

**PROPOSED REGULATION OF THE
NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION**

LCB FILE NO. R021-25I

**The following document is the initial draft regulation proposed
by the agency submitted on 06/12/2025**

NAC 385B.910 Appeal by pupil adversely affected by determination made on appeal of determination of ineligibility. ([NRS 385B.060](#), [385B.090](#))

1. A pupil who is adversely affected by a determination made pursuant to [NAC 385B.908](#) may appeal that determination pursuant to this section.

2. An appeal filed pursuant to this section must be:

- (a) Heard by a hearing officer who is appointed by the Executive Director and approved by the Board;
- (b) Heard in Reno or Las Vegas unless the Executive Director specifies another location for the appeal; and

(c) Except as otherwise provided in subsection 3, accompanied by a nonrefundable fee of \$500-;

(d) Based on the information provided in the transfer application where the ineligible determination was made. New information or documentation must be reviewed at Level I prior to being heard by a hearing officer.

3. The Executive Director may waive the fee for filing an appeal specified in subsection 2 if he or she determines that:

(a) The pupil who filed the appeal qualifies for the school lunch program pursuant to 42 U.S.C. §§ 1751, et seq.; or

(b) The payment of the fee will impose a substantial financial hardship on the pupil.

4. Except as otherwise provided in this section, each hearing held pursuant to this section must be:

- (a) Conducted in accordance with the provisions of [chapter 233B](#) of NRS relating to contested cases;
- (b) Except as otherwise provided in subsection 5, closed to the general public; and
- (c) Recorded on audiotape.

5. A pupil who is at least 18 years of age and who files an appeal pursuant to this section is entitled to have any hearing conducted concerning the appeal open to the general public.

6. Each party to an appeal may present a closing argument after the submission of evidence at any hearing concerning the appeal that is conducted pursuant to this section.

7. The Association must be represented by legal counsel at any hearing held pursuant to this section.

8. School and school district personnel may act as a witness at any hearing but may not act as counsel for the pupil.

~~8.~~ **9.** A hearing officer who is appointed to conduct an appeal pursuant to this section shall:

(a) After the submission of the evidence and the presentation of any closing arguments, declare the hearing closed; and

(b) Within 10 days after closing the hearing, prepare findings of fact and conclusions of law and submit his or her decision to:

- (1) The Executive Director;
- (2) The legal counsel representing the Association; and
- (3) Each party to the appeal.

~~9.~~ **10.** The decision of a hearing officer issued pursuant to this section is final and binding and may not be appealed.

~~10.~~ **11.** The office of the Executive Director shall:

(a) Provide administrative and clerical support for each hearing officer who is appointed pursuant to this section; and

(b) If money is available for that purpose, reimburse the hearing officer for any per diem or travel expenses incurred or fees charged by him or her for conducting the appeal.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R130-17, 1-30-2019)—(Substituted in revision for NAC 386.855)