

**DRAFT MINUTES
STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION
COMMISSION ON POSTSECONDARY EDUCATION**

NEVADA COMMISSION ON POSTSECONDARY EDUCATION MINUTES

THIS MEETING WAS HELD VIA VIDEOCONFERENCE AND IN PERSON

The public may observe this meeting and provide public comment during the public comment section on Zoom or in person at:

Live Meeting:

DETR – Job Connect
Conference Room
3405 S. Maryland Parkway
Las Vegas, NV 89169

Zoom Meeting:

Topic: CPE Regulation Hearing to Adopt Regulation Amendments in NAC 394
Time: June 12, 2024, 2:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://nvdetr-org.zoom.us/j/89727207051?pwd=and2eHBYa2RPY1pYUmJUMUhnNVlrUT09>

Meeting ID: 813 4085 0321

Passcode: 611842

One tap mobile
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- 833 928 4608 US Toll-free
- 833 928 4609 US Toll-free
- 833 928 4610 US Toll-free
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Meeting ID: 813 4085 0321

Passcode: 611842

Staff Present during Video Conference

Kelly Wuest, CPE Administrator
Kassondra Sott, CPE Administrative Assistant III

Members of the Public, Educational Institutions and Other Agencies Present

Carolyn Broussard, Esq., ESD Legal

Commissioners Present during Video Conference Meeting

Dr. Thomas Kenny, Chair
Sharon Frederick, Vice Chair
Jon Ponder
Dr. Randall Kirner

**STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION
COMMISSION ON POSTSECONDARY EDUCATION
MINUTES**

June 12, 2024 – 2:00 PM PDT

Call to Order

The meeting was held via Video Conference ZOOM and In Person, DETR – Job Connect Conference Room, 3405 S. Maryland Parkway, Las Vegas, Nevada 89169. The meeting was called to order by Chair Commissioner Thomas Kenny at approximately 2:10 PM.

Public Comment Phone Option Instructions

For members of the public please note the options for attending this zoom meeting are via web and phone:

Meeting ID: 813 4085 0321

Passcode: 611842

877 853 5257 US Toll-free
888 475 4499 US Toll-free

Public Comments

Administrator Wuest confirmed no one was physically present for public comment. Kassondra Scott confirmed no one was on the Zoom meeting or phone for public comment.

Written Comments

Administrator Wuest confirmed that no written comments were received.

Confirmation of Posting

Kassondra Scott, for the record, Commission on Postsecondary Education. Yes, proper notice was provided for this meeting pursuant to Nevada's Open Meeting Law, NRS 241.020 and confirmation of posting was received. We are in compliance with the open meeting law.

Roll Call

- Commissioner Chair Kenny – Present
- Commissioner Vice-Chair Frederick – Present
- Commissioner Clyne – Excused
- Commissioner Ponder – Present
- Commissioner Kirner – Present

Administrator Kelly Wuest took a roll by verbal and video. Confirmation of a quorum.

Adoption of Agenda:

Motion: Commissioner Kenny – Move to approve adoption of Agenda for June 12, 2024.

Second: Commissioner Kirner.

Discussion: None.

Results: Unanimous; agenda is adopted.

Hearing to Adopt Regulation Amendments in NAC 394

For Possible Action – The Commission on Postsecondary Education will review and take possible action on the following NACs. This information is provided pursuant to the requirements of NRS 233B.0603:

1. Repeal of NAC 394.600 that includes the following:
 - a. R003-24: Repeal of NAC 394.600 Removes the burdensome approval of advertisements regulation pertaining to licensed institutions.

Testified: Commissioner Kenny stated: This hearing is being conducted in compliance with Nevada Revised Statute Section 233B.0608 for the purpose of soliciting public comments and to take possible action via a Notice of Intent to Act upon proposed regulation amendments as stated in Agenda Items H.

This hearing is the culmination of DETR's regulatory rulemaking process for proposed regulation amendments and repeals in Nevada Administrative Code Chapter 394.

Said regulatory process began on October 4, 2023, wherein the Employment Security Council convened in a public meeting and Kelly Wuest, Administrator of the Commission on Postsecondary Education introduced to the public an overview of the proposed regulation amendments and repeals in NAC Chapter 394, which is item H on today's agenda, wherein no public comment was received nor made.

On October 30, 2023, Employment Security Council conducted a Small Business Workshop to solicit public comment on the recommended proposed regulation repeal in NAC Chapter 394, which is item H on today's agenda, wherein no public comment was received nor made.

This brings us here today at this public hearing on the Notice of Intent to Act Upon Regulations, which is the final internal step in this rulemaking process before said regulatory amendments and repeals are placed on the Nevada Legislative Commission's agenda for formal action by the Legislature. DETR anticipates that taking place in August 2024.

- i. Item H proposes the repeal of NAC 394.600 removing the burdensome approval requirement of advertisements pertaining to licensed institutions. This is an unnecessary and again burdensome regulation that offers no value or benefit to the Commission's licensing process.

The next step in this process will be the placement of these proposed regulation amendments on the Nevada Legislative Commission agenda, which is anticipated at the Commission's August 2024 hearing, the specific date is still to be determined.

For up-to-date materials and scheduling, we encourage you to monitor on our website at cpe.nv.gov or detr.nv.gov and/or Nevada's regulation notices website at notice.nv.gov.

The Commission on Postsecondary Education welcomes all written comments and questions on these matters, which can be sent via email to kdwuest@detr.nv.gov or mailed to our administrative office at 2800 E. St. Louis Avenue, Las Vegas, NV, 89104.

Discussion: None.
Motion: Commissioner Kenny - Repeal NAC 394.600 as presented in LCB file No. R003-24.
Second: Commissioner Ponder.
Results: Unanimous, motion carries.

Public Comments

Administrator Wuest confirmed no one was physically present for public comment. Kassondra Scott confirmed no one was on the Zoom meeting or phone for public comment.

Adjournment

The meeting was adjourned by Commissioner Kenny. Time: 12:20 PM PDT

DRAFT