

# Prelicensing Criteria

## New York State Department of Financial Services

### Prelicensing Education Program

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**Prelicensing Criteria**

**I. Introduction:**

NYS Insurance Law, sections 2103, 2104 ,2108, and 2139 requires that an individual seeking an Insurance Producer, Title Insurance Agent or Public Adjuster license completes a prelicensing course approved by the

Superintendent of Insurance. These Prelicensing Criteria (“Criteria”) define the administrative and procedural requirements for acquiring approval as a Prelicensing Provider (“Provider”) and for maintaining an acceptable prelicensing program.

The purpose of issuing these Criteria by the Department of Financial Services (“Department”) is to effect uniformity in the administration of prelicensing programs by Providers. Providers must adequately prepare licensing candidates for the New York State Insurance Licensing Examination through classroom instruction and use of reference materials covering the topics contained in the most current examination content outline.

It is reasonable for candidates to expect that the material covered in their prelicensing courses is current and relevant to the Department’s licensing exams. Upon their successful completion of an approved prelicensing course, licensing candidates must receive a school certificate from the Provider verifying their compliance with NYS Insurance Law, regardless of where they may eventually practice their profession.

Currently, approved Providers are required to make any necessary changes to their administrative practices to comply with these Criteria. New Provider applicants will be required to establish procedures for meeting these standards.

## **II. Provider Organization**

### **A. Definition**

The Provider is the entity approved by the Department to offer courses pursuant to Sections 2103, 2104, 2108, and 2139 of the New York State Insurance Law to individuals preparing for the New York State Insurance Licensing Examination. The Provider must deliver a program of study of sufficient scope to enable candidates to complete the licensing exam and must maintain the integrity of this program in accordance with New York State Insurance Law and these Criteria.

B. Provider Qualifications

To qualify as a Provider, the following requirements must be met. The applicant must be:

1. a College or University (degree conferring), with curriculum registered with the NYS Education Department;
2. a Proprietary School (government approved, privately owned school that issues certificates or diplomas);
3. a New York State licensed Insurance Company; or
4. Institution Satisfactory to the Superintendent,\*  
  
which maintains equivalent standards of instruction as degree conferring colleges and universities.

All applicants seeking approval to offer Property and Casualty prelicensing courses must have been continually in existence for at least five years (see Section 2104, New York State Insurance Law).

C. Provider Duties and Responsibilities

Providers are responsible for the administration and management of the Prelicensing course(s) for which they have been approved, in accordance with these Criteria. An officer, director, partner, or trustee of the approved entity, who will have the ultimate responsibility for ensuring the integrity of the Provider's prelicensing program must be identified. This person's contact information must be provided to the Department. This appointee's responsibilities include:

1. the appointment of a Designated Person to serve as the primary liaison to the Department on behalf of the Provider;
2. the verification of the information in the Provider Approval Application; should any changes occur, in the contact information provided the Department, notice must be given to the Department within 30 days; and
3. the on-going evaluation of:
  - the Provider's adherence to the Department's Criteria;

- the Provider's effectiveness in preparing candidates to pass the State licensing exam; and
- the performance of the Designated Person, instructors and any other personnel managing and/or administering the prelicensing program.

D. Primary Designated Person Definition

The Primary Designated Person is the principal liaison between the prelicensing Provider and the Department. The Primary Designated Person must:

1. be an officer, director, manager, supervisor or other responsible person who must be available to answer inquiries or provide information to the Department as needed, and
2. have the authority to make decisions and resolve issues or complaints regarding the administration of the approved prelicensing program

E. Primary Designated Person Duties

The Primary Designated Person will ensure that the administration of the approved program and the maintenance of program records are in compliance with these Criteria and must:

1. submit completed course and instructor approval applications;
2. maintain records regarding course registration, course attendance, course completion, course test scores, and school certificates;
3. issue a school certificate to each individual candidate who has successfully completed the Provider's approved prelicensing course;
4. develop and update after the Department's completion of exam content review, prelicensing course(s) to ensure that the classroom instruction and study material cover all topics contained in the current exam content outline;
5. nominate and retain competent, qualified instructors to conduct the approved classroom course(s);

6. provide the Department annually, by February 1, with an updated list of instructors who will teach the Provider's current courses;
7. ensure that instructor and course approval applications are fully completed and that all required documentation is provided to the Department;
8. ensure that there will be no advertising of the Provider's prelicensing program or a specific course until all Department approvals have been received.

Advertisements must not contain the school code number which can be used to fraudulently obtain an insurance license;

9. ensure that all prelicensing courses are conducted as approved;
10. evaluate the Provider's effectiveness in preparing candidates to pass the NYS Insurance Licensing Exam;
11. implement corrective measures to obtain consistent improvement in program effectiveness;
12. cooperate with all Department investigations, audits of Provider records and class observations.

Audits and observations may occur without prior notice to the Provider;

13. convey the Provider's timely response to Department inquiries;
14. investigate and report to the Department any complaints, violations or irregularities of which the Provider becomes aware;
15. report to the Department all course schedules, and attendance rosters, and all information concerning candidate course completion; and
16. appoint additional designates when necessary to assist with these duties and submit designate appointment forms to the Department.

### **III. Application Procedures**

Applicants seeking approval to conduct prelicensing education can download the necessary forms in PDF format from the [Prelicensing Education Provider Program](#) page on the Department's website or request them via email to the Education Unit mailbox: [coned@dfs.ny.gov](mailto:coned@dfs.ny.gov)

A. Components of application

1. Prelicensing Provider Approval Application and Stipulation
2. Instructor Approval Application
3. Course Approval Application and attachments
4. Designated Person Notice

When seeking initial approval, all of the above-mentioned forms and applications must be submitted simultaneously. To add additional courses or instructors, applications may be submitted individually as needed.

Note: Processing delays are usually the result of an incomplete filing, i.e., applicant responses to questions are incomplete, or requested documentation does not accompany the application. All questions must be answered, and documentation provided.

B. Completing the Provider Application

Items 1 and 2: Provider Name and Addresses

Address of Provider Headquarters – the address of the Officer or Director ultimately responsible for the prelicensing program administration

Mailing Address – the address to which all approval documents will be sent and the address of the Primary Designated Person

New York Address – the address where program records will be maintained, if either of the above addresses is not in New York. A Stipulation Agreement must be filed if no New York address is provided (see Appendix).

Item 3: Documentation of Provider Qualifications – to accompany the Provider application:

1. Degree Conferring College or University

Provider applicant must submit a copy of the school's license or charter. If an out-of-state college, university or school not approved by the NYS Education Department, furnish a copy of the license or charter granted by the appropriate governmental authority in the applicant's home state.

2. Proprietary School – approved by the New York State Education Department

Must supply a copy of approval issued by the NYS Education Department

3. New York State Licensed and admitted Insurance Company

Must supply a copy of the New York license

4. Institutions Satisfactory to the Superintendent that maintain equivalent standards of instruction as degree-conferring colleges and universities, must submit:

- a) a description and history of the organization, including, copy of charter, bylaws, filings, approvals, licenses, etc. evidencing existence for at least five years
- b) a description of the organization membership
- c) proof of five years of teaching experience
- d) an explanation of how it qualifies to teach New York State specific licensing courses
- e) Applicants approved to offer continuing education in any state, or precursing education in other states must submit documentation of approval.

#### Item 4: Statement of Intent

All applicants must submit a statement of intent, with the Provider application indicating:

1. the classes of license for which the entity will offer precursing courses;
2. whether or not the courses are open to the public;

3. the number of makeup sessions the Provider will allow the candidate to take;
4. how and when the prelicensing school certificates will be issued to students;
5. who will certify course attendance records; how they will be forwarded to the Primary Designated Person; and
6. The minimum and maximum number of students required to form a class.

Item 5: Regulatory Questions – seek information about the conduct of the applicant’s officers, directors or partners regarding financial and criminal matters

All Provider applicants, except insurance companies, must answer Question 6 (a-g). Should a positive response be given, a detailed explanation with supporting documentation must be provided.

Item 6: Required Signatures

1. The Primary Designated Person - as the Provider’s liaison to the NYS Department of Financial Services
2. The officer, director or partner - as the individual ultimately responsible for the Provider’s compliance with these criteria.

Item 7: Child Support Obligation Form

1. must be signed by each officer, director, partner and/or executive member under said obligation

C. Course Application/Approval

At the present time the Department reviews and approves the following types of prelicensing courses:

1. Life and Accident & Health
2. Life only
3. Accident & Health only
4. Property & Casualty Agent & Broker

5. Personal Lines Agent & Broker
6. Public Adjuster (prelicensing education is not required for Independent Adjusters)
7. Title Insurance

Before developing their course, Providers must consult the **Prelicensing Course Standards** chart found in the Appendix. This chart provides the minimum number of approvable hours for all course components. In order for a Prelicensing Course application to be approved, the Provider must document:

8. that the classroom instruction will cover each topic listed in the current Exam Content Outline published in the Candidate Information Bulletin by the Department's appointed licensing examination vendor
9. that the textbooks and other study material to be used by the students in conjunction with the classroom instruction will cover each topic listed in the Exam Content Outline
10. adherence to the required components as listed in the "Prelicensing Course Minimum Standards" document (see Appendix)

NOTE: A complete Property and Casualty course, offered to P&C Agent and Broker candidates, must include instruction on all topics contained in the P&C Brokers Exam Content Outline (1756)

1. Required Documentation

For course approval, the Provider applicant must submit:

- a) a Course Approval Application (Form PL 3) (Available at the Department's website address noted below);
- b) Topic Locators (see Appendix) which are to be used to indicate when (session number) during the classroom instruction, and where (page number) in the textbooks and study material, each topic in the exam content outline will be covered (see Appendix, which provides a sample Topic Locator that indicates how to complete a topic locator);

- c) Prelicensing Course - Breakdown of Course Hours by Session (Form A), on which the Provider details the number of hours per session to be spent in instruction, self-study, review, and examination. Note that the Prelicensing Course Standards (see Appendix) charts the minimum number of hours of instruction, self-study, review, and examination required by the Department for each class of license for which prelicensing education is required. In preparing Form A, Providers must remember that the Department limits classroom sessions to a maximum of 8 hours per day. This includes instructional, quiz, midterm and final exam hours; and
- d) A sample copy of the final exam to be administered by the Provider. To successfully complete the prelicensing course, candidates must pass this exam with a minimum score of 70%. The minimum required number of questions for each line of license is shown in the Prelicensing Course Standards Chart (see Appendix).

The applications, forms, and charts referred to above can be downloaded from the [Prelicensing Education Provider Program](#) page on the Department's website.

## 2. Internet Courses

Prelicensing courses offered via the internet are subject to the same standards of subject matter content and exam security as traditional classroom courses offered with textbooks and/or manuals.

The following guidelines were established by the Department to assist approved Providers interested in developing and offering self-study courses via the internet.

- a) Disclosure of Internet Offering and Provider Relationships
  - (1) Statement of Intent - Providers must first submit to the New York State Department of Financial Services, Education Unit, One Commerce Plaza, 20<sup>th</sup> floor, Albany, New York, 12257, a statement of intent to offer online courses. This statement must address the areas outlined below :

- (a) Display of course approval information on the Provider's website
  - (b) Final exam requirements and examination banks of questions
  - (c) Examination security and administration
- (2) Provider Relationships - If an approved Provider is offering course(s) through a website developed by a third party, the relationship with the third party must be clearly stated so as to avoid confusion over who is responsible for the course and for issuing a course completion certificate.

If such a relationship occurs after initial approval, this information must be conveyed to the Department immediately.

- (3) Course Approval Document - No Course may be offered or advertised until the Provider has received a Prelicensing Approval Document for that course from the Department.

b) Minimum Course Approval Information to be Displayed on the Provider's Website

This information must appear **before** the candidate purchases and/or enters the course.

- (1) Course Approval Information - Once a course is approved for the internet, the Provider must clearly indicate its approved status by displaying on the Provider's website the following approval information:
- (a) Provider approval number
  - (b) Name of course as noted on Course Approval document
  - (c) Number of approved sections, modules or chapters

(d) Class(es) of license for which the course is approved

(2) Exam Notices - Notice must be provided on the website that candidates must take and pass a final exam in order to receive a School Certificate. This exam must be given without assistance or reference material.

(3) System Requirements - The website must inform the candidate of system requirements, i.e., computer equipment, software and URL address needed to properly use the Provider's internet course and exam.

c) Course Approval Requirements:

Providers must submit to the Department the following minimum information when submitting an internet Prelicensing Course Approval Application:

(1) Course Detail

(a) Total WORD COUNT - To ensure that the internet course has a sufficient number of instructional hours such that it is equivalent to the statutory minimums stipulated in Sections 2103, 2104 and 2108 of the NYS Insurance Law (also found in the "Prelicensing Course Standards" table on page A-3 in this Criteria's Appendix). Conformity to minimum credit hour standards will be determined by formula. The formula to compute equivalent instructional hours is as follows:

# of text words (excluding review quiz words) divided by 200 words per minute divided by 60 = # of self-study instructional equivalent hours X difficulty factor of (2.0 through 4.0) = # of approvable instructional equivalent credit hours (must exceed minimum noted in table above)

- (b) WORD COUNT per section, session or chapter
- (c) COURSE OUTLINE or TABLE OF CONTENTS showing session, section or chapter topical headings
- (d) Total SCREEN COUNT
- (e) SCREEN COUNT per section, session or chapter
- (f) Estimated NUMBER OF HOURS to complete each session, section or chapter
- (g) TOPIC LOCATOR indicating the session, section or chapter in which each topic in the current year licensing exam content outline is addressed in the on-line course
- (h) METHOD OF TRACKING candidate progress  
while the candidate is taking his/her course as well as providing scores and totals at the completion of the course, e.g. sections completed, time spent in each session, scores on practice exams
- (i) ASSIGNMENT OF AN INSTRUCTOR TO MENTOR AND COMMUNICATE WITH STUDENTS – A New York State approved prelicensing instructor, who will act as a mentor, must be assigned to each student. The instructor must communicate with the student at mutually agreed times, no less than once a week, to track his/her progress through the course, answer questions and review quiz results.

The instructor must also be available to answer each student's questions which arise between mentoring sessions and provide an answer within one business day.

The instructor must be given access to the data collected by the Provider, such as time spent on each session and scores on quizzes/practice exams.

- (j) REVIEW QUIZZES must be offered at the conclusion of each session, chapter or section. Successful completion of all quiz questions must be attained before the student can move to the next session, section or chapter.

The Department reserves the right, at any time, to obtain an exact copy of the internet course from the Provider by mail or electronic means.

d) Online Access for Department Review:

Department Access to Internet Course Material - The Provider must give unlimited internet course access to the Department at the time of course submission as well as when the approved course is offered publicly. Course information reviewed and approved by the Department must ultimately be what is presented over the internet to candidates.

For Course approval, the Department must be provided with:

- (1) URL addresses;
- (2) development and production website access –To facilitate review, the Provider may give the Department access to a development (non-public or testing) website where complete course & exam information and content is displayed. The Department must be able to access the course on the Provider’s production (public) website;
- (3) navigation instructions;
- (4) user IDs and logon passwords; and

- (5) any other requirements necessary for online course access.

Without complete access, the Department will not approve internet courses.

e) Final Exam Requirements:

- (1) Final Exam - The Provider must develop a final exam that:
  - (a) consists of at least the minimum number of questions indicated for the line of license desired. This information can be found in the "Prelicensing Course Standards" table on page A-3 in this document's Appendix;
  - (b) requires a passing grade of 70 percent;
  - (c) is composed of questions that comprehensively test candidates' knowledge of all topics in the examination content outline;
  - (d) once closed, forbids re-entry to the same exam; and
  - (e) allows for up to three hours for completion of the exam.
- (2) Exam Bank of Questions - The Provider is asked to develop a "bank" of exam questions exceeding the minimum number of questions required to form an exam. This bank of questions is to be used to compile an original exam and to provide a source of questions for re-take exams. Similarly, Providers are requested to scramble the exam questions and answers for each individual exam.
- (3) Construction of Re-take - In the event the candidate fails the exam, the Provider must offer a re-take exam with a minimum of ten percent new questions

(4) Re-take Exams - The number of re-take examinations permitted is left to the Provider's discretion.

f) Exam Security and Candidate Identification Processes

Providers are advised to develop online security standards comparable to those used for in-person exams, specifically:

(1) Candidates must not be able to access the final exam without first completing all approved course work. Reminder: notice of the requirement to complete the entire course prior to accessing the exam must be given at the start of the course. .

g) Student Affidavit

(1) Affidavit Information - The student affidavit must include:

(a) Name of candidate;

(b) Date exam taken;

(c) Signature of student; and

(d) Statement indicating the exam was taken without any assistance.

In lieu of a signed hard copy student affidavit, Providers may design their internet self-study delivery system to accept an electronically signed affidavit.

(2) completing the approved course.

h) Submission of Affidavit:

At the completion of the examination, the student must submit the completed student affidavit to the course Provider.

This affidavit attests to the integrity of the examination process and can only be submitted at the completion of the examination.

i) Department Review of Provider Website Changes

Provider internet processes and course content are thoroughly reviewed for compliance with internet guidelines prior to granting course approval. Any changes to a Provider's internet process or course content must be reviewed and approved by this Department. Proposed changes should be communicated to the Department via [coned@dfs.ny.gov](mailto:coned@dfs.ny.gov)

3. Course Approval

Upon the Department's determination that the course application has satisfied the required prelicensing standards, an approval document will be issued. The document will specify the number of approved hours for each course component including the number of classroom hours, review and final exam sessions as well as self-study sessions for courses with that component. The number of final exam questions to achieve a passing grade will be listed as well. The Provider must administer the course and exam as approved.

D. Instructor Application Procedures

Prelicensing Courses must be conducted by Instructors approved by this Department to instruct in the line of license to be taught. This instructor approval authorizes the instructor to teach the sponsoring Provider's approved prelicensing course for the line of license specified on the Instructor Approval Document. It does not authorize the instructor to teach a prelicensing course for another approved Provider. Each Provider seeking to use an instructor to teach a prelicensing course must submit a Prelicensing Instructor Approval Application for the proposed instructor.

1. Minimum Qualifications

In order to be approved to instruct a prelicensing course, the applicant must:

- a) demonstrate knowledge and experience in the lines of insurance to be taught by:

- (1) being currently licensed by the Department for at least three years in the related lines of insurance, or
  - (2) holding a CPCU designation for the Property and Casualty related lines of license or a CLU designation for the Life, Accident and Health related lines of insurance, or
  - (3) having three years of qualifying experience in the insurance industry (e.g. sales, underwriting, claims adjusting, trainer) in the related lines of insurance.
- b) have taken and passed, within the three-years immediately preceding the date of instructor application, the applicable NYS licensing exam for the class of license they intend to instruct
  - c) be an appointed insurance agent for each insurance company prelicensing Provider for which they apply to become an instructor
2. Instructor Access to the NYS Examination and Grandfather clause

The State licensing exams challenge candidates to apply insurance topics, principles and practices to the specific needs and circumstances of consumers. An effective course, therefore, prepares students to apply what they've learned to situations they will face as insurance producers.

3. Application Procedures and Required Documentation

- a) Instructor Approval Applications may be downloaded from the [Prelicensing Education Provider Program page](#) on the Department's website.
- b) Applications are to be completed and signed by the applicant and returned to the sponsoring Provider's Designated Person. Supporting documentation indicating instructor qualifications to teach the line of license must accompany the application, as follows:
  - (1) copy of current license

- (2) copy of CPCU or CLU designation
  - (3) Statement of Employer
  - (4) licensing exam score report for exam(s) taken within the three (3) years prior to the date of application
- c) Completed applications are to be reviewed by the Designated Person for accuracy and signed by the Designated Person before being sent to the Department for review and approval.
- d) Upon approval of the application, the Department will issue an Instructor Approval Document to the Designated Person for the Provider's records as well as for delivery to the instructor.

#### **IV. Approval Documents**

Approved Prelicensing Providers are issued:

- A. a cover letter setting forth the approval of the Provider to teach Prelicensing course(s) and the Department's expectations regarding the conduct and administration of that program according to these Criteria.
- B. a Prelicensing Provider Approval Document, displaying the approved status and referencing relevant Insurance Law, i.e., §2103(a), §2104(b)(1)(A), 2108 and 2139.
- C. a Prelicensing Course Approval Document, which articulates the approved course components, such as texts, classroom hours, self-study hours, review hours, and exam hours, etc.
- D. a Prelicensing Instructor Approval Document for each Instructor indicating the lines of license the instructor is approved to teach

#### **V. Course Administration Procedures**

An acceptable prelicensing course incorporates the pedagogical components required by statute and addresses all the topics contained in the New York State licensing exam. The topical outlines and questions for the licensing exam are developed in collaboration with representatives of the insurance industry; therefore, prelicensing courses must carefully explore all topics contained in the exam content outlines.

A. Course Administration

1. Conduct of the Course as Approved

It is the responsibility of the Designated Person to ensure that the approved instructors conduct each prelicensing course in the manner in which it was approved. It is the Department's expectation that:

- a) all licensing exam content must be covered during the number of classroom sessions specified in the Department's approval document.
- b) all homework assignments, review and exam activities will occur as specified in the Department's approval documents
- c) the course may exceed the number of sessions approved by the Department to accommodate the special needs of students for whom English is a second language and for people with disabilities, or to accommodate other student needs. Note that School Certificates issued to candidates who have completed the course and who have passed the final exam, must display only the number of hours approved by the Department for the course. Failure to do so may delay candidates receiving their licenses once they have passed the State licensing exam.

2. Attendance Policy

- a) Sections 2103, 2104, 2108 and 2139 of the NYS Insurance Law specify the number of hours of classroom work a licensing candidate is required to complete to qualify to take the NYS licensing exam for the class of license the candidate is seeking. The minimum approvable course standards comprising the different components of a course appear on the Prelicensing Course Standards chart found in the Appendix. Providers must hold students accountable for completing all of these standards and fulfilling the course attendance requirements as approved by the Department.
- b) Attendance must be recorded on approved forms that indicate time-in (including after meal break), time-out, student's signature and ID check notation. Photo ID must be checked by the instructor to verify the identity of each

student. Substitute attendees are prohibited. See sample attendance sheet in the Appendix. Attendance records must be maintained by the Provider for a three (3) year period.

- c) In the event that a candidate is absent from a session or a part thereof, the Provider must make provisions for the candidate to make up the missed class time. Failure to make up missed instruction will render the candidate ineligible to receive a school certificate.

### 3. Conduct of Course Final Exam

- a) Students are required to pass a final course exam as approved by the Department. This Final Exam must be administered in one sitting after all instruction has been completed. A minimum passing grade of 70 percent is required.
- b) The minimum number of final exam questions for each prelicensing course is listed in the Prelicensing Course Standards chart.
- c) The final exam must be administered and monitored by the course instructor or by a qualified representative of the Provider. Candidate identity must be verified prior to the beginning of the examination. If anyone other than the instructor administers the exam, a photo ID check of students is required.
- d) Candidates must take the exam without the use of study aides, notes, or reference materials of any kind

### 4. Required Course Evaluations

The instructor must issue course/instructor evaluation forms to the candidates upon their completion of the Prelicensing course. Although the Provider must disseminate evaluations, completion by the student is voluntary. Please see the Appendix of this Criteria for a sample evaluation form. Evaluation forms must be retained for three years.

### 5. Issuance of School Certificate

Candidates who have complied with the Department's and the Provider's prelicensing course attendance requirements and who have passed the final course exam must be issued a School Certificate. Every effort must be made to ensure the delivery of this Certificate directly to the candidate.

The certificate must be delivered to each successful candidate, either directly after the successful completion of the final exam, sent via email or mailed to the candidate's home address within two weeks of the completion of the course. Candidates must be advised to permanently retain the certificates.

Note: A sample School Certificate may be found in the Appendix of this Criteria. The sample shows what minimally required information must be included on each Provider's School Certificate.

B. Course Scheduling

Providers must notify the Department of their intent to conduct a prelicensing course no less than 20 days prior to the start of the course. **[The NYS Department of Financial Services is developing a method of electronically filing course schedules through the Department's website. All Prelicensing Providers will be notified when this application is operational. Do not file any course schedules until this application is available]**

Course cancellations must be reported to the Department by emailing information to [coned@dfs.ny.gov](mailto:coned@dfs.ny.gov) at least five days before the scheduled starting date of the course. For emergency cancellations, Providers must call 518-486-2807

C. Roster Reporting

Providers are required to report on the Department's website the names of the candidates who have successfully completed their prelicensing courses and course final exams

VI. Classroom Procedures and Records Retention

The Department expects the following practices and procedures to be established and maintained by the Provider and by all approved instructors for the administration of all approved prelicensing courses:

- A. Attendance records for each class must be maintained by the Provider for a minimum of three (3) years from the completion of the course. Providers may voluntarily retain electronic records for periods longer than three (3) years.
- B. Sign-in/Sign-out attendance sheets to be used by the Provider must provide space to record the information appearing on the model found in the Appendix of these Criteria, and must be used to record attendance for each classroom, review and course exam session.
- C. Photo identification must be inspected by the instructor or by a Provider representative.
- D. Each course must be presented as approved by the Department, i.e., all topics listed in the Topic Locator, which corresponds to the NYS Licensing Exam Content Outline, must be covered and the number of hours approved for classroom, review and exam sessions must be adhered to.
- E. The Course Approval Document listing the number of classroom sessions, review hours, self-study hours, final exam hours and the approved texts, must be prominently displayed at each class session.
- F. The Instructor(s) Approval Document(s) must be prominently displayed at each class session.
- G. The mandatory announcements concerning attendance, approval documents, course decorum, and the issuance and retention of school certificates must be read to the class at the beginning of the first class session and distributed to each candidate once in writing.
- H. The course may exceed the number of sessions approved by the Department to accommodate the special needs of students for whom English is a second language and for people with disabilities, or to accommodate other student needs. Note that School Certificates issued to candidates who have completed the course and who have passed the final exam, must display only the number of hours approved by the Department for the course. Failure to do so may delay candidates receiving their licenses once they have passed the State licensing exam.
- I. Before issuing a school certificate, the Provider must ensure that the prelicensing candidate has completed the entire course in compliance with the Department and Provider's attendance requirements and has passed the final course exam.

J. The instructor or the Provider representative is responsible for monitoring the final course exam for the approved prelicensing course in accordance with section V(A)Course Administration, Item 3, Conduct of Course Final exam of these criteria.

1. Responsibilities of the instructor

The instructor is responsible for:

- a) inspecting the photo identification of each prelicensing candidate;
- b) ensuring the mandatory announcements are read aloud to the class and distributing these announcements in writing once to each candidate;
- c) preparing the candidates to take the State licensing exam through competent instruction and his/her availability to respond to student questions;
- d) covering each topic in the exam content outline during the classroom portion of the approved prelicensing course;
- e) maintaining a classroom environment conducive to learning; the conduct of any business during instructional hours is prohibited;
- f) ensuring that each candidate fulfills the minimum classroom attendance requirements, before certifying that the candidate has completed the course;
- g) conducting the classroom, review, and exam sessions as approved by the Department;
- h) coaching the students on the practical applications of the material reviewed in the class and tested for in the course final exam;
- i) conducting make-up sessions, if needed, and recording attendance for each make-up session;
- j) conducting the course final exam or ensuring a qualified Provider representative monitors the course final exam; and

- k) issuing and collecting instructor and course evaluations. Although the Provider must disseminate evaluations, completion by the student is voluntary.

# Appendix

**NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES**

**LICENSING SERVICES BUREAU**

Prelicensing Education Program

**One Commerce Plaza**

**Albany, New York 12257**

**PRELICENSING EDUCATION PROGRAM APPROVED PROVIDER ORGANIZATION  
STIPULATION ENTERED INTO AS A CONDITION TO MAINTAIN RECORDS  
OUTSIDE THE GEOGRAPHIC BOUNDARIES OF THE STATE OF NEW YORK**

The undersigned Prelicensing Education Provider Organization has requested the permission of the Superintendent of Financial Services to maintain Prelicensing Education records required by Sections 2103, 2104, 2108, and 2139 of the New York Insurance Law at a location outside of New York State.

As a condition of the Superintendent's granting such permission the Provider Organization hereby agrees to reimburse the State of New York Department of Financial Services for the expense of travel for Department Examiners to conduct examinations of the records in question.

It is understood that failure to reimburse expenses on a timely basis in accordance with this agreement will constitute grounds for withdrawal of the approval of this Provider Organization to participate in the New York Prelicensing Education Program.

This agreement will remain in force for the Approval Period of the Provider Organization and any subsequent renewal Approval Periods.

\_\_\_\_\_  
Provider Organization Name

\_\_\_\_\_  
Provider School Code

\_\_\_\_\_  
Signature of Officer, Director or Partner

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Print above Name

\_\_\_\_\_  
Telephone Number

## PRELICENSING COURSE STANDARDS

COURSE TYPE	MINIMUM APPROVABLE COURSE HOURS	MINIMUM CLASSROOM INSTRUCTIONAL HOURS or EQUIVELENT	CORRESPONDENCE HOURS (2)	MINIMUM FINAL EXAM HOURS (1)	# OF Q.	MINIMUM REVIEW HOURS (1)
Life/A&H Agent (combined)	40	20	Optional	(1) 3	100	(1) 3
A & H Agent (only)	20	10	Optional	(1) 1.5	50	(1) 1.5
Life Agent (only)	20	10	Optional	(1) 1.5	50	(1) 1.5
P/C Agent / Broker (3)	90	90	Optional	(1) 3	100	(1) 3
Personal Lines Agent	40	40	Optional	(1) 1.5	50	(1) 1.5
Public Adjuster	40	34	Optional	(1) 3	100	(1) 3
Title Insurance Agent	20	0	Optional	3	50	1.5

Footnotes:

- (1) Final Exam & Review Hours can be part of Minimum Classroom Instructional Hours.
- (2) Correspondence Hours may be offered in addition to Minimum Classroom Instructional Hours. There are no minimum correspondence requirements. They may be added as the course designer deems appropriate provided the total approvable course hours are equal to or greater than the Minimum Approvable Course Hours.
- (3) A complete Property and Casualty Agent/Brokers course, offered to P&C Agent and Broker candidates, must include instruction on all topics contained in the P&C Brokers Exam Content Outline

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES  
LICENSING SERVICES BUREAU  
Prelicensing Education Program  
One Commerce Plaza, 20<sup>th</sup> Floor  
Albany, New York 12257 [www.dfs.ny.gov](http://www.dfs.ny.gov)

FOR DEPARTMENT USE ONLY

Approval No	_____
Ex. by	_____
Appd Dt.	_____
	_____

**DESIGNATED PERSON NOTICE**

(Complete and submit to add, terminate or change a Designated Person)

Name of Provider Organization			Provider Organization Approval Number		
Designated Person Last	First	Middle	Title	Date of Designation	Telephone Number ( )

If this Designated Person is replacing another complete the following:

Designated Person to be terminated Last	First	Middle	Date Designation Terminated
--	-------	--------	-----------------------------

**RESPONSIBILITIES OF A DESIGNATED PERSON**

1. To assure that submissions to this Department are timely and in accordance with Department requirements;
2. To resolve any issues regarding courses offered under the auspices of the Provider Organization
3. To assure that the administration of the Provider Organization's Prelicensing Education Program and the maintenance of records are in compliance with Department requirements
4. To be available to this Department on a daily basis and to be given the authority to resolve Department concerns

*I have read the responsibilities of the Designated Person and will comply.*

\_\_\_\_\_  
**Signature of Designated Person Being Appointed**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Type or Print Above Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**E-mail Address**

*The Provider Organization must immediately notify this Department of any changes in any Designated Person.*

\_\_\_\_\_  
**Signature of Officer, Director or Partner of Provider Organization**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Type or Print Above Name**

\_\_\_\_\_  
**Title**

# Course and Instructor Evaluation Sample

(Providers may develop their own evaluation form)

Provider Name, Approval Number/Letterhead here

## Instructor

- |  | Yes                      | No   | No<br>Opinion  |
|--|--------------------------|--|--|
| 1. Instructor was well prepared to teach   | <input type="checkbox"/> | <input type="checkbox"/>   | <input type="checkbox"/>   |
| 2. Instructor's presentation was clear and logical   | <input type="checkbox"/> | <input type="checkbox"/>   | <input type="checkbox"/>   |
| 3. Instructor kept the pace of the class appropriate given the varying levels of experience of the course participants | <input type="checkbox"/> | <input type="checkbox"/>   | <input type="checkbox"/>   |
| 4. Instructor made you feel comfortable throughout the class   | <input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |
| 5. Instructor behaved in a professional manner   | <input type="checkbox"/> | <input type="checkbox"/>   | <input type="checkbox"/>   |
| 6. Instructor encouraged active participation  | <input type="checkbox"/> |  |  |
| 7. Instructor answered your questions satisfactorily   | <input type="checkbox"/> |  |  |

## Course

- |   | Yes                      | No                       | No<br>Opinion            |
|---|--------------------------|--------------------------|--------------------------|
| 1. Material covered was relevant to class       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Material covered has practical value         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. All course material was adequately explained | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

## Other

- |  | Yes                      | No                       | No<br>Opinion            |
|--|--------------------------|--------------------------|--------------------------|
| 1. Was the class environment conducive to learning?                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Were the Provider, Course, and Instructor Approval documents displayed and noted? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

## Overall Evaluation

Was the course worth the time and/or money you expended?

- Without a doubt       Yes       More or less       Not really

## Comments about the instructor

**PRELICENSING COURSE - BREAKDOWN OF COURSE HOURS BY SESSION  
(Form A)**

Session #	Instructional / Lecture / Quiz Hours	Self-Study Hours	Review Hours	Final Exam / Mid-Term Exam Hours	Total Hours
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					
21.					
22.					
23.					
24.					
25.					
26.					
27.					
28.					
29.					
30.					
31.					
32.					
33.					
34.					
35.					
<b>TOTAL HOURS</b>					

Add across & Add down, total. Figures should agree or error is made in addition across or down

Provider logo and/or letterhead optional  
**Sample Daily Sign-In Sheet**  
 (Form PL8a 4/2006)

Provider Name and Address \_\_\_\_\_  
 Course Name

**DAILY SIGN-IN SHEET**

Date of Instruction	Print First, Middle and Last Name	Student Signature	Time In	Time Out	Meal Break/Sign In	Time In

Instructor Name \_\_\_\_\_

Instructor Telephone No. \_\_\_\_\_

Instructor Signature: \_\_\_\_\_

Instructor Email Address

Address of Instruction: \_\_\_\_\_

\_\_\_\_\_

Sample Certificate

(Form PL7a 3/2006)

(The school certificate must be on the Provider Organization's letterhead)

NAME OF PRELICENSING PROVIDER ORGANIZATION

\_\_\_\_\_
number & street

\_\_\_\_\_
city state zip code

School Code \_\_\_\_\_

This will certify that \_\_\_\_\_ has SUCCESSFULLY COMPLETED the following course (or courses) approved by the State of New York Department of Financial Services for training applicants to take the (License Class) examinations for an insurance agent's license under Section 2103(a) and/or an insurance broker license under Section 2104 of the Insurance Law which were taken at:

\_\_\_\_\_
number & street

\_\_\_\_\_
city state zip code

Name and Catalog Number of Course (or Courses) Date Began Date Ended Total Number of Hours

Signature of Designated Person or other qualified person Date

Print or type name of Designated Person or other qualified person

Signature of Instructor Date

Print or type name of Instructor

## Mandatory Prelicensing Course Announcements

Prior to the start of instruction of the first classroom session, the Prelicensing Instructor or Provider Designated Person or Provider onsite representative shall be required to read the following statements:

### 1) Display of Approval Documents

“Provider, Course and Instructor Approval Documents issued by the New York State Department of Financial Services are available for viewing by each attendee. The course approval document lists the specific class of license to which the course applies and references the statute mandating licensing candidates to successfully complete this course in order to qualify to take the State’s licensing exam.”

### 2) Class Decorum During the Instructional Period

"No conduct of any other business by any means whatsoever or the reading of newspapers or publications unrelated to the course may occur during the instructional period. All pagers and cell phones must be set so as to not disturb the class during class instruction".

### 3) Attendance Policy

“The NYS Department of Financial Services requires licensees to be in attendance for 100 percent of the approved class hours. Accordingly, candidates arriving late to class or returning late from meal breaks or scheduled breaks will be required to take make up sessions in order to satisfy course requirements. Providers are required to establish an attendance policy and maintain attendance records. Failure to enforce attendance rules or to maintain proper attendance records could result in disciplinary action against the Provider. Therefore, adherence to the Provider’s attendance requirements is mandatory.”

### 4) School Certificate

“A School Certificate will be issued to each candidate who satisfies the Provider’s attendance requirements and successfully passes the final exam for this course. The School Certificate will list the number of hours for this course, your dates of attendance and the date you successfully completed this course.

It will also list the Provider’s **School Code** number. This number will be requested by the testing vendor when you schedule your State licensing exam. Know and retain this number as it will be needed in order for you to complete your licensing application, once you have passed the State licensing exam.

This School Certificate is your evidence that you successfully completed the course and should be permanently retained in your personal records. In the event of an audit by the NYS Department of Financial Services you will be required to produce your School Certificate.”

### 4) Active License Period

“Once licensed, you are personally responsible for license renewal requirements stipulated by statute, including the completion of continuing education. You, the licensee, cannot delegate this responsibility to any other person or entity. Please be aware of the period during which your license is active and the expiration date of your license. You must successfully complete continuing education prior to the expiration date of your license to properly renew your license.”

NEW YORK STATE  
DEPARTMENT OF FINANCIAL SERVICES  
LICENSING SERVICES  
Prelicensing Education Program  
One Commerce Plaza, Suite 2003  
Albany, New York 12257

**STATEMENT OF EMPLOYER**  
**THIS FORM MUST BE COMPLETED BY THE EMPLOYER ONLY**

Name of Employer				Telephone Number (      )	
Business Address Number and Street (required)		PO Box (if any)	City		State      Zip Code
Name of Employee	Last	First	Middle	Date of Birth	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Social Security No.*					
Address Number and Street (required)		PO Box (if any)	City		State      Zip Code

State in what line(s) of business the employee was employed, which constituted qualifying duties relating to the subject to be taught.

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**Dates of employment with these duties:**

From: \_\_\_\_\_ To: \_\_\_\_\_ Was employment full time?  Yes  No  
 Mo./Day/Year      Mo./Day/Year

During said period of time, the approximate annual salary or compensation paid him/her was \$ \_\_\_\_\_

During said period, was payment made for unemployment insurance tax?  Yes  No

If answer is "No," give explanation: \_\_\_\_\_

---

List qualifying duties of employee and the hours per day devoted to each duty:

Specific duties	Hours per day devoted to each duty

Under the penalty of perjury I affirm that I have completed this statement and the information set forth is true.

Date	Signature of Employer	Print Name	Title
------	-----------------------	------------	-------

Note: If the employer is a corporation or company, this form must be signed by an officer or director.  
 If the employer is a partnership, this form must be signed by a member of the partnership.

**\*\*\* PRIVACY NOTIFICATION \*\*\***

Pursuant to Art. 1 Sect. 5 of the NYS Tax Law, it is mandatory that you report your Social Security No. and/or Employer Identification No. Your failure to respond may be reported to the Dept. of Tax and Finance. These tax identification numbers are being collected to enable Dept. of Tax and Finance to identify entities which are delinquent in or have understated their tax liabilities, and may be used for any purpose authorized by the Tax Law. They will be maintained by the Director, Licensing Services Bureau, NYS Dept of Financial Services., One Commerce Plaza, Albany, NY 12257, (518) 474-6630.

The NYS Department of Financial Services will, absent your written objection which must be attached to this application, provide these tax identification numbers to the National Association of Insurance Commissioners for inclusion in its Producer Database.