

LCB File No. R136-05

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

NOTICE OF HEARING FOR THE ADOPTION OF REGULATIONS

The Nevada Interscholastic Activities Association (“NIAA”) will hold a public hearing at 10:30 a.m. on the 28th day of September, 2005 and at 8:30 a.m. on the 29th day of September, 2005, at the Atlantis Casino Resort, Reno, 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 386.871 – Lifetime Pass
 - (b) Regulation 386.851 – Reverse Financial Hardship
 - (c) Regulation 386.804 – Academic Eligibility
 - (d) Regulation 386.754 – Spirit Squads
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 September 23, 2005. 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 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 August 29, 2005:

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

NAC 386.871 Lifetime pass: Prerequisites to issuance; use. (NRS 386.430)

1. Each member of the Hall of Fame of the Association, and each member of the Board whose term of membership on the Board has expired, is entitled to receive a lifetime pass from the Association.

2. Any person who is not entitled to receive a lifetime pass pursuant to subsection 1 must be nominated to receive a lifetime pass. The Association will accept a nomination of a person for a lifetime pass that is submitted by:

- (a) A member of the Legislative Commission;
- (b) A member of the Board;
- (c) A principal of a school; or
- (d) The Executive Director.

(e) *Commissioner of Officials*

3. The Board may accept a nomination for a lifetime pass for the following persons:

- (a) A retired superintendent of schools of a school district in this State;
- (b) A retired administrator of a high school in this State; or
- (c) A person who has served for at least 25 years in support of the athletic program of a school, including, without limitation, service as:

- (1) A coach;
- (2) An athletic administrator;
- (3) A sports official;
- (4) A member of a board of trustees of a school district in this State; and
- (5) A physician for a team.

4. The nomination of a person for a lifetime pass must be submitted on a form provided by the Association at least 30 days before a scheduled meeting of the Board. A majority vote of the Board is required to issue a lifetime pass to a nominee.

5. Except as otherwise provided in this subsection, a lifetime pass is not transferable and admits the holder of the pass and one guest who accompanies the holder of the pass to any game, contest, meet or tournament that is sponsored by the Association or any school. If the spouse of a holder of a lifetime pass presents the pass for admission to the game, contest, meet or tournament, only the spouse may be admitted.

NAC 386.851 Appeal of certain determinations that impose hardship on pupil. (NRS 386.430)

1. Except as otherwise provided in NAC 386.600 to 386.886, inclusive, a pupil may appeal a determination made pursuant to any of those sections if the determination imposes a hardship on the pupil. The pupil must prove by a preponderance of the evidence that:

- (a) The hardship exists; and
- (b) If the determination relates to a transfer by the pupil, the pupil was not recruited to make the transfer.

2. If a determination made pursuant to NAC 386.600 to 386.886, inclusive, relates to a transfer by a pupil from a private school to a public school, the pupil may appeal the determination if the pupil transferred to the public school because of a financial burden incurred by him.

3. As used in this section, “financial burden” means a change in the financial status of a parent, legal guardian or other family member who provides money for a pupil to attend a private school if:

(a) The change is solely the result of a decrease in:

(1) The salary of the parent, legal guardian or family member; or

(2) Any investment income that is owned and held in the name of the parent, legal guardian or family member; and

(b) The existence of the change is established to the satisfaction of the Executive Director by the submission of a copy of:

(1) The most recent paycheck of the parent, legal guardian or family member; and

(2) The federal income tax return and withholding statement of the parent, legal guardian or family member for the year immediately preceding the first year the pupil enrolled in the private school and for each year the pupil attended the private school.

4. A reverse financial burden may also be considered if an individual using the above criteria can demonstrate the lack of sufficient funds at one time followed by adequate funds at a later date.

↳ The term does not include a hardship or a change in any financial assistance obtained from a person who is not a member of the family of the pupil.

NAC 386.804 Academic eligibility: Passing grades during season; periodic reviews of pupil’s progress. (NRS 386.430)

1. If, pursuant to the provisions of NAC 386.803, a school district adopts the requirements for academic eligibility set forth in this section, each pupil who participates in a sanctioned sport at a school that is located in the school district must maintain a passing grade for each course he takes during the season. The school shall, in accordance with subsection 3, review the pupil’s progress in each course at least once every 3 weeks, including any vocational, magnet, college or night courses taken by the pupil at a school other than the school where the pupil participates in a sanctioned sport.

2. Except as otherwise provided in subsection 3, each school district shall establish the dates for conducting the reviews required pursuant to this section based on its academic calendar for each school year. The dates must be determined:

(a) By beginning at the end of the first semester of the school year and counting back to the beginning of the school year in increments of 3 weeks; and

(b) From the beginning of the second semester of the school year and counting forward to the end of the school year in increments of 3 weeks.

(c). School districts may adjust eligibility check dates by a one week variance to the dates established in 2 (a) and 2 (b) with the approval of the Executive Director. Inapplicable check dates may also be waived with the approval of the Executive Director.

3. A school shall not conduct the first review during a school year until after the first date on which a game, contest or meet may be scheduled for a season as determined by the schedule of activities established by the Association for that purpose.

4. Each review must indicate the pupil’s academic status for the period beginning on the first day of the semester and ending on the date on which the review is conducted and must be determined in accordance with the regulations of the school district in which the school is located. Each review may include the pupil’s cumulative semester grades or 9-week grades, or any combination thereof. Each school district shall declare the eligibility or ineligibility of a pupil to participate in a sanctioned sport based on the policy of the school district.

5. If a pupil receives a failing grade in an academic course after a review is conducted for the pupil pursuant to this section, the school that conducted the review shall place the pupil on probation for 1 week. A pupil who is placed on probation remains eligible to participate in the sanctioned sport in which he participates during the probationary week and must be reviewed on the Friday of the probationary week.

6. If a pupil who is placed on probation pursuant to subsection 5 continues to maintain a failing grade at the review conducted on the Friday of the probationary week, the school that conducted the review shall declare the pupil to be ineligible to participate in a sanctioned sport for the period beginning on the Monday after he is declared ineligible and ending on the first Saturday after that Monday.

7. If a pupil is declared ineligible after the probationary week, the school shall conduct a review of the pupil each week until he becomes eligible, regardless of whether that period extends beyond the next scheduled review. If the pupil becomes eligible, the pupil must be reviewed at the next regularly scheduled review and is entitled to another probationary week.

8. If a review is scheduled pursuant to this section for the day before a holiday or vacation for the school, and if a pupil has received a failing grade at the time the review is conducted:

(a) The pupil remains eligible to participate in a sanctioned sport during the holiday or vacation; and

(b) The school that conducted the review shall place the pupil on probation beginning on the first school day after the holiday or vacation.

9. A pupil who is placed on probation the week before a school holiday or vacation is eligible to participate in a sanctioned sport if the school determines that the pupil has maintained passing grades at the regularly scheduled review conducted immediately before the holiday or vacation. If the school determines that the pupil has not maintained passing grades after that review is conducted, the pupil remains ineligible during the holiday or vacation.

10. A pupil who is declared ineligible not more than 2 weeks before a school holiday or vacation remains ineligible to participate in the sanctioned sport until he achieves a passing grade as determined by each weekly review conducted pursuant to this section.

11. If a pupil withdraws or is excluded from a class because he received a failing grade during a semester, the school shall, immediately after the record of the withdrawal or exclusion becomes available, declare the pupil ineligible to participate in the sanctioned sport for the period beginning on the Monday after he withdraws or is excluded and ending on the first Saturday after that Monday. The provisions of this subsection do not exempt a pupil from complying with the requirement set forth in subsection 1 of NAC 386.802.

NAC 386.754 Spirit squads: [Generally.] (NRS 386.430)

~~[1. Each spirit squad shall comply with the provisions of the rulebook of the Spirit Association of the National Federation of State High School Associations during any period in which the spirit squad participates in a competition that is sanctioned by the Nevada Interscholastic Activities Association.~~

~~—2. Each school district in this State shall, for each school in the district, establish the requirements for eligibility for a pupil to become a member of the spirit squad of the school.~~

~~—3. A spirit squad of a school shall not participate in a competition:~~

~~—(a) That is not sanctioned by the Association and approved by the principal of the school pursuant to this section;~~

~~—(b) That is titled or otherwise referred to as “Nevada State Competitions” or “Nevada Regional Competitions”; or~~

~~—(c) During which an all-star spirit squad competes against a spirit squad of a high school.~~

~~—4. To apply to have a competition for a spirit squad sanctioned by the Association, the school for the spirit squad company sponsoring the competition must submit an application to the Executive Director on a form:~~

~~—(a) Provided by the Association; or~~

~~—(b) Obtained from the website of the Association at <<http://www.nevada.ihigh.com>>.~~

~~—5. A spirit squad may not participate in more than three competitions during a season.~~

~~—6. The Association will, upon request:~~

~~—(a) Verify whether a competition has been sanctioned by the Association pursuant to this section; or~~

- ~~—(b) Provide an application for sanctioning a competition.~~
- ~~—7. Any competition or other activity engaged in by a spirit squad is not a sanctioned sport for purposes of NAC 386.600 to 386.886, inclusive.~~
- ~~—8. As used in this section, “spirit squad” means any team or other group of persons that is formed for the purpose of:~~
 - ~~—(a) Leading cheers or rallies to encourage support for a team that participates in a sanctioned sport; or~~
 - ~~—(b) Participating in a competition against another team or other group of persons to determine the ability of each team or group of persons to engage in an activity specified in paragraph (a).]~~

NAC 386.754 Spirit Squads

NIAA RULES AND REGULATIONS FOR SPIRIT SQUADS

SPIRIT SQUADS IN NEVADA WILL BE CONSIDERED A RECOGNIZED ACTIVITY AND NOT A SPORT

SQUAD DEFINITION

Spirit squads include cheer, stunt, dance, drill, pom and mascot groups.

SPIRIT DEFINITION

NIAA cheer, stunt, dance, drill, pom and mascots will be referred to as spirit squads. Although some schools may choose to have their squads do sideline chants, or competitions, they will all be defined as spirit squads.

SUPERVISION

It is recommended that spirit coaches will report to the school’s athletic administrator and /or athletic director. Coaches will work with the administration to promote school spirit, pride and sportsmanship.

SEASON AND LIMITATIONS

The earliest permissible date to begin practices will coincide with the first day of non-contact football practice. The season will end on the final day of boys and/or girls state basketball playoffs.

Tryouts for the next season may not exceed five (5) consecutive days. Tryouts may be conducted for a five day period between the conclusion of the state basketball tournament and the end of the school year. Tryouts may also be conducted at the beginning of the season in August. The coach of the spirit squad shall select the squad based on the coach’s tryout procedures.

During the off-season, conditioning and camp participation may be any fifteen (15) days chosen by the coach and school. Any state spirit competition must be held no later than the first week following the state basketball playoffs.

NUMBER OF PARTICIPANTS

CHEER/STUNT

There may be one squad each for Varsity, Junior Varsity and Freshman. Varsity squads will not exceed 20 members (excluding the mascot). Junior Varsity squads will not exceed 14 members. Freshman squads will not exceed 12 members. It will be at the discretion of the head coach as to the placement of the members on the appropriate squad.

DANCE/DRILL/POM

Performing squads' numbers will be at the discretion of the school. Pom will be considered a performing squad unless they are combined as a cheer/pom squad and then they will not exceed the original 20 members.

During football playoff games and during any half time performances (basketball or football), the number of squad members performing will be at the discretion of the head coach. Only official members of the varsity, junior varsity or freshman spirit squads may participate.

RULES

The National Federation Spirit Rules shall govern all spirit squads.

Schools and school districts will adopt their own regulations as they apply to transfer, academics, etc.

FALL/WINTER SQUADS

It is permissible for schools to hold separate tryouts for a Fall and a Winter spirit squad. The following regulations would apply:

- 1. The numbers per squad would still apply*
- 2. The season limitations and time frames would remain the same*
- 3. A school may permit a separate "stunt" squad, however, the number of members must be included in the total maximum number of members per squad*

DUAL PARTICIPATION IN THE SAME SEASON

Spirit squads may be permitted to participate on a school athletic team during their same season with the permission of the coach and school administration.

Outside participation on a competitive squad sponsored by all-stars, gyms, schools, private organizations, etc., will not be permitted during the spirit season for any NIAA member school. However, practicing or taking classes are permitted.

SANCTIONING RULES AND REGULATIONS FOR SPIRIT SQUADS (Cheer, Dance, Pom, Drill)

This sanctioning process pertains to competitions / events for Nevada high school spirit squads.

NIAA SANCTION IS REQUIRED FOR;

- 1. Any in-state competition/event that is sponsored or co-sponsored by an organization other than an NIAA member school.*
- 2. Any in-state competition/event that is sponsored by a member school and includes schools from other states.*
- 3. Any in-state competition/event that is sponsored by a member school and does not include schools from other states.*
- 4. Any out-of-state competition/event attended by an NIAA member school that is sponsored or co-sponsored by an organization other than a member school of that state's high school association.*
- 5. Any out-of-state competition/event that is attended by an NIAA member school that is sponsored or co-sponsored by a member school of that state's high school association.*

GENERAL REQUIREMENTS

- 1. All events sanctioned by the Nevada Interscholastic Activities Association must be conducted in compliance with all National Federation and host state/school rules and regulations.*
- 2. No member school or organization may use the wording "State Competition" when referring to competitions sanctioned in Nevada.*
- 3. A list of invited schools (including states) and/or non-sponsored school groups (ie: all stars, cheer gyms, etc.) must be submitted with your application for sanction.*

APPLICATION PROCEDURE

- 1. Sanction forms are available from the NIAA office.*
- 2. Applicant for event must submit the completed form to the NIAA office no later than 30 days prior to the event. If a late request is approved, the applicant will be assessed a fine of \$100.00.*
- 3. The NIAA office will notify the applicant in writing regarding approval.*
- 4. The sanctioning form will be reviewed by the NIAA Executive Director and the State Spirit Director.*
- 5. The results of the ruling on the sanction will be forwarded to all member schools.*
- 6. The following must be provided with your completed sanctioning form:*
 - a. Copy of event/competition rules and regulations*
 - b. Proof of liability*
 - c. List of squads to be invited*

REQUIREMENTS FOR PARTICIPATION

1. *Member schools will check the NIAA web site (www.nevada.ihigh.com) to confirm a sanctioned competition/event. A copy of the completed sanctioning form should be forwarded to your building principal.*
2. *Schools will be fined \$500.00 for attending a non-sanctioned event.*
3. *Member schools or students may not compete against outside school groups (ie: all stars, cheer gyms, etc.).*
4. *Final authorization for participation will be given by the school's building Principal.*
5. *It is suggested that schools not be allowed to participate in more than three competitions each season. Competitions are not mandatory or suggested.*
6. *It is the coaches' responsibility to assure that his/her squad adheres to all the NIAA and National Federation Spirit Rules and Regulations.*



Please date and sign this form and return it to the NIAA office. Keep a copy for your files.

(NAME OF SCHOOL)

I HAVE READ THE ATTACHED SANCTIONING RULES AND REGULATIONS FOR SPIRIT SQUADS AND AGREE TO ADHERE TO THE GUIDELINES AS PRESENTED.

Athletic Director

Date

Head Cheer Coach

Date

Pom/Dance/Drill Coach

Date