

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

**NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS  
OF THE NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION**

The Nevada Interscholastic Activities Association (“NIAA”) will hold a public hearing at 1:00 p.m. on the 8th day of March, 2006 and at 8:30 a.m. on the 9<sup>th</sup> of March, 2006, at Silverado High School, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of Regulations that pertain to Chapter 386 of the Nevada Administrative Code.

The following is provided pursuant to the requirements of NRS 233B.0603:

1. The adoption of these Regulations are needed for purposes of the governance of high school athletics and activities throughout the State of Nevada which are governed by the NIAA.
2. The Regulation changes will address the following:
  - (a) Regulation 386.667 / 386.668 – Classification and Alignment of Schools
  - (b) Regulation 386.696 – Out-of-Season Participation
  - (c) Regulation 386.698 – Participation in a Sanctioned Sport
  - (d) Regulation 386.702 - Tournaments
  - (e) Regulation 386.785 – Presumption of Eligibility
  - (f) Regulation 386.791 – Alternative Education Eligibility
  - (g) Regulation 386.795 – Foreign Exchange Students
  - (h) Regulation 386.796 – One School Per Season
  - (i) Regulation 386.816 – Sunday’s Prohibited
  - (j) Regulation 386.819 – Physical Examinations
  - (k) Regulation 386.830 – Participation of an Ineligible Pupil
  - (l) Regulation 386.847 - Drug, Alcohol & Tobacco Use by Coaches
- 3(a). The economic effect of the Regulation on high school athletics will be minimal.
- (b). The immediate and long term effects of this Regulation will be to provide a better source of information to the public regarding the governance of high school athletics and activities, including high school athletes, parents, coaches and officials all of whom are governed by the NIAA.
4. The estimated cost to the NIAA for purposes of enforcement of the proposed Regulation are minimal.

5. This Regulation does not overlap or duplicate any regulations of other state or local governmental agencies.

6. The adoption of this Regulation is not required pursuant to federal law.

7. The adoption of this Regulation does not include any provisions which are more stringent than any federal regulation. *See*, paragraph 6, above.

8. The adoption of this Regulation does not establish any new fee or increases to existing fees associated with the governance of the NIAA.

Persons wishing to comment upon the proposed action of the NIAA may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Jerry A. Hughes, Executive Director, Nevada Interscholastic Activities Association, One East Liberty Street, Suite 505, Reno, Nevada 89501. Written submissions must be received by the NIAA on or before March 1, 2006. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the NIAA may proceed immediately to act upon any written submissions.

A copy of this Notice and the Regulations to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the Notice and the Regulations to be adopted will be available at One East Liberty Street, Suite 505, Reno, Nevada 89501, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This Notice and the text of the proposed Regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the internet at <<http://www.leg.state.nv.us>>. Copies of this Notice and the proposed Regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of Hearing has been posted at the following locations on or before February 7, 2006:

Office of the Nevada Interscholastic Activities Association  
One East Liberty Street, Suite 505  
Reno, Nevada 89501

Washoe County School District  
425 East Ninth Street  
Reno, Nevada 89520

Clark County School District  
2832 E. Flamingo  
Las Vegas, Nevada 89121

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**NAC 386.819 Physical examinations: Requirements for pupils; maintenance and review of records; exemption from requirements. (NRS 386.430)**

1. Each pupil who wishes to participate in any sanctioned sport for the first time:
  - (a) Must submit to a physical examination that is conducted by a physician who is licensed pursuant to chapter 630 of NRS or a homeopathic physician who is licensed pursuant to chapter 630A of NRS; and
  - (b) After completing the physical examination, must be approved for participation in a sanctioned sport by a physician or homeopathic physician specified in paragraph (a) on a form approved by the Association. *Beginning with students enrolling as a freshman in the fall of 2005, students will be required to have a physical their first and third year of participation in an athletic event.*
2. Each pupil who wishes to participate in a sanctioned sport and has complied with the provisions of subsection 1 shall, for each year he participates in a sanctioned sport, complete the form which is approved by the Association for that purpose. If the pupil submits an affirmative response to any question on the form, he must submit to a complete physical examination in accordance with subsection 1 before he is eligible to participate in a sanctioned sport.
3. Each school shall:
  - (a) Maintain a record of each form submitted to the school pursuant to this section; and
  - (b) Ensure that the athletic director, athletic trainer or school nurse reviews each form specified in paragraph (a) before each season in which the pupil participates in a sanctioned sport.
4. If the religious beliefs of a pupil prohibit him from submitting to a physical examination to participate in a sanctioned sport, the pupil and a parent or legal guardian with whom he resides shall execute a release which indemnifies and holds harmless the school, school district and Association from all liability which may arise because of the pupil's participation in the sanctioned sport.
5. A pupil may obtain the form for the release specified in subsection 4 from the Association.

**NAC 386.796 Practice or participation by pupil in any sanctioned sport for more than one school during season prohibited; waiver of prohibition. (NRS 386.430)**

1. Except as otherwise provided in subsection 2, a pupil shall not practice or participate in any sanctioned sport for more than one school during the season for the sanctioned sport. *This would include Nevada schools as well as out-of-state and international schools.* (added 3/10/05)
2. Except as otherwise provided in subsection 3, the Executive Director may waive the provisions of subsection 1 if a pupil moves with his parent or legal guardian from the zone of attendance of a school to the zone of attendance of another school during a season.
3. The Executive Director shall not issue a waiver pursuant to subsection 2 if:
  - (a) The move is completed after more than one-half of the season is completed; or
  - (b) The pupil to whom the waiver applies:
    - (1) ~~Participates in a sanctioned sport at the varsity level; or~~ *Was cut or dismissed from a team;*  
*or*
    - (2) Is ineligible for any reason to participate in a sanctioned sport at the school from which he transferred.

**NAC 386.702 Tournaments; wrestling; swimming and diving, substitutions.  
(NRS 386.430)**

1. In addition to any limitation concerning the number of games, contests or meets in which a school or pupil may participate in a sanctioned sport pursuant to NAC 386.699:

(a) A team that participates in a sanctioned sport may participate in not more than two tournaments during a year.

(b) A pupil who participates in wrestling as a sanctioned sport, including, without limitation, a pupil who is a member of the junior varsity team and the varsity team for wrestling during the same season, may participate in not more than 15 contacts during a year.

(c) A pupil who participates in swimming and diving as a sanctioned sport may participate in not more than 12 competitions during a year.

2. A ~~pupil~~ *school* who participates in a sanctioned sport may substitute not more than:

(a) One tournament for not more than three games, contests or meets for the sanctioned sport;  
or

(b) Three games, contests or meets for not more than one tournament for the sanctioned sport.

3. As used in this section:

(a) "Competition" means a dual, triangular or quadrangular invitational meet. The term does not include a league, regional or state tournament.

(b) "Contact" means a dual, double dual or triple dual. The term does not include a league, regional or state tournament.

(c) "Tournament" means any contest between more than two teams that participate in a sanctioned sport to determine the winner for the season for that sanctioned sport.