

**STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
REAL ESTATE DIVISION**

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**Community Association Manager Continuing Education Application**

The approval process starts with a completed application submission to the education officer for the office of the Ombudsman within the Real Estate Division. When the file has been screened for completeness, it will be placed on the agenda for the next hearing of the Nevada Commission for Common-Interest Communities and Condominium Hotels. Commission hearings are scheduled approximately quarterly (check the Real Estate website regularly for schedules and updates).

The following are the statutes which speak to the Continuing Education process.

Due to Nevada's open meeting laws, education applications must be received on or before the education deadline found at [www.red.nv.gov](http://www.red.nv.gov) so it may be reviewed and placed on the agenda. ***Since hearing dates can change and approval is not guaranteed, we recommend course dates not be scheduled or advertised until approval is received.***

Course application packages must be submitted as a complete package and must contain the following:

1. Course Application form;
2. Instructor application and resume for each instructor (The resume should clearly indicate how the instructor is qualified to teach the subject matter of the course);
3. Retention of Continuing Education Records form, verifying the keeping of attendance records and their location;
4. \$100.00 application fee for each new course submitted;
5. Statement of Course Objective, which clearly states
  - a. The subject of the offering,
  - b. The relationship to community management which reflects the qualifying course standard, and
  - c. What practical knowledge a participant should learn from the course (e.g., "obtain knowledge of..." understand the process of..." or "perform...");
6. Detailed course outline showing accurate course content ***with time delineation*** (in segments of 5 -20 minutes) for each section/subsection;
7. Student handout(s), including relevant additions to NRS 116, NRS 116A and NAC 116 for legislative update classes;
8. Visual aids and/or instructor notes;
9. Certificate of Attendance template containing appropriate requirements;
10. Attendance Verification / Sign-in, Sign-out log; and
11. Student evaluation form.

Course applicants are invited and encouraged to attend the hearings.

If you have any questions, please call the Office of the Ombudsman at (702)486-4 480

or email [Cameducation@red.nv.gov](mailto:Cameducation@red.nv.gov).

## Continuing Education

### **NAC 116A.230 Approval of and requirements for course; record of attendance or completion.** **(NRS 116.615, 116.665, 116A.200, 116A.410)**

1. Except as otherwise provided in subsection 4, an application for the approval of a course for continuing education must be submitted to the Division on a form provided by the Division for review and presentation to the Commission and must include the fee required by [NAC 116A.515](#). If the Commission approves a course for continuing education, the Commission's approval is effective for 1 year after the original approval or a renewal and the Commission will not grant more than:

(a) Seven hours of credit for continuing education for a day of instruction in the course if the sponsor does not require a student to complete and pass a final examination to pass the course.

(b) Eight hours of credit for continuing education for a day of instruction in the course if the sponsor requires a student to complete and pass a final examination to pass the course.

2. The Commission may grant retroactive approval for a course for continuing education.

3. If an application for the approval of a course for continuing education is presented to the Commission pursuant to subsection 1, the Commission will grant credit for the course only if:

(a) The course consists of at least 3 hours of distance education or instruction in a classroom.

(b) The course satisfies the requirements of [NAC 116A.232](#).

(c) For a course of instruction in a classroom, the sponsor of the course:

(1) Certifies the attendance of holders of a certificate who take the course for credit.

(2) Maintains for at least 4 years a record of attendance which contains the following information with respect to each holder of a certificate who has taken the course for credit:

(I) The name of the holder of a certificate in attendance and the number of his or her certificate.

(II) The title and number of the course.

(III) The hours of instruction attended and dates of attendance by the holder of a certificate.

(IV) A statement that the holder of a certificate has successfully completed the course, if applicable.

(3) Assures the Commission that an approved instructor will preside throughout the course.

(d) For a course of distance education, the sponsor of the course:

(1) Requires each student to:

(I) Take a closed-book final examination with a proctor present at a location designated by the sponsor in its application for approval filed with the Division and receive a score of at least 75 percent to pass the course;

(II) Prove his or her identity before he or she is allowed to take any examination;

(III) Complete an entire course to receive credit for taking the course; and

(IV) Complete each course within an established minimum and maximum time.

(2) Gives credit for only the number of hours for which the course has been approved by the Commission to a holder of a certificate who has completed the course.

(3) Publishes a policy for retaking an examination which a holder of a certificate failed.

(4) Maintains for at least 4 years a record of completion of the course which contains the following information with respect to each holder of a certificate who has taken the course for credit:

(I) The name of the holder of a certificate who completes the course and the number of his or her certificate.

(II) The title and number of the course.

(III) A statement that the holder of a certificate has successfully completed the course, which includes, without limitation, the date that the course was completed and the number of hours completed.

4. The Administrator may grant credit for continuing education for a course offered by any university, school or community college which is a part of the Nevada System of Higher Education, or any other university or college bearing the same or an equivalent accreditation if:

(a) The course provides instruction in the management of a common-interest community or the association of a condominium hotel or a subject directly related to the management of a common-interest community or the association of a condominium hotel;

(b) The university, school or college offers the course for university or college credit; and

(c) The sponsor of the course agrees to comply with paragraphs (a), (c) and (d) of subsection 3, subsection 5, [NAC 116A.240](#) and [116A.250](#) and subsection 1 of [NAC 116A.285](#).

5. If a course is approved, the sponsor shall provide a certified copy of the record of attendance or record of completion to the holder of a certificate upon his or her completion of the course. The Division shall accept the certified copy as proof of the attendance of the holder of a certificate or completion of the course by the holder of a certificate for the purpose of renewal or reinstatement of his or her certificate. If the course is taken at a university or community college, the proof of attendance must be a certified transcript. The certified copy of the record of attendance or record of completion of a sponsor must contain the:

- (a) Name of the sponsor;
- (b) Name of the holder of a certificate and his or her certificate number;
- (c) Number of hours of credit for continuing education for which the course is approved;
- (d) Dates of instruction for a course of instruction in a classroom;
- (e) Date of completion of the course for a course of distance education;
- (f) Title of the course or seminar;
- (g) Number of the sponsor assigned by the Division and a statement that the course was approved by the Commission;
- (h) Signature of the person authorized to sign for the sponsor;
- (i) Grade received by the holder of a certificate or a statement of whether the holder of a certificate passed the class if an examination was given; and
- (j) Manner in which instruction for the course was delivered.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005; A by Comm'n for Common-Interest Communities & Condo. Hotels by R166-09, 5-5-2011)—(Substituted in revision for NAC 116.234)

**NAC 116A.232 Contents of course; unacceptable courses and activities.** ([NRS 116.615](#), [116.665](#), [116A.200](#), [116A.410](#))

1. In addition to the requirements of subsection 3 of [NAC 116A.230](#), the Commission will grant credit for a course of continuing education only if the course:

- (a) Contains current information on the management of a common-interest community or an association of a condominium hotel that will improve the professional knowledge of a community manager and enable a community manager to give better service to his or her clients; and
- (b) Contains information that relates to pertinent Nevada laws and regulations.

2. The Commission considers courses in the following areas to be acceptable for continuing education:

- (a) The ethics of managing a common-interest community or the association of a condominium hotel;
- (b) Legislative issues concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, pending and recent legislation;
- (c) The administration of laws and regulations concerning community managers and the management of a common-interest community or the association of a condominium hotel, including, without limitation, licensing and enforcement;
- (d) Reserve studies;
- (e) Insurance and risk management in common-interest communities and condominium hotels;
- (f) Administering the office of a community manager, including, without limitation, personnel management and recordkeeping;
- (g) Accounting, including, without limitation, the preparation and monitoring of budgets, the monitoring of expenditures and reserves and the use of financial statements;
- (h) Inspecting a common-interest community or condominium hotel for the purposes of maintenance, planning or enforcing the governing documents;
- (i) Federal laws pertinent to the management of a common-interest community or the association of a condominium hotel, including, without limitation, the Fair Housing Act, 42 U.S.C. §§ 3601 et seq., and the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.;
- (j) Health and safety issues in common-interest communities and condominium hotels;
- (k) Issues pertaining to declarants and developers of common-interest communities and condominium hotels;

- (l) Planning and zoning for land use and other local laws and regulations pertinent to common-interest communities and condominium hotels;
- (m) The disclosures required in a transaction involving a unit in a common-interest community or condominium hotel;
- (n) Parliamentary procedures;
- (o) Interpersonal communications;
- (p) Contracts, including, without limitation, the preparation of requests for proposals and the obtaining of bids;
- (q) The enforcement of financial obligations, including, without limitation, liens and collections procedures;
- (r) The supervision of provisional community managers by supervising community managers; and
- (s) Dispute resolution techniques and processes, including, without limitation, informal and formal mediation, arbitration and guidelines for internal association procedures related to hearings concerning violations of the governing documents and other disputes.

3. The following types of courses and activities will not be approved by the Commission for credit for continuing education:

- (a) A course designed only to prepare an applicant for a certificate for the examination required by [NAC 116A.125](#).
  - (b) Courses designed to develop or improve clerical, office or business skills that are not related to the management of a common-interest community or the association of a condominium hotel, including, without limitation, courses in typing, shorthand, operation of business machines, the use of computers or computer software, improvement of memory or writing of letters and reports.
  - (c) A meeting for the promotion of a sale, a program of office training or other activity which is held as part of the general business of the holder of the certificate.
  - (d) A course for orientation of holders of a certificate, including, without limitation, a course for the orientation of holders of a certificate that is provided by local real estate boards or industry groups.
  - (e) A course on the development of instructors.
- (Added to NAC by Comm'n for Common-Interest Communities & Condo. Hotels by R166-09, eff. 5-5-2011)

**[NAC 116A.235 Distance education course: Requirements and considerations for approval. \(NRS 116.615, 116.665, 116A.200\)](#)**

1. A person who requests approval of a distance education course must demonstrate to the satisfaction of the Commission that the proposed distance education course satisfies the following requirements:

- (a) The course must be designed to ensure that students actively participate in the instructional process by utilizing techniques that require substantial interaction with the instructor, other students or a computer program. If the subject matter of the course is such that the learning objectives for the course cannot be reasonably accomplished without direct interaction between the instructor and the students, the course design must provide for such interaction.
- (b) If the course does not provide students with the opportunity for continuous audio and visual communication with the instructor during the presentation of the course, the course must utilize testing and remedial processes appropriate to ensure mastery of the subject matter of the course by the students.
- (c) If the course involves self-paced study, the course must be designed so that the time required for a student of average ability to complete the course is within the number of hours for which the course is approved, and the sponsor of the course shall utilize a system which ensures that students have actually performed all tasks designed to ensure participation and mastery of the subject matter of the course by the students.
- (d) The proposed methods of instruction used in the course must be appropriate to the proposed learning objectives of the course, and the scope and depth of the instructional materials must be consistent with the proposed learning objectives.
- (e) The sponsor of the course shall provide appropriate technical support to enable students to complete the course satisfactorily.
- (f) An approved instructor must be reasonably available to respond timely to questions asked by students concerning the subject matter of the course and to direct students to additional sources of information. For

the purposes of this paragraph, a response by an approved instructor shall be deemed timely if the response is made within 2 business days after the question is submitted.

(g) The sponsor of the course shall provide students with an orientation or information package which contains all information that the Division requires to be provided to students and all necessary information about the course, including, without limitation, information concerning fees and refund policies, subject matter and learning objectives, procedures and requirements for satisfactory completion, any special requirements with regard to computer hardware and software or other equipment, and instructor and technical support. The sponsor shall make available to students technical support relating to the use of any computer hardware or software, or other equipment or technology needed to complete the course.

(h) The sponsor of the course shall utilize procedures which reasonably ensure that a student who receives credit for continuing education for completing the course actually performed all the work required to complete the course. If the course involves independent study by students, such procedures must include, without limitation, the opportunity for direct contact by the sponsor with the student at the student's home or business via telephone or electronic mail and a signed statement by the student certifying that he or she personally completed all course work. The sponsor shall retain such signed statements and records of student contact together with all other course records the sponsor must maintain.

2. A sponsor seeking approval of a computer-based distance education course must submit a complete copy of the course to the Division in the medium to be used and, if requested, must make available, at a date and time satisfactory to the Division and at the sponsor's expense, all equipment and software necessary to enable the Division to review the course. In the case of an Internet-based course, the sponsor shall provide the Division with access to the course via the Internet at no charge at a date and time satisfactory to the Division.

3. In determining whether to approve a distance education course pursuant to this section, the Commission will consider whether:

(a) The course consists of at least 3 hours of instruction;

(b) Students are required to complete a written examination proctored by a person acceptable to the Division or using a secure electronic method acceptable to the Division; and

(c) The course is presented by an accredited college or university that offers distance education in other disciplines, or whether the course design and method of delivery have been accredited by an accrediting agency which accredits distance education and which is approved by the Commission. For an accrediting agency to be approved by the Commission for the purposes of this paragraph, the accrediting agency must use the following considerations when making its determination on whether to accredit a distance education course:

(1) The mission statement of the sponsor of the course;

(2) The minimum design of the course and the procedures for updating the course;

(3) The interactivity of the instruction with the students;

(4) Whether the instruction provided in the course teaches mastery of the course material;

(5) The support services that are available to students;

(6) The medium through which the course is delivered to students;

(7) A time study of the range of instructional hours for which a course should be approved or accredited;

(8) For each module of instruction, whether there is:

(I) At least one learning objective for the module of instruction;

(II) A structured learning method to enable the student to achieve each such learning objective;

(III) A method of assessment of the student's performance during the module of instruction; and

(IV) A method of remediation pursuant to which a student who, based on the assessment of his or her performance, is determined to be deficient in his or her mastery of the course material may repeat the module until the student understands the course material; and

(9) Whether a complete syllabus or student manual, or both, for all courses or programs is provided in written form and includes accurate and clearly stated information about admissions, progression, completion, criteria, dismissal and any applicable licensing requirements.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, 4-14-2005, eff. 7-1-2005)—  
(Substituted in revision for NAC 116.237)

**NAC 116A.240 Approved course: Duties of sponsor. ([NRS 116.615](#), [116.665](#), [116A.200](#))**

1. If a course has been approved and is being offered for continuing education, the sponsor must state on all the course materials:

- (a) That the course is approved for continuing education in Nevada;
- (b) The number of hours of credit for continuing education for which the course is approved;
- (c) The number of the sponsor assigned by the Division; and
- (d) The manner in which instruction for the course will be delivered.

2. If a course offered by a sponsor that is a professional organization has been approved for continuing education, the sponsor shall not restrict attendance at the course to members of that organization.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.241)

**NAC 116A.245 Notice of policy concerning cancellations and refunds. ([NRS 116.615](#), [116.665](#), [116A.200](#))** Any advertising, promotional brochure or form for registration for a course for continuing education must contain, in writing, the policy of the sponsor concerning cancellations and refunds.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.244)

**NAC 116A.250 Restrictions on receipt of credit for course; final examination. ([NRS 116.615](#), [116.665](#), [116A.200](#), [116A.410](#))**

1. A course may not be taken for credit to meet the requirements for continuing education more than once during any two consecutive periods for renewal of a certificate.

2. Courses taken to satisfy requirements for renewal or reinstatement of a certificate must be completed within 2 years immediately before the latest date for renewing or reinstating the certificate.

3. A holder of a certificate may receive credit for continuing education only upon certification by the sponsor that the holder of the certificate has attended and completed at least 90 percent of the course.

4. The sponsor shall determine whether a final examination is required for the completion of a course.

(Added to NAC by Real Estate Comm'n by R058-98, 6-26-98, eff. 7-1-98; A by Comm'n for Common-Interest Communities by R129-04, 4-14-2005)—(Substituted in revision for NAC 116.247)

**NAC 116A.255 Credit for attendance at meeting of Commission. ([NRS 116.615](#), [116.665](#), [116A.200](#), [116A.410](#))**

1. The Commission will grant credit for continuing education, not to exceed 6 hours during a certification period, to a holder of a certificate for attending a meeting of the Commission if:

(a) The meeting of the Commission for which credit for continuing education is being sought is not a meeting in which the holder of a certificate was participating or otherwise affiliated with a specific disciplinary hearing;

(b) The meeting of the Commission for which credit for continuing education is being sought lasts at least 3 hours; and

(c) The Commission certifies, for the purposes of providing credit for continuing education, the attendance of the holder of a certificate at the meeting.

2. If a holder of a certificate attends only part of a meeting of the Commission, the Division may determine the number of hours of credit, if any, that the holder of a certificate may receive for credit for continuing education pursuant to this section.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.251)

### **Approved Courses and Instructors**

**NAC 116A.265 Requirements for instructors and guest lecturers; advertising. ([NRS 116.615](#), [116.665](#), [116A.200](#))** A school that conducts courses approved by the Commission:

1. May employ as instructors of those courses only persons who meet the qualifications set forth in [NAC 116A.270](#).

2. Shall limit noncertificated guest lecturers who are experts in the related fields to a total of 9 hours of instruction per approved course.

3. Shall include a statement that the school is approved by the Commission on all advertisements of the school.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.261)

**NAC 116A.270 Instructors: Approval by Division; periodic review and evaluation. (NRS 116.615, 116.665, 116A.200)**

1. An instructor must have written approval from the Division before teaching an approved course.

2. An applicant for approval as an instructor must apply on a form prescribed by the Division.

3. The Division shall not, without the approval of the Commission, approve a person as an instructor if the person:

(a) Has been disciplined by the Commission or the Division acting on behalf of the Commission:

(1) Within the immediately preceding 5 years; or

(2) More than one time; or

(b) Has been determined in an administrative or judicial proceeding to have violated any statute, rule, regulation or order pertaining to real estate in this or any other state.

4. A person may be approved as an instructor to teach an approved course relating to his or her principal occupation if:

(a) The person has:

(1) A bachelor's degree or a more advanced degree, plus at least 2 years of full-time experience, in the field in which he or she will be providing instruction;

(2) At least 75 hours of teaching experience in the field in which he or she will be providing instruction within the 3 years immediately preceding the date of his or her application for approval plus at least 3 years of full-time experience in that field;

(3) At least 6 years of full-time experience in the field in which he or she will be providing instruction;

or

(4) Any combination of at least 6 years of college-level course work and full-time experience in the field in which he or she will be providing instruction;

(b) The person has a good reputation for honesty, integrity and trustworthiness; and

(c) The person submits to the Division satisfactory documentation of his or her qualifications and a resume outlining his or her experience, education and teaching experience in the field in which he or she will be providing instruction.

5. The Division shall periodically review and evaluate each approved instructor. The Administrator may select an education audit committee established by the Commission pursuant to [NAC 116A.180](#) to assist the Division with the review and evaluation of an approved instructor.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005; A by Comm'n for Common-Interest Communities & Condo. Hotels by R166-09, 5-5-2011)—(Substituted in revision for NAC 116.264)

**NAC 116A.275 Instructors: Responsibilities. (NRS 116.615, 116.665, 116A.200)**

1. An instructor shall ensure that:

(a) Class sessions are commenced in a timely manner and are conducted for the full amount of time that is approved; and

(b) Each course is taught according to the course plan and instructor guide that was approved by the Commission, including the furnishing to students of appropriate student materials.

2. An instructor shall conduct himself or herself in a professional and courteous manner when performing instructional duties and shall conduct classes in a manner that demonstrates the following basic teaching skills:

- (a) The ability to present instruction in a thorough, accurate, logical, orderly and understandable manner, to utilize illustrative examples as appropriate and to respond appropriately to questions from students;
  - (b) The ability to utilize effectively varied instructional techniques in addition to lectures, including, without limitation, class discussion, role-playing and other techniques;
  - (c) The ability to utilize varied instructional aids effectively to enhance learning;
  - (d) The ability to maintain an appropriate learning environment and effective control of a class; and
  - (e) The ability to interact with adult students in a positive manner that:
    - (1) Encourages students to learn;
    - (2) Demonstrates an understanding of varied student backgrounds;
    - (3) Avoids offending the sensibilities of students; and
    - (4) Avoids personal criticism of any other person, agency or organization.
- (Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.267)

**NAC 116A.280 Instructors: Withdrawal of approval. ([NRS 116.615](#), [116.665](#), [116A.200](#), [116A.410](#))**

1. The Administrator may withdraw the approval of an instructor who:

- (a) Does an inadequate job of teaching the subject matter of a course as evidenced by student evaluations or an audit conducted by the Division or an education audit committee selected by the Administrator pursuant to [NAC 116A.180](#) to assist the Division with the review and audit of the instructor or the course taught by the instructor;
- (b) Has been determined in any administrative or judicial proceeding to have violated any statute, rule, regulation or order pertaining to real estate;
- (c) Has been convicted of, or entered a plea of guilty or nolo contendere to, any crime involving fraud, deceit, misrepresentation or moral turpitude; or
- (d) Engages in inappropriate behavior in the classroom as evidenced by an audit conducted by the Division or an education audit committee selected by the Administrator pursuant to [NAC 116A.180](#) to assist the Division with the review and audit of the instructor or the course taught by the instructor.

2. Before withdrawing approval of the instructor of a course, the Administrator must notify the sponsor of the course of the Administrator's intent to withdraw approval of the instructor. The notice must include the specific reasons upon which the Administrator is basing the decision to withdraw the approval of the instructor. Not later than 30 days after the date on which a sponsor receives the notice, the sponsor may provide a written response to the Administrator that clearly sets forth the reasons why the approval of the instructor should not be withdrawn and outlining any corrective measures that the sponsor will undertake. After the 30-day period has elapsed, the Administrator shall review the notice and any response submitted by the sponsor and shall:

- (a) Withdraw approval of the instructor;
- (b) Allow the instructor to remain approved if certain specific enumerated conditions are met; or
- (c) Allow the continued approval of the instructor.

Ê If the Administrator decides to withdraw approval of the instructor, the withdrawal of approval of the instructor becomes effective upon the mailing of the decision of the Administrator to the sponsor of the course taught by the instructor by certified mail, return receipt requested, to the sponsor's last known business address.

3. If the Administrator withdraws approval of an instructor, the Division shall give credit to a student for completing the course if the student began the course before the sponsor received written notice of the withdrawal of approval of the instructor.

4. The sponsor may appeal the decision of the Administrator to withdraw approval of an instructor by filing an appeal with the Commission not later than 30 days after the date on which the withdrawal of the approval of the instructor becomes effective.

5. If the sponsor files a timely appeal, the Commission will, as soon as practicable, hold a hearing concerning the withdrawal of approval of the instructor at a regularly scheduled meeting and will:

- (a) Affirm the decision of the Administrator to withdraw approval of the instructor;
- (b) Suspend approval of the instructor for a limited period and under such conditions as the Commission deems appropriate; or
- (c) Reverse the decision of the Administrator to withdraw approval of the instructor.



(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005; A by Comm'n for Common-Interest Communities & Condo. Hotels by R166-09, 5-5-2011)—(Substituted in revision for NAC 116.271)

**NAC 116A.285 Courses: Responsibilities of sponsor; renewal of approval; review and audit; grounds for withdrawing or refusing to renew approval; discipline of sponsor. ([NRS 116.615](#), [116.665](#), [116A.200](#), [116A.400](#), [116A.410](#))**

1. The sponsor of an approved course:
  - (a) Shall not allow a holder of a certificate to pass the course by taking an examination without having the required attendance;
  - (b) Shall admit:
    - (1) Authorized personnel of the Division to audit and evaluate the presentation of the course; and
    - (2) Each member of an education audit committee selected by the Administrator pursuant to [NAC 116A.180](#) to assist the Division with the review and audit of the course.
  - (c) Shall notify the Division within 15 days after making any material change in the course;
  - (d) Shall not present a course for the main purpose of selling products or services and shall limit the announcement of products or services during the course to not more than 2 minutes; and
  - (e) If the course is a course of instruction in a classroom, shall provide notice of the course to the Division not later than 15 days before the course is offered.
2. The sponsor must apply for renewal on a form provided by the Division and describe on that form any changes in the course. An application for renewal must be filed at least 2 weeks before the previous approval expires. If the sponsor does not timely file the application for renewal, the sponsor must apply for an original approval.
3. Each approved course and instructor is subject to review and audit by the Division or an education audit committee selected by the Administrator pursuant to [NAC 116A.180](#) to assist the Division with the review and audit of the course. If the Division or education audit committee conducts such a review or audit, the sponsor shall make available to the Division or education audit committee, whichever is applicable, all records requested which are necessary to the review. The Division may decide in its discretion whether to provide notice to the sponsor and instructor of a course of the review and audit of the course.
4. Each of the following acts and conditions is a ground for the Commission to withdraw or refuse to renew its approval of a course:
  - (a) The curriculum or instruction, as shown by evaluations or audits, is of poor quality.
  - (b) The violation of any provision of this chapter relating to continuing education.
  - (c) The course is not taught within the last period for which the course is approved.
  - (d) The sponsor of the course has made a false statement or has presented any false information in connection with an application for the approval of the course, the renewal of such approval or the approval of the sponsor.
  - (e) The sponsor of the course or any official or instructor employed by the sponsor has refused or failed to comply with any provision of this chapter, [chapter 116](#) of NAC or [chapter 116](#), [116A](#) or [116B](#) of NRS.
  - (f) The sponsor of the course or any official or instructor employed by the sponsor has provided false or incorrect information in connection with any report the sponsor is required to submit to the Commission.
  - (g) The sponsor of the course has engaged in a pattern of consistently cancelling scheduled courses.
  - (h) The sponsor of the course has remitted to the Division in payment for required fees a check which was dishonored by a bank.
  - (i) An instructor employed by the sponsor of an approved course fails to conduct approved courses in a manner that demonstrates possession of the teaching skills described in this chapter.
  - (j) A court of competent jurisdiction has found the sponsor of the approved course or any official or instructor employed by the sponsor to have violated, in connection with the offering of education courses, any applicable federal or state law or regulation:
    - (1) Prohibiting discrimination on the basis of disability;
    - (2) Requiring places of public accommodation to be in compliance with prescribed standards relating to accessibility; or
    - (3) Requiring that courses related to certification for professional or trade purposes be offered in a place and manner accessible to persons with disabilities.

(k) The sponsor of the course or any official or instructor employed by the sponsor has been disciplined by the Commission or any other occupational certification agency in this State or any other jurisdiction.

(l) The sponsor of the course or any official or instructor employed by the sponsor has collected money for an educational course but has refused or failed to provide the promised instruction.

5. A holder of a certificate who is the sponsor of an approved course is subject to disciplinary action pursuant to the provisions of this chapter for any dishonest, fraudulent or improper conduct by the holder of a certificate, or an instructor of the approved course employed by the holder of a certificate, in connection with activities related to the approved course.

6. As used in this section, "disability" means:

(a) A physical or mental impairment that substantially limits one or more of the major life activities of the person;

(b) A record of such an impairment; or

(c) Being regarded as having such an impairment.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005; A by Comm'n for Common-Interest Communities & Condo. Hotels by R166-09, 5-5-2011)—(Substituted in revision for NAC 116.274)

**NAC 116A.290 Courses: Withdrawal of approval. (NRS 116.615, 116.665, 116A.200, 116A.410)**

1. If the Administrator determines, whether pursuant to an audit or otherwise, that an approved course does not meet the standards for such a course set forth in this chapter, the Administrator shall notify the sponsor of the course of the Administrator's intent to withdraw approval of the course. The notice must include the specific reasons upon which the Administrator is basing the decision to withdraw approval of the course. Not later than 30 days after the date on which a sponsor receives the notice, the sponsor may provide a written response to the Administrator that clearly sets forth the reasons why approval of the course should not be withdrawn and outlining any corrective measures that the sponsor will undertake. After the 30-day period has elapsed, the Administrator shall review the notice and any response submitted by the sponsor and:

(a) Withdraw approval of the course;

(b) Allow the course to remain approved if certain specific enumerated conditions are met; or

(c) Allow the continued approval of the course.

Ê If the Administrator decides to withdraw approval of the course, the withdrawal of approval of the course becomes effective upon the mailing of the decision of the Administrator to withdraw approval to the sponsor by certified mail, return receipt requested, to the sponsor's last known business address.

2. If the Administrator withdraws approval of a course, the Division shall give credit to a student for completing the course if the student began the course before the sponsor received written notice of the withdrawal of approval of the course.

3. The sponsor may appeal the decision of the Administrator to withdraw approval of a course by filing an appeal with the Commission not later than 30 days after the date on which the withdrawal of the approval of the course becomes effective.

4. If the sponsor files a timely appeal, the Commission will, as soon as practicable, hold a hearing concerning the withdrawal of approval of the course at a regularly scheduled meeting and will:

(a) Affirm the decision of the Administrator to withdraw approval of the course;

(b) Suspend approval of the course for a limited period and under such conditions as the Commission deems appropriate; or

(c) Reverse the decision of the Administrator to withdraw approval of the course.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.277)

**NAC 116A.295 Courses: Reapproval by Division if no changes. (NRS 116.615, 116.665, 116A.200)**

The Division shall, on behalf of the Commission, reapprove an approved course if no changes in the course have occurred since the course was last approved or reapproved.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.281)

**NAC 116A.300 Evaluation of course and instructor by students. (NRS 116.615, 116.665, 116A.200)**

1. Each approved course and each instructor of an approved course must be evaluated by students on a form prescribed by the Division and provided by the sponsor during every course offering.

2. The sponsor shall mail or deliver copies of the completed evaluations to the Division within 10 working days after the last day of class for the course.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005; A by Comm'n for Common-Interest Communities & Condo. Hotels by R166-09, 5-5-2011)—(Substituted in revision for NAC 116.284)

**NAC 116A.305 Certificate of completion of course: Prerequisite activities of student; appeal of denial. (NRS 116.615, 116.665, 116A.200, 116A.410)**

1. To receive a certificate of completion for an approved course, a student must:

(a) Direct his or her attention to the instruction being provided and refrain from engaging in activities unrelated to the instruction; and

(b) Refrain from engaging in activities which are distracting to other students or the instructor, or which otherwise disrupt the orderly conduct of a class, including, without limitation, the use of voice pagers, beepers and telephones.

2. An instructor shall deny the award of a certificate of completion to a student who fails to satisfy the conditions set forth in subsection 1.

3. If an instructor denies the award of a certificate of completion to a student, the student may, within 30 days after that denial, file a written request with the Administrator to review the matter. If the written request contains allegations which, if true, would qualify the applicant to receive a certificate of completion, the Administrator shall set the matter for an informal hearing before him or her to be conducted as soon as practicable.

(Added to NAC by Comm'n for Common-Interest Communities by R129-04, eff. 4-14-2005)—(Substituted in revision for NAC 116.287)