

South Carolina Real Estate Commission
Education Taskforce Teleconference Meeting Minutes
Thursday, January 5, 2023 at 1 p.m., Room 108

Public notice of this meeting was properly posted at the S.C. Real Estate Commission Office, Synergy Business Park, Kingstree Building, Commission website, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. The telephone number and access code were provided on the posted agenda for members of the public wishing to join.

Taskforce Members Present:

David Burnett – Commissioner, Taskforce Chair
Gary A. Pickren, Esq. – Commissioner
Carol Pyfrom
Charles Wyatt
Jim Moody
Austin Smallwood, Esq., SCR
Jennifer Nicely

SCLLR STAFF PRESENT:

Kyle Tennis, Esq., Office of Advice Counsel
Meredith Buttler, Administrator
Joi Middleton, Education Manager
Ashlynn Kirk, Administrative Coordinator

PRESENT:

Cathy Boone, Court Reporter
Lindsay Jackson, SCR

CALLED TO ORDER: Mr. Burnett, Chair, called the meeting to order at 1:08 p.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.

Moved by Mr. Pickren and seconded by Mr. Wyatt, the motion was approved unanimously.

INTRODUCTION OF TASKFORCE MEMBERS AND STAFF

Taskforce members and staff introduced themselves.

DISCUSSION OF EDUCATION ISSUES

a. Remediation Courses

Mrs. Buttler explained how remediation courses are be designed for specific utilization in Commission-ordered education as a result of disciplinary action. The courses are designed to ensure the licensee is competent to practice in areas identified as deficiencies following discipline. The courses incorporate more assessments and evaluations throughout the course to ensure the individual is engaged and learning the material. Other

Boards with LLR have remediation courses specifically for their licensees and use them for disciplinary action instead of ordering continuing education courses. Mrs. Buttler is analyzing Commission orders from the past five years and identifying the main categories of violations that the Commission typically orders additional education as part of the sanctions.

Mrs. Buttler stated that the proposal for remediation courses is to determine if the Taskforce would like to look at the disciplinary categories and develop a bank specifically to address issues seen most common in sanctioning, or if the Taskforce wants to continue to utilize the continuing education courses. If the Taskforce would like to create Remediation courses, this will be brought before the Commission and will request the Commission to approve the creation of the courses. If approved, the Taskforce can begin working on the Categories for the remediation courses and possible course topics.

Mr. Burnett voiced that the remediation courses should be proctored and in-person. Mr. Pickren also stated that he approves of the idea, and suggested paced courses with checkpoint questions, to show that the licensee is actually paying attention. He also stated that there is some difficulty in obtaining proctors for the courses. Mrs. Buttler advised that there are online providers that provide “proctoring” of the room. There are companies that will have the licensee scan the room with the camera before beginning the course to make sure that only the licensee is in the room and the licensee will also need to show their driver’s license to camera as well to prove who they are. If the licensee gets up to leave the room, the course session ends and the licensees would have to start the course over.

Motion: To request the Commission to approve the creation of remediation courses to be used in disciplinary matters.

Moved by Mr. Pickren and seconded by Mr. Wyatt, the motion was approved unanimously.

b. State Examination Study Guide

The Taskforce was presented with the current PSI Examination Bulletin to review and determine if edits needed to be made for the state examination portion only.

Mr. Wyatt and Mr. Tennis agreed that the current study guide provides the information as needed. Ms. Nicely stated the current study guide is fine as is, she is more concerned about the quality of current real estate instructors. She believes there should be more strict requirements for becoming a real estate instructor.

Mr. Burnett suggested a unified manual that all instructors would teach from, this way all instructors would have the same correct information to teach. Mr. Burnett opened the floor for discussion regarding a standardized book for instructors to teach from. Ms. Pyfrom stated that licensees are not trained, many company classes are not meeting the need and agrees that instructors and students need unified knowledge. Ms. Nicely is concerned with asynchronized courses meeting the same standards as synchronized and in-person classes. Mr. Pickren asked if the Commission has the authority to regulate this.

Ms. Middleton advised that currently the Commission provides the unit 1 learning objectives. Providers need to write the course, create the course, use certain texts, the only standard is the outline to build the course.

Mr. Tennis stated one issue the Commission will want to avoid is any economic steering. Mr. Tennis advised this conversation is companion to the next topic on the agenda, pre-licensing courses. After discussion with Mr. Burnett, it may be helpful for the Committee to define vague terms in the pre-licensing course, for example: advanced real estate principles and what exactly that is. This would put parameters on instruction in real estate schools while avoiding any economic steering.

Ms. Middleton proposed the introduction of an instructor manual that would not be mandatory to teach from yet still allow the instructor to develop their own material as is current practice. The instructor manual would be a useful guide that instructors can use to fall back while teaching.

Mr. Burnett announced that after discussion the taskforce was not in favor of one unified teaching manual, nor a standardized class, and is recommending more descriptive information in an outline/syllabus for instructors.

c. Standardizing Pre-Licensing Courses

Mr. Burnett opened discussion regarding of instructors. There is Instructor Development Workshop (IDW) subcommittee that Ms. Nicely and Ms. Brouthers are heading and will report back to the Taskforce following that meeting. There has been discussion that more stringent level of entry is needed in order to become an instructor.

Ms. Middleton provided information regarding the current process and regulations of becoming an instructor and that to be a Continuing Education instructor has different requirements compared to pre-licensing instructors.

Mr. Pickren suggested the annual workshop training of instructors be split into two: one for continuing education instructors and one for pre-licensing instructors. Mr. Burnett stated that the separation of the Continuing Education and Pre-licensing instructor annual seminar is a potential topic for the IDW subcommittee to work on and discuss. Mr. Burnett advised, per advice counsel, the Commission can make changes to the requirements for pre-licensing instructor by revising the regulations.

Mr. Wyatt suggested that for pre-licensing, have applying instructors take a test in order to be approved to be an instructor, as well as a requirement to have sixty hours be teaching a course and not shadowing a current instructor. Ms. Nicely shared that North Carolina requirements require applying instructors to submit short fifteen minute video of their teaching. She provided additional information regarding North Carolina requirements are for instructors. Mr. Pickren brought up concerns with the subjectivity of review of the instructional videos or in-person observations, especially when the Commission and LLR do not have this type of staff available. Mr. Pickren suggested to

raise minimum requirement, before sixty hours of shadowing, they should sit through courses as well.

Ms. Nicely suggested that applying instructors would need to take a two day pre-licensing instructor course with an exit exam, the Commission can hire a provider to write the exam, in addition to requirements of sixty hours observing a pre-licensing course, teaching a pre-licensing, and also turn in a video clip of their teaching. Mr. Burnett suggested the possibility of creating a pre-licensing instructor apprenticeship program.

Motion: To ask the Commission to approve a notice of drafting for changes in the regulations to requirements for pre-licensing and to task the committee to develop the suggested changes.

Moved by Mr. Pickren and seconded by Mr. Wyatt, the motion was approved unanimously

Mr. Burnett opened the floor to discussion regarding current providers, current instructors, and enhancing the instruction of pre-licensing. He brought up the subject of instructor renewals. Ms. Middleton stated that providers are required to renew their instructor licenses every two years and are required to attend IDW seminars. Mr. Burnett asked if we are able to enhance renewals for instructors. Mrs. Buttler stated that in regulations regarding renewals, there could be a possibility of enhancement. Mr. Pickren stated instructional workshops need to be enhanced and that the IDW subcommittee will review and work on this topic.

Ms. Nicely suggested an audit system for current instructors and to introduce minimum pass rate for the schools. Mr. Tennis stated that there are no minimum pass rate in regulations currently. Mr. Wyatt stated he was not in favor of a minimum pass rate.

d. 2023 Broker-In-Charge Course

Discussion tabled for the next committee meeting

e. Proposal to Commission

A revised Education Taskforce summary document will be prepared and made available for presentation at the Commission meeting on January 19, 2023.

PUBLIC COMMENTS

No public comments.

ADJOURNMENT

Motion: To adjourn.

Moved by Mr. Pickren and seconded by Mr. Wyatt, the motion carried by unanimous vote.

The meeting adjourned at 3:00 p.m.