

Digest for Adopted Regulation R_042-11

The Commission on Postsecondary Education is the sole authority for licensing private postsecondary educational institutions and is required to regulate the operations of such institutions. (NRS 394.411, 394.415, 394.421)

This regulation primarily reorganizes many of the existing regulations of the Commission governing such institutions by repealing and readopting substantially similar regulations. **Section 22** of this regulation repeals the existing regulations. The following table indicates the subject matter and disposition of the repealed sections:

Sections Repealed	Readopted	Subject Matter
NAC 394.380, 394.385, 394.390, 394.405, 394.410, 394.415, 394.420, 394.540, 394.570, 394.605, 394.650	Section 4	Application for license
NAC 394.525, 394.535, 394.655	Sections 5 and 6	Programs of instruction in gaming and massage
NAC 394.440	Section 7	Review of application
NAC 394.380, 394.405, 394.410	Section 8	Renewal of license
NAC 394.405, 394.427	Section 9	Change in ownership
NAC 394.560	Section 10	Approval of new program
NAC 394.450	Section 13	Provisional license
NAC 394.490	Section 14	Qualifications of instructors
NAC 394.615, 394.623	Section 18	Enrollment agreement

In addition to the information set forth in the table, **section 4** of this regulation also readopts certain provisions specifying the content of enrollment agreements or contracts which are substantially similar to provisions of existing regulations deleted by **section 18** of this regulation, **section 7** of this regulation also readopts provisions which are substantially similar to provisions of existing regulations deleted by **section 12** of this regulation, and **sections 5 and 6** of this regulation also adopt a substantive change which provides that the Commission will not approve a program of instruction in gaming or massage if the instruction is intended to be provided by means of distance education.

Under existing regulations, a private postsecondary educational institution is required to submit to the Administrator of the Commission in writing certain advertising before it is printed. (NAC 394.600) **Section 17** of this regulation authorizes the submission of advertising in an electronic or other format approved by the Administrator.

Under existing law, certain business establishments that sell alcoholic beverages are prohibited from employing a person to sell or serve such beverages or to perform the duties of a security guard unless the person completes an alcoholic beverage awareness program that has been certified by the Commission. (NRS 369.630) **Section 22** repeals NAC 394.720 and 394.735 which: (1) prescribe the qualifications required to serve as an instructor for a certified program; and (2) authorize persons who have completed a certified program to apply to the Commission for reimbursement of the costs of the program.

Section 22 also repeals NAC 394.325, 394.340, 394.345, 394.350, 394.355, 394.400, 394.522, 394.537, 394.550, 394.575 and 394.580, and those provisions are not readopted in this regulation.