

2024 Nevada State Legislative & Regulatory Update



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CAPPS: 2024 Nevada Legislative & Regulatory Update

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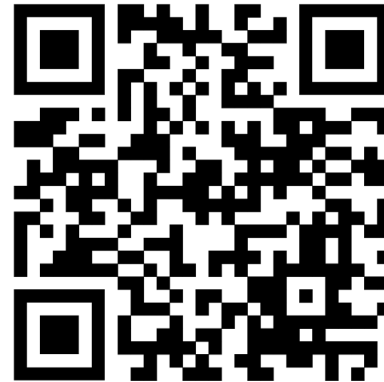


Introduction



Brian Reeder
President

Connect with us!



Jimmy Lau
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NACC History & Fostering Relationships

NACC History in Nevada

- Until 2021 – NACC did not exist.
 - No unified voice in the Legislature and challenging bills pass into law.
 - AB169 (2021) – Catalogue requirements and other required disclosures.
- 2021 – NACC is formed.

Relationships – CPE

- Working with Administrator to impact change:
 - No positive dialogue prior to group forming.
 - Opened dialogue to foster change for members.
 - Appointments to Commission.
 - Relationship with Administrator.

Relationships – Legislators

- Legislators learning about private postsecondary education directly from members:
 - Senate Minority Leader Carrie Buck
 - Senator Scott Hammond
 - Asm. Heidi Kasama

Nevada Politics 101

Nevada Elections in 2024

- Presidential Race
- U.S. Senate Race
- Divided State Government
- Legislature near 2/3 Democrat control
- Governor Veto power in jeopardy
- Powerful outside groups - Culinary Union and other

Nevada as a Battleground State

- Slim voter registration margins
- Nonpartisan voter surge
- Small population/voter pool

President

- Presidential preference primary
- Joe Biden nominated with nearly 90 percent
- Donald Trump nominated through GOP caucuses
- Nikki Haley lost to “None of These Candidates”

U.S. Senate

- Democrat U.S. Senator Jacky Rosen first re-election campaign
- Sam Brown will likely be the Republican candidate
- Both posting record fundraising numbers
- Polls showing race as a toss-up

NV State Legislature

Senate

- 13 Democrats; 8 Republicans; Democrats are 1 vote from a 2/3 veto-proof supermajority

Assembly

- 28 Democrats; 14 Republicans; Democrats hold a 2/3 supermajority

NACC Legislative Policy Update

Nevada Legislature Overview

- 120-Day Session Every Other Year
- 1,000+ Bills Introduced
- About 50% Passed and Signed Into Law
- 9 Policy and 1 Money Committee in Each House
- \$10+ billion in Biennial General Fund Revenue

2023 Session – SB249

- Would have prohibited a school of cosmetology from allowing a student to attend more than: (1) 40-hours of instruction per week; and (2) 10-hours of instruction per day.
- NACC identified that this restriction would be onerous for cosmetology schools.
- Secured an amendment which:
 - (1) clarified a distinction between “regular” and “make up” hours of instruction; and
 - (2) provided schools with statutory authority to allow students to complete up to 10-hours of make up instruction, in addition to the 40-hour weekly maximum and 10-hour daily maximum.

2023 Session – AB108

- Would have entered Nevada into the National Nurse Licensure Compact.
- NACC determined the measure was a high priority.
 - Would have allowed schools to more easily bring in Masters-level nursing instructors.
- NACC Chair Marilyn Lim-Carreon (Unitek College) testified in support of the measure.
- Why didn't it pass? Unique NV political dynamics...

2023 Session – AB108



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2023 Session – AB332

- Would have required all private postsecondary schools to report outcomes-based data to the CPE, as well as report certain other information (e.g., investigations, lawsuits, etc.).
- NACC determined the reporting requirements would be onerous for schools.
- Secured an amendment that removed the reporting requirements from the bill entirely.

The Federal “150% Rule” in NV

- From the Nevada Regulator:
 - Likely only Massage Therapy Programs Affected
 - However, the Nevada Massage Therapy Board has proposed an administrative regulation to increase the hours requirement from 550 hours to 625 hours.
 - If the regulation is adopted, this should resolve the issue; however, programs will still need to submit for program revisions.
- If any NV schools anticipate other program challenges, contact our team.

On the Horizon: 2025 Session

- Working with several stakeholders on proactive statutory changes to improve the CPE and licensed school experience:
 - Split NRS 394 into two chapters;
 - Revise NRS 394.385 – Membership of the Commission;
 - Revise NRS 394.465 – Background Investigations;
 - Modify NRS 394.470 – Agent’s Permits.

2025 Session: Split NRS 394

- Split NRS 394 into two distinct chapters:
 - One for private postsecondary education.
 - One for K-12 private education.
- **Rationale:** These institutions serve different populations and are regulated by different agencies.

2025 Session: Commissioners

- Eliminate one of the two members “knowledgeable in the field of education, but not representing a postsecondary education.”
- Eliminate one of the two members representing the general public.
- Add the following two members:
 - One member who represents a private postsecondary educational institution that provides vocational training.
 - One member who is a member of a workforce development board or economic development agency in this State.
- **Rationale:** Revising the membership in this manner will better reflect stakeholders for postsecondary education, and provide valuable voices to the Commission’s deliberations.

2025 Session: Background Checks

- Allow a new hire required to submit fingerprints and forms for background investigations five business days after their date of hire or contract.
 - **Rationale:** The current requirement, to submit the information prior to employment/contract, creates an unnecessary delay in onboarding instructors for licensed schools.
- Expand the existing exemption from fingerprinting/background in §§6(a) to include all persons who have an active occupational license in Nevada.
 - **Rationale:** These occupational licenses already require routine fingerprint and background investigations, rendering this requirement unnecessarily duplicative.
- Require the Commission to post a list of valid occupational licenses meeting the §§6(a) exemption on its website.
 - **Rationale:** To ensure licensees are aware of what occupational licenses conduct sufficient background checks for the exemption.

2025 Session: Agent Permits

- Exempt direct employees of institutions from the requirement to obtain an agent's permit.
- **Rationale:** The requirement does not make sense for direct employees of a school who must abide by all laws and regulations governing the schools.

Questions?