

**INFORMATIONAL STATEMENT
FOR THE ADOPTION OF REGULATION**

**STATE OF NEVADA WESTERN INTERSTATE COMMISSION
FOR HIGHER EDUCATION (WICHE)**

LCB FILE NO. R0147-14

The Nevada Western Interstate Commission for Higher Education adopted regulations assigned LCB File No. R0-147-14 which pertain chapter 397 of the Nevada Administrative Code (NAC) on June 20, 2014. A copy of the regulations as adopted is attached hereto.

1. Explanation of need for and the purpose of the proposed regulation or amendment.

The existing law requires: (1) the Western Interstate Commission for Higher Education (hereinafter “WICHE”) to promulgate rules and regulations for its management and control; and (2) state officers to do everything within their respective provinces and jurisdiction necessary or incidental to the carrying out of the Western Regional Higher Education Compact (hereinafter “Compact”). Existing law declares the performance and carrying out of the Compact and the accomplishment of the purposes thereof to be state policy. (NRS 397.020, 397.040) This regulation is necessary to add to and update regulations to provide additional clarity regarding WICHE procedures and definitions.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of WICHE programmatic definitions and procedure as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada Western Interstate Commission for Higher Education (WICHE), www.nevadawiche.org, mailed to all county libraries in Nevada and posted at the following locations:

NSHE
2601 Enterprise Road
Reno, Nevada 89512

NSHE
5550 W. Flamingo Rd. #C-1
Las Vegas, NV 89103

Office of the Attorney General
5420 Kietzke Lane, Ste. 202
Reno, NV 89511

Washoe County Courthouse
75 Court Street
Reno, Nevada

Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada 89101

The State of Nevada WICHE held a public workshop to solicit comments on the proposed regulation language pertaining to NAC 397 on February 29, 2014 in accordance with Open Meeting Law requirements to allow an open discussion of existing WICHE programmatic definitions and procedure. The minutes of that meeting contain a summary of the discussion held regarding the proposed amendments. Thereafter, on May 20, 2014, the Director of the Nevada Western Interstate Commission for Higher Education issued a Notice of Intent to Act Upon a

Regulation which incorporated in the proposed amendments any suggestions of the parties attending the February 19th workshop as well as the recommendations of the WICHE Commission. The minutes of the workshop and of the hearing are available on the website at www.nevadawiche.org, or may be obtained from the WICHE office located at 2601 Enterprise Road, Reno, NV, 89512, (775) 784-4900, or email dana_westre@nshe.nevada.edu.

3. The number of persons who:

- (a) Attended each hearing:** February 19, 2014: 10; June 20, 2014: 8
- (b) Testified at each hearing:** February 19, 2014: 3; June 20, 2014: 1
- (c) Submitted to the agency written comments:** No written comments were submitted.

4. A list of names and contact information for each person identified above in #3 is attached as Exhibit A.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary. Pursuant to NRS 233B.0608, the State of Nevada Western Interstate Commission for Higher Education (WICHE) determined that no businesses are being affected. The proposed regulation does not (a) impose a direct and significant economic burden upon a small business; or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations apply to participants in the WICHE program under NRS Chapter 397 which are individuals. Per the definition in statute, the affected individuals do not meet the NRS 233B.0382 definition of small business. Therefore, these regulations have no direct or significant impact on small business.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change. The permanent regulation received from Legislative Counsel was adopted without change to any part of the regulation after the opportunity for public comment was provided; no public comment was submitted to affect a language change.

7. Estimated cost to the agency for enforcement of the proposed regulation. The Western Interstate Commission for Higher Education does not anticipate the need for any additional costs to administer or enforce this regulation.

8. Estimated economic effect of the regulation on the business which it is to regulate. The regulation presents no reasonably foreseeable or anticipate adverse economic effects on the businesses.

9. Estimated economic effect of the regulation on the public. The regulation presents no reasonably foreseeable or anticipated adverse economic effects on the general public.

10. A description of any regulations of other state, local, or federal governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal

regulation, the name of the regulating federal agency. There are no other state or government agency regulations that the proposed regulation duplicates.

11. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions. There are no federal regulations that apply.

12. Whether the proposed regulation establishes a fee or increases an existing fee. The proposed regulation does not establish a new fee nor increase an existing fee of the regulating agency.

EXHIBIT A

CONTACT INFORMATION FOR PERSONS PROVIDING TESTIMONY

**STATE OF NEVADA WESTERN INTERSTATE COMMISSION
FOR HIGHER EDUCATION (WICHE)**

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February 19, 2014 workshop; June 20, 2014 hearing:

Joseph Hardy, Commissioner, Nevada Western Interstate Commission for Higher Education
874 American Pacific Dr.
Henderson, Nevada 89014
[\(702\) 777-3202](tel:(702)777-3202)
hardybc1@gmail.com

February 19, 2014 workshop; June 20, 2014 hearing

Carrie Parker, Deputy Attorney General, Office of the Attorney General, State of Nevada
100 N. Carson St.
Carson City, Nevada 89701
[\(775\) 684-1229](tel:(775)684-1229)
cparker@ag.nv.gov

February 19, 2014 workshop; June 20, 2014 hearing

Vic Redding, Executive Commissioner, Nevada Western Interstate Commission for Higher Education
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Reno, Nevada 89512
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vic_redding@nshe.nevada.edu

June 20, 2014 Hearing

Jeannine Sherrick-Warner, Director, Nevada Western Interstate Commission for Higher Education
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