

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

788 Fairview Drive, Suite 200 \* **Carson City**, NV 89701-5453 \* (775) 687-4280  
2501 East Sahara Avenue, Suite 202 \* **Las Vegas**, NV 89104-4137 \* (702) 486-4480  
e-mail: [CICombudsman@red.state.nv.us](mailto:CICombudsman@red.state.nv.us) <http://www.red.state.nv.us>

Dear Continuing Education provider:

This package includes all of the forms you will need to apply for a Community Association Manager Continuing Education course in Nevada, plus copies of the relevant statutes and regulations.

The approval process starts with a completed application submitted to the education officer for the Office of the Ombudsman within the Real Estate Division. The file will be reviewed for completeness, after which 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 bimonthly (check the Real Estate Web site for schedules and updates).

Due to Nevada's open meeting laws, applications must be received a minimum of 30 days before the scheduled hearing so it may be reviewed and placed on the agenda. ***Since hearing dates can change and approval is not guaranteed, we recommend course dates be scheduled tentatively. They may be advertised for credit only after approval is received.***

Course application packages must contain the following:

1. Course Application form;
2. Instructor Application form 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 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 a 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;
11. Student evaluation form; and
12. Tentative course schedule for the approval period (one year).

Course applicants are invited and encouraged to attend the hearings.

If you have any questions, please call the Office of the Ombudsman at (702) 486-4480.

Sincerely,

Nicholas R Haley, Education and Information Officer

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**COMMUNITY ASSOCIATION MANAGER CONTINUING EDUCATION  
COURSE APPLICATION**

*Please print or type.*

Date: \_\_\_\_\_

1. Name of offering entity / sponsor: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_
4. E-mail: \_\_\_\_\_ URL: \_\_\_\_\_
5. Name of person authorized to submit application: \_\_\_\_\_

6. Title of Course: \_\_\_\_\_

7. Hours of Instruction: \_\_\_\_\_  Classroom  Computer Interactive  Distance Education

8. Course Objective:

9. Requested classification:  General  NRS update

10. A **detailed outline of the course with time delineation** is required with supporting documentation (instructor manual/notes, reference material, etc.) that provides an in-depth overview of course content. Courses covering changes to Nevada laws pertaining to community managers must detail specific information covered in those areas.

11. Attach **one copy** of student handouts or course materials that will be given to each student.

12. The following items must be submitted with this application:

- θ Attendance Certificate template sample
- θ Statement of refund or cancellation policy
- θ Course Evaluation form
- θ Procedure for verifying attendance / sign-in, sign-out log
- θ Course Outline with time delineation
- θ Retention of Continuing Education Records form (page 5 of this package)
- θ One copy of student materials
- θ Proctor form template, if submitting correspondence course
- θ Proposed course schedule

13. Attendance Certificate must contain all of the following:

- θ Name of offering entity/sponsor
- θ Name of participant and license number
- θ Course, Title and Division-approved course identification (CAM) number
- θ Number of hours of instruction and date of course
- θ Original signature of person authorized to submit application as listed in item 4 above
- θ Statement: **Course Approved by the Nevada Commission for Common-Interest**

**Communities and Condominium Hotels**

14. List instructor name(s) and attach Instructor Application, resume, and copy of appropriate licensure.

15. \* I consent to auditing and/or evaluating by authorized representatives of the Real Estate Division.
- \* I agree to report any material changes of the information contained in this application to the Real Estate Division before presenting the amended course.
  - \* I agree to retain attendance records for at least three years from the date of the offering.
  - \* I agree to provide totally completed certificates with original authorized signatures only to students who have completed this course.
  - \* I agree to comply with the provisions of NAC 116.

Submitted by:

16. The course application fee is \$100. Total amount enclosed \$ \_\_\_\_\_

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

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COMMUNITY ASSOCIATION MANAGER  
INSTRUCTOR APPLICATION

1. PROOF OF QUALIFICATION **MUST BE** ATTACHED. A full resume and applicable documents (licenses, certificates, etc) must accompany all applications. Documents must clearly indicate how instructor is qualified to teach subject matter of course.

2. Name of Applicant: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

3. Name and address of school or organization for which you will instruct:  
\_\_\_\_\_  
\_\_\_\_\_

4. Title of course which you will instruct:  
\_\_\_\_\_

5. Have you ever been refused approval or a license to teach, or has such approval or license been suspended, revoked or subject to discipline? \_\_\_\_\_ If yes, attach explanation.

6. Have you ever been subject to disciplinary action by the Real Estate Commission or the Commission for Common-Interest Communities and Condominium Hotels? If yes, attach explanation.

7. I hereby affirm or swear that the information submitted with this application is true and accurate and no willful omissions have been made.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

**INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED!**

*DIVISION USE ONLY*

Date Application Approved: \_\_\_\_\_ Date of Notification: \_\_\_\_\_

Approved By: \_\_\_\_\_

# RETENTION OF CONTINUING EDUCATION RECORDS

Course: \_\_\_\_\_ CAM Number \_\_\_\_\_

Sponsor: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

As a provider of continuing education, the sponsor is required to maintain records of attendance as specified in Nevada Administrative Code 116.234 (See page 12.).

**Signature verifies that attendance records are kept in accordance with NAC 116.234 and are kept at the following listed location. In addition, it is understood that written notice must be given to the Office of the Ombudsman education and information officer, should any change in location occur.**

\_\_\_\_\_  
*Business Name*

\_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*City* \_\_\_\_\_ *State*

\_\_\_\_\_  
*Printed Name of Authorized Person*

\_\_\_\_\_  
*Title with Sponsoring Agency*

\_\_\_\_\_  
*Signed Name of Authorized Person*

## *Guidelines for Student Catalog for Distance Education Courses - Continuing Education*

A **student catalog** must be included with all distance learning programs. It must contain the following information:

- Name, address, telephone number, e-mail address (if applicable), and business hours of the school
- Name and means of contact (telephone number, e-mail address) of accredited instructor who can be reached for questions during the course of study. Include "office hours" or suggested times when the instructor can be reached by the student if instructor is not readily available.
- Step-by-step instructions as to how the student should proceed with the distance education study
- List all curriculum materials included in the package: student catalog, textbook(s), student handbooks, supplemental laws, etc.
- Provide suggested reading and quiz schedule by chapters/lessons
- Procedure to take/submit quizzes (minimum 1 required)
- Procedure to schedule/take/submit final **proctored** exam (required)
- Minimum time allowed to complete work
- Maximum time allowed to complete work (address any extension options)
- Refund policy
- Any added features you offer, such as review sessions, practice tests
- An Arrangement to Proctor form to be submitted to the school when ready to take final exam and to be kept on file with student record

*Common questions to be answered in the student catalog are: "What is in my package?" "What if all the materials are not here?" "What do I do first?" "How long do I have to complete the course?" "What if I have questions about the material?" and "What if I don't pass the proctored final test for the course?"*



\*\*\*\*\**SAMPLE*\*\*\*\*\*  
**NEVADA REAL ESTATE DIVISION**  
**COURSE/INSTRUCTOR EVALUATION**

COURSE TITLE: \_\_\_\_\_ CAM # \_\_\_\_\_

SPONSOR: \_\_\_\_\_ DATE \_\_\_\_\_

INSTRUCTOR: \_\_\_\_\_

I. INSTRUCTION EVALUATION	<u>Excellent</u>	<u>Good</u>	<u>Average</u>	<u>Fair</u>	<u>Poor</u>
Ability to hold class attention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Knowledge of the subject	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ability to answer questions/interact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation and presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of visual aids	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II. THE COURSE MATERIAL

Course content	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Handouts/booklets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Met stated course objectives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall evaluation of the course	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III. RECOMMENDATIONS ON COURSE

1. How could this course be improved? \_\_\_\_\_

\_\_\_\_\_

2. How does this course enable the licensee to better serve the public? \_\_\_\_\_

\_\_\_\_\_

3. Comments: (list on reverse side of form if needed) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**\*\*\*SAMPLE\*\*\***

***Certificate of Attendance***  
**COMMUNITY ASSOCIATION MANAGER**  
**CONTINUING EDUCATION**

---

Name

---

Certificate No.

has successfully completed and attended

**"TITLE"**

CAM # \_\_\_\_\_ (DESIGNATION)

HOURS Credit

on

---

Date

This Course is Sponsored By:

SPONSOR  
&  
ADDRESS

---

(ORIGINAL) Authorized Signature

**THIS COURSE IS APPROVED BY THE NEVADA COMMISSION FOR COMMON-INTEREST  
COMMUNITIES AND CONDOMINIUM HOTELS**

# COURSE OFFERINGS FOR CALENDAR

Please complete and submit your course offerings for more than a month, if possible

*All information must be as submitted and approved.*

Sponsor : \_\_\_\_\_

Course Title: \_\_\_\_\_

CAM Approval Number: \_\_\_\_\_ Hours Approved: \_\_\_\_\_

Telephone Number for course information: \_\_\_\_\_

Date of Presentation: \_\_\_\_\_

Location of Presentation: \_\_\_\_\_

**You can attach a listing of your course offerings by date, title, designation and CE number.**

*Once you have received continuing education approval and schedule offerings, please complete and return this form to:*

*Nevada Real Estate Division  
Office of the Ombudsman  
2501 E. Sahara Ave., Ste 205  
Las Vegas NV 89104-4137*

*- or -*

*Fax to (702) 486-4480*

*- or -*

*e-mail to [nhaley@red.state.nv.us](mailto:nhaley@red.state.nv.us)*

*SAMPLE*  
**CERTIFICATION OF TEST PROCTOR**

**A student who takes a distance education or home study program course must pass a proctored closed-book examination. The proctor must complete and provide to the school a certification form approved by the Real Estate Division for each examination administered by the proctor.**

**Instructions to School.** When a student completes the course work, fill out the blanks in this section and provide the form to the proctor with the examination.

\_\_\_\_\_ *Name of School:*

\_\_\_\_\_ *Name of Course:* \_\_\_\_\_ *CAM Course Number*

\_\_\_\_\_ *Name of Licensee:* \_\_\_\_\_ *CAM Certificate Number*

**Instructions to Proctor.** After an examination is administered, complete and return this certification and the examination to the school in a sealed exam packet.

**I certify that:**

1. I am a disinterested third party in the administration of this examination. I am not related to the licensee by blood, marriage or any other means that would influence me from properly administering the examination. I am not a community manager, nor am I affiliated with a community management company.
2. The licensee showed me positive photo identification before completing the examination.
3. The enclosed examination was administered under my supervision on \_\_\_\_\_.  
The licensee received no assistance and had no access to books, notes or reference material.
4. I have not permitted the examination to be compromised, copied, or recorded in any way or by any method.

\_\_\_\_\_ *Printed Name of Proctor*

\_\_\_\_\_ *Address*

\_\_\_\_\_ *City, State, and Zip*

\_\_\_\_\_ *Signature of Proctor*

State of \_\_\_\_\_

*(Notary Seal)*

County of \_\_\_\_\_

} **SS**

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_ My appointment expires on \_\_\_\_\_

*Notary Public*

## CONTINUING EDUCATION LAW/ADMINISTRATIVE CODE

- NRS 116.665.4** The Commission shall recommend and approve for accreditation programs of education and research relating to common-interest communities, including, without limitation:
- (a) The management of common-interest communities;
  - (b) The sale and resale of units within common-interest communities;
  - (c) Alternative methods that may be used to resolve disputes relating to common-interest communities; and
  - (d) The enforcement, including by foreclosure, of liens on units within common-interest communities for the failure of the unit's owner to pay any assessments levied against the unit or any fines imposed against the unit's owner.
- 
- NAC 116.234** **Approval of and requirements for course; record of attendance or completion.**
- NAC 116.237** **Distance education course: Requirements and considerations for approval.**
- NAC 116.241** **Approved course: Duties of sponsor.**
- NAC 116.244** **Notice of policy concerning cancellations and refunds.**
- NAC 116.247** **Restrictions on receipt of credit for course; final examination.**
- NAC 116.251** **Credit for attendance at meeting of Commission.**
- NAC 116.261** **Requirements for instructors and guest lecturers; advertising.**
- NAC 116.264** **Instructors: Approval by Division.**
- NAC 116.267** **Instructors: Responsibilities.**
- NAC 116.271** **Instructors: Withdrawal of approval.**
- NAC 116.274** **Courses: Responsibilities of sponsor; renewal of approval; review and audit; grounds for withdrawing or refusing to renew approval; discipline of sponsor.**
- NAC 116.277** **Courses: Withdrawal of approval.**
- NAC 116.281** **Courses: Reapproval by Division if no changes.**
- NAC 116.284** **Evaluation of course and instructor by students.**
- NAC 116.287** **Certificate of completion of course: Prerequisite activities of student; appeal of denial.**

### **NAC 116.234 Approval of and requirements for course; record of attendance or completion.**

1. 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 116.505](#). The Commission's approval of a course for continuing education is effective for 1 year after the original approval or a renewal.

2. The Commission may grant retroactive approval for a course for continuing education.
3. The Commission will grant credit for a course for continuing education only if:
  - (a) The course consists of at least 3 hours of distance education or instruction in a classroom.
  - (b) 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 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.
  - (c) 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 identity before he 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 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. 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 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 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 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)

**NAC 116.237 Distance education course: Requirements and considerations for approval.**

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 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 performance, is determined to be deficient in his 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)

**NAC 116.241 Approved course: Duties of sponsor.**

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)

**NAC 116.244 Notice of policy concerning cancellations and refunds.**

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)

**NAC 116.247 Restrictions on receipt of credit for course; final examination.**

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 116.230)

#### **NAC 116.251 Credit for attendance at meeting of Commission.**

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)

### **Approved Courses and Instructors**

#### **NAC 116.261 Requirements for instructors and guest lecturers; advertising.**

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 116.264](#).

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)

#### **NAC 116.264 Instructors: Approval by Division.**

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 principal occupation if:

(a) He 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 will be providing instruction;

(2) At least 75 hours of teaching experience in the field in which he will be providing instruction within the 3 years immediately preceding the date of his 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 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 will be providing instruction;

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

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

5. The Division shall periodically review and evaluate each approved instructor.

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

### **NAC 116.267 Instructors: Responsibilities.**

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 in a professional and courteous manner when performing his 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)

### **NAC 116.271 Instructors: Withdrawal of approval.**

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;

(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.

2. Before withdrawing approval of the instructor of a course, the Administrator must notify the sponsor of the course of his intent to withdraw approval of the instructor. The notice must include the specific reasons upon which the Administrator is basing his decision to withdraw the approval of the instructor. Not later than 30 days after the date on which he receives the notice, a 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.
- ↪ 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)

**NAC 116.274 Courses: Responsibilities of sponsor; renewal of approval; review and audit; grounds for withdrawing or refusing to renew approval; discipline of sponsor.**

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 authorized personnel of the Division to audit and evaluate the presentation of the course;
  - (c) Shall notify the Division within 15 days after making any material change in the course; and
  - (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.

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. If the Division conducts such a review or audit, the sponsor shall make available to the Division all records requested which are necessary to the review.

4. The Division shall renew the approval of a course if the information concerning the course has been updated and there is no material change in the content of the course.

5. 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 or [chapter 116](#) 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 Commission 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.

6. 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.

7. 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)

### **NAC 116.277 Courses: Withdrawal of approval.**

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 his intent to withdraw approval of the course. The notice must include the specific reasons upon which the Administrator is basing his decision to withdraw approval of the course. Not later than 30 days after the date on which he 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.

➔ 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)

**NAC 116.281 Courses: Reapproval by Division if no changes.**

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)

**NAC 116.284 Evaluation of course and instructor by students.**

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:

- (a) Arrange for the collection of the completed evaluations by a person other than the instructor of the approved course; and
- (b) 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)

**NAC 116.287 Certificate of completion of course: Prerequisite activities of student; appeal of denial.**

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

(a) Direct his 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 to be conducted as soon as practicable.

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