

**EMERGENCY REGULATION OF THE EMPLOYMENT SECURITY DIVISION OF
THE DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION**

EXPLANATION-Matter in *italics* is new; matter in brackets [omitted-material] is material to be omitted.

Filing of Emergency Administrative Regulations

AUTHORITY: NRS 612.220 and Section 3 of Senate Bill No. 3 of the 32nd Special Session of the Nevada Legislature, chapter 7, Statutes of Nevada 2020, 32nd Special Session, at page 81 (NRS 612.242).

REGULATIONS relating to unemployment compensation;

Digest:

The proposed regulatory changes to Nevada Administrative Code (NAC) Chapter 612 would define the term education support professionals and modify provisions , consistent with federal law, to allow education support professionals to receive unemployment compensation between academic terms.

Section 1. Chapter 612 of NAC is hereby amended by adding thereto a new section to read as follows:

Based upon the declaration of emergency by the Governor regarding COVID-19:

1. Education Support Personnel is defined as follows:

Personnel of an educational institution who are not teachers or student teachers and whose position, pursuant to the laws of the State of Nevada as of January 1, 2020, does not require a current license or provisional license issued by the Department of Education, or an endorsement along with a professional license issued by another professional licensing board in Nevada. The fact that a person may hold a license issued by the Department of Education is not a disqualifying factor if that license is not required, pursuant to the laws of the State of Nevada as of January 1, 2020, for the position in which the person is employed prior to the break in two successive academic years or regular terms. The fact that a person holds a license as a substitute teacher and may be compensated as a substitute teacher on certain days is not a disqualifying factor if that person holds a position as education support personnel that otherwise meet the requirements in this section.

2. Educational institution is defined as a county school district, a charter school formed pursuant to chapter 388A of NRS, or a private elementary or

secondary institution authorized to operate in this State pursuant to chapter 394 of NRS.

3. In the best interests of the general health, safety and welfare of the citizens of this State, a person employed as an education support personnel must not be denied benefits pursuant to NRS 612.434 for any week of unemployment which begins during the period between two successive academic years or terms on the basis that the person has a reasonable assurance that he or she will be provided employment as an education support personnel in the next academic year or term if that person otherwise qualifies for benefits pursuant to Chapter 612 of the Nevada Revised Statutes.

4. For any claim paid pursuant to this section, the Administrator shall reduce the reimbursements in lieu of contributions that are due by up to 75% of the amount owed.

Sec. 2. This regulation becomes effective upon filing with the Secretary of State pursuant to NRS 612.242.