

## INFORMATIONAL STATEMENT

R167-20

### 1. A clear and concise explanation of the need for the adopted regulation:

NRS Chapter 289 authorizes the Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510)

Existing regulations require a person appointed to perform the duties of a peace officer, among other requirements, to have successfully completed the 12th grade or been certified by an appropriate authority as having an equivalent education.

(NAC 289.110) This regulation instead requires a person appointed to perform the duties of a peace officer to have: (1) graduated from high school; (2) passed the General Educational Development Test or another high school equivalency assessment approved by the State Board of Education; or (3) passed a high school equivalency assessment approved by an appropriate authority in another state.

This proposed regulation will provide clarification to our law enforcement agencies regarding what programs will be accepted by Nevada POST as meeting the graduation requirement and allowing for an option for non-accredited programs to still be recognized by requiring the GED or other high school equivalency assessment.

### 2. A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary:

Workshop was held 11/17/2020, public comment accepted during workshop and regularly scheduled meeting. A copy of this notice and regulations to be adopted, amended or repealed was posted pursuant to the Governor's Declaration of Emergency Directive 006, section 004: A notice of this workshop and meeting have been provided via electronic means to all law enforcement agencies on the POST Listserv email list, electronically posted on <https://post.nv.us> and <https://notice.nv.gov>, and physically posted at the Commission on Peace Officer Standards and Training Administrative Office, 5587 Wa Pai Shone Ave., Carson City, Nevada. Copies of the notice and regulations to be adopted, amended or repealed are available upon request by contacting the POST Standards Division at (775) 687-3335.

Public Comment Hearing was held 11/08/2021. Public Comment accepted during the Public Comment Hearing and regularly scheduled meeting. A copy of this notice and the regulations to be adopted, amended or repealed, pursuant to NRS233B.0607, is deposited with the State Library, archives and Public Records Administrator, posted electronically on <https://post.state.nv.gov>, <https://notice.nv.gov>, <https://leg.state.nv.us>, emailed to all law enforcement agencies on the POST listserv lists, physically posted at the Commission on Peace Officer Standards and Training Administrative Office, 5587 Wa Pai Shone Ave., Carson City, Nevada. Copies of the notice and regulations to be adopted, amended or repealed are available upon request by contacting the POST Standards Division at (775) 687-3335.

**The number of persons who:**

- a. Attended each hearing**
  - a. Workshop – 1**
  - b. Public Comment Hearing - 10**
- b. Testified at each hearing 0**
- c. Submitted to the agency written statements 0**

- 3. Contact information of each person that testified at each hearing or submitted statements to the agency. (If no contact information was provided state “not provided”): N/A**
- 4. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary:**

The Commission on POST has reviewed the text of the proposed regulations. Because the regulation amends Nevada Administrative Code Chapter 289, dealing with certification provisions of the annual continuing education of peace officers, the proposed amendments to NAC Chapter 289 will have no impact on small business.

Interested persons may obtain a copy of the proposed regulation text by going to the Register of Administrative Regulations for 2020 and clicking the link: [www.leg.state.nv.us/Register/2020Register/R167-20P.pdf](http://www.leg.state.nv.us/Register/2020Register/R167-20P.pdf), by contacting Chief Kathy Floyd at [kfloyd@post.state.nv.us](mailto:kfloyd@post.state.nv.us) or by telephone at 775-687-7678, ext. 3335 or going to the Nevada Commission on POST website at <https://post.nv.gov>.

- 5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:**

This regulation meets the requirements and was adopted with no changes

- 6. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case much include:**

- a. Both the adverse and beneficial effects; and**

Adverse: None

Beneficial: This proposed regulation will provide clarification to our law enforcement agencies regarding what programs will be accepted by Nevada POST as meeting the graduation requirement and allowing for an option for non-accredited programs to still be recognized by requiring the GED or other high school equivalency assessment.

- b. Both immediate and long-term effects**

Immediate: None

Long Term: None

**7. The estimated cost to the agency for enforcement of the proposed regulation:**

None

**8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

None

**9. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**

None

**10. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:**

None