

SHEEO State Authorization Inventory

Nevada

Please note: For purposes of this survey, the terms “authorize” and “authorization” are used generically to include approve, certify, license, regulate, recognize, empower, or similar actions relative to the operation, provision, or availability of postsecondary education in your state.

1. Agency and Contact Information

- a. Agency Name: **Nevada Commission on Postsecondary Education**
- Description:
The Commission on Postsecondary Education serves as the approval and licensing authority for degree-granting and non-degree granting postsecondary educational institutions, both public and private and for profit and not-for-profit.
 - Contact Information:
David Perlman
Administrator
Nevada Commission on Postsecondary Education
702-486-7330
dperlman@cpe.state.nv.us
 - Please state who institutions should contact if they have questions about your agency’s authority, policies, or application process?
Tim Breen
Education Specialist
702-486-7330
tbreen@cpe.state.nv.us
- b. Links:
<http://www.cpe.state.nv.us>
- c. The following agencies also have responsibility for authorization in the state.
Yes. State Board of Cosmetology; State Board of Nursing; Real Estate Division; Insurance Division; Board of Massage Therapy; State Board of Pharmacy. Please see 2e for more information.
- d. If the division of responsibility among these agencies is not clear, please explain.
Generally speaking, the Commission on Postsecondary requires applicants comply with any curriculum or instructor approvals required by the State Board of

Nursing; Real Estate Division; Insurance Division; Board of Massage Therapy; State Board of Pharmacy, etc. There may be more.

2. Types of Educational Providers Authorized

- a. Please indicate the types of institutions that your agency authorizes, using the list below. Please answer “yes” or “no” to each item. Feel free to provide a short explanation of any ambiguity, including any necessary clarification of “in-state,” “out of state,” or other terminology.

- Yes Public, in-state degree granting institutions
- Yes Public, out-of-state degree granting institutions
- Yes Private, in-state, not-for-profit degree granting institutions
- Yes Private, out-of-state, not-for-profit degree granting institutions
- Yes Private, in-state, for-profit degree granting institutions
- Yes Private, out-of-state, for-profit degree granting institutions
- No Public, in-state, non-degree granting institutions
- Yes Public, out-of-state, non-degree granting institutions
- Yes Non degree, not-for profit institutions
- Yes Non degree, for-profit institutions
- Yes Religious institutions
- Yes Tribally-controlled institutions

Clarifying comments:

- b. Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals)? If so, please explain.

Yes. If another regulatory board has curriculum or instructor requirements, the application must obtain those approvals in addition to the CPE’s.

- c. Is accreditation required for an institution to be authorized in your state?

Yes if the applicant is offering degrees or course work that leads to college credits.

- o If yes, what type of accreditation is required? Please, check all that apply as appropriate.

- Regional
- National
- Programmatic/specialized

Clarifying comments:

Must be a US DOE-approved accreditor.

- d. Does your agency authorize specific academic programs offered by institutions or only institutions themselves?

Both – the school has to be licensed and the programs they offer must be approved.

- e. Do programs in certain subject areas require the separate approval by another state entity; for example, a professional licensing agency?

Yes. State Board of Cosmetology; State Board of Nursing; Real Estate Division; Insurance Division; Board of Massage Therapy; State Board of Pharmacy

Education

<http://www.doe.nv.gov/>

Nursing

Roseann Colisimo

702-486-5800

Once an applicant contacts the Commission, they will be told if there is any other state board approval may be required. I am not aware of every other Nevada state board but do research for programs that I am not familiar with.

3. Exemptions

- a. Are certain institutions or programs exempt by law or policy from your state authorization requirements?

Postsecondary Education and Postsecondary Educational Institutions are defined in NRS 394.098 and 099. If an institution and their program(s) meet the definition, licensure is required. If not, it would be exempt.

- b. If an institution or program is exempt from state authorization, are there any other state requirements that an institution would need to fulfill in order to operate in your state (e.g., providing contact information, list of programs, etc.)?

An institution could be exempt if another state agency has jurisdiction – then they would have to be approved by the other state agency. They must also comply with Secretary of State and local licensing ordinances.

- c. Does your state constitution or do your state laws provide any exemptions for religious institutions?

Yes, if the training is provided to the members of the religious institution.

- o Are all religious institutions exempt (please describe)?

Not if they offer the training to anyone.

- Are religious institutions that award only religious degrees or certificates exempt (please describe)?
No. If they offer their programs to anyone, they must be licensed.
- Are certain religious institutions exempt that meet other criteria (please describe)?

4. Authorization of Distance Education

- a. Does your agency require purely (100%) distance education programs, including online or correspondence study programs that enroll residents of your state, to be authorized without regard to physical presence?
No.
- b. If not, does your agency determine whether an institution must be authorized based on a physical presence or “operating” standard?
Yes.

5. Physical Presence Policy – Common “Triggers”

- a. If your agency uses a physical presence standard, how does your agency define physical presence? If available, please provide a link to that policy or a citation to the relevant regulation giving that standard.
Performing any educational activity within the state including advertising, instruction, recruiting, etc.
- b. Please specify whether any of the following activities would constitute a physical presence or signify “operating” in your state, assuming that the named activity is the institution’s sole activity in your state. **Please answer “yes” or “no” to each question. In addition you may provide a short explanation of any ambiguity.**
 - Permitting a student to complete an internship, externship, field experience, or clinical practicum organized by the institution?
Yes.
 - Does this apply only to distance education students or more generally?
Any student.
 - Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently?
Yes.

- Does this apply only to distance education students or more generally?
Any student.
- Employing full-time faculty in the state to provide instruction via distance education programs to students in the state?
No.
 - What about adjunct faculty?
No.
- Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state?
No.
 - What about adjunct faculty?
No.
- Having a contract/agreement between the institution and in-state institutions or in-state entities to provide services for students (i.e. library, gym, computer centers, etc.)?
No.
- Organized, consistent, on-the-ground recruiting of students in the state by employees or agents of the institution?
Yes.
 - What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs)?
Yes.
- Advertising in local media sources that are largely viewed by residents of the state?
Yes.
- Advertising in national media sources that can be accessed by residents of the state?
No.
- Having computer servers or other equipment located in the state?
- Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?

- Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?
Yes.
 - Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?
No.
 - Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?
No.
- c. Of the activities or conditions listed above that alone would not constitute a physical presence, are there any that if combined would create a physical presence?

6. Application Process

- a. Please provide a short description of the application process to obtain state authorization. If available, please provide web links to the specific references to all applicable state laws, regulations, manuals, forms, or other pertinent documents.
- www.cpe.state.nv.us
- Obtain and complete the correct application
 - Submit at least 60 prior to scheduled meeting
 - Meet Commission and answer questions
 - Fulfill any contingencies and provisional license is issued
 - Undergo program review prior to expiration of provisional license
 - Commission may approve full term license
- b. Generally, how long does it take to approve applications (assuming that the agency has received all required information from the institution)? Please provide a typical range if appropriate.
60 days.
- c. What is the authorization duration?
Provisional license is usually 1 year but it could be longer. Full term license is for two years.
- d. What does an institution need to do to maintain authorization?
Stay in compliance with state regulations

- e. What kinds of information or data must an institution report to your agency as a condition for continued authorization? How frequently is this reported or updated? Is this information published or shared publicly?
Enrollments are reported each quarter and along with payment of a \$4 fee. Annual report is submitted each January detailing enrollments, graduates, employment of graduates, total tuition income and source of income.
- f. Can an institution lose its authorized status? If so, how?
Violate the provisions of NRS and/or NAC Chapter 394.
- g. Can a multi-institutional system or college corporation apply to your agency for authorization on behalf of all of its component institutions? If so, please describe the process.
No.
- h. Would multi-institution public systems be treated the same as multi-location for-profit institutions?
Yes.
- i. What distinctive features in your authorization process would be useful for applicants to know (e.g., certain times during the year that you process applications for authorization, sharing of applications or information about proposed programs with institutions or other stakeholders in your state for comment)?
- j. Is your agency currently planning to amend its application process by the end of 2011?
No.
 - If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?

7. Fees Associated with Authorization

- a. Is there an application fee to initiate the authorization process? If so, what is the fee or fee schedule? Please provide a web link if available.
\$1,500 <http://www.leg.state.nv.us/NRS/NRS-394.html#NRS394Sec540>
- b. Are there any other costs associated with the state authorization process (e.g. site visits, hiring a reviewer, surety bond, tuition recovery fund, agent licensing, etc.)?
There are charges for back ground investigations, curriculum review.
- c. What are the costs, if any, to renew authorization?
None.

- d. What costs are associated with receiving a waiver or exemption to authorization?
None.

8. Interstate Reciprocity

- a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.
Implicitly prohibits.
- b. What is the process, if any, to obtain a reciprocal agreement with your state?
- c. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements.
- d. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate.

9. Consumer Protection and Student Complaints

- a. Does your agency have a process for handling complaints about postsecondary institutions or programs?
Yes.
- If yes, please describe the process or provide a web link to the material that describes the complaint process.
Web site includes link to process and required forms.
www.cpe.state.nv.us
 - If yes, does this complaint process extend to institutions not authorized by the agency that may enroll residents of the state (such as explicitly distance education programs with no physical presence or exempt institutions)?
No.
 - If available, please provide a web link to the complaint form.
Web site includes link to process and required forms.
www.cpe.state.nv.us
 - Who is the contact person for receiving complaints? Please include name, title, address, phone, and e-mail if available.
 - If your agency has no formal process for handling complaints related to postsecondary institutions, what state agency would handle a complaint?

10. Enforcement

- a. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action?
Letter to applicant with follow up to attorney general.
- b. Can an institution or program appeal a warning or enforcement action? If yes, please describe the process or provide web links to the regulations/policies.
May appeal to Commission.

11. Legislative or Regulatory Changes

- a. Is your agency or state legislature planning to amend its regulations or alter its physical presence policy by the end of 2011?
No.
 - If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?
- b. Is your agency or state legislature making changes in your state regulations or statutes so that institutions with locations in your state would be considered legally authorized in accordance with the federal institutional eligibility regulations?
No.
 - If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?
- c. Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization?
Changes to regulations are being considered to consolidate all licensing requirements in a single section.
 - If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?

12. Is there anything else about the authorization process in your state that we and others ought to know about?