) The platform utilized for distance education is live and interactive;
- (c) The instructor verifies photo identification of the students;

- (d) The instructor maintains an attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course; and
- (e) The examination required for qualifying education under Section III.E.7. of the AQB criteria remains in effect.