

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

LCB File No. R136-05

October 5, 2005

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

AUTHORITY: §§1-15, NRS 386.430.

A REGULATION relating to interscholastic activities; requiring the coach of a spirit squad of a school to cooperate with the principal of the school for certain purposes; establishing the seasons for spirit squads; setting forth the number of spirit squads that a school may establish for certain purposes; authorizing a pupil who is a member of a spirit squad to participate in a sanctioned sport during the season for the spirit squad under certain circumstances; prohibiting a school from attending or performing in certain competitions or events unless the competitions or events are sanctioned by the Nevada Interscholastic Activities Association; setting forth the requirements for the sanctioning of a competition or event for a spirit squad by the Association; amending certain provisions governing the dates on which a school must conduct a review of the academic eligibility of a pupil to participate in a sanctioned sport; expanding the circumstances under which a pupil may appeal certain determinations based upon a financial burden; and providing other matters properly relating thereto.

Section 1. Chapter 386 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

Sec. 2. *“Spirit squad” includes, without limitation, any cheer, stunt, dance, drill, pom and mascot group of a school, regardless of whether the school allows the group to engage in sideline chants or competitions.*

Sec. 3. 1. *A school may require a coach of a spirit squad of the school to report to the athletic administrator or athletic director of the school concerning any activities of the spirit squad. The coach shall cooperate with the principal of the school to promote sportsmanship and encourage school spirit and pride.*

2. The season for a spirit squad of a school begins on the first day in which the football team of the school may begin noncontact practice pursuant to NAC 386.722. The spirit squad may not begin practice for the season before the first day of that noncontact practice. Each season for a spirit squad ends upon the completion of the state tournament for basketball.

3. A school may conduct tryouts for membership on a spirit squad of the school for not more than 5 days:

(a) Beginning on or after the date of completion of the state tournament for basketball for a school year and ending on the final day of that school year; or

(b) Beginning on the first day of the season for the spirit squad for a school year beginning in August.

4. Each coach of a spirit squad of a school may select the members of the spirit squad in accordance with the procedures established by the coach for that purpose.

5. During any period that is not the season for a spirit squad for a school, a member of the spirit squad may engage in conditioning or participate in activities at a camp for spirit squads for not more than 15 days as determined by the school and the coach of the spirit squad.

Sec. 4. 1. *Each school may establish not more than the following number of spirit squads to perform cheers or stunts:*

(a) One varsity spirit squad;

(b) One junior varsity spirit squad; and

(c) One freshman spirit squad.

2. Each varsity spirit squad that performs cheers or stunts must not exceed 20 members, not including the mascot for the school, each junior varsity spirit squad that performs cheers

or stunts must not exceed 14 members and each freshman spirit squad that performs cheers or stunts must not exceed 12 members. The coach of each such spirit squad may determine the placement of each member on the spirit squad.

3. Except as otherwise provided in this section, a school may specify the number of members of a spirit squad that may perform during an event. If a spirit squad performs as a pom group and the spirit squad is combined with a spirit squad that performs cheers, the number of members of the combined spirit squad must not exceed 20 members.

4. The coach of a spirit squad of a school may, during any play-off game for football in which the school participates or for any performance conducted during the halftime of a football or basketball game in which the school participates, specify the number of members of the spirit squad who may perform during the play-off game or halftime. The coach shall not allow a pupil to engage in activities as a member of the varsity spirit squad, junior varsity spirit squad or freshman spirit squad pursuant to this subsection unless the pupil is a regular member of the spirit squad.

Sec. 5. 1. *A school may conduct separate tryouts for spirit squads for the fall season and the winter season of a school year. The number of members of a spirit squad formed pursuant to this subsection must not exceed the number of members of the appropriate spirit squad specified in section 4 of this regulation.*

2. A school may establish a separate spirit squad to perform stunts during a season specified in subsection 1. The number of members of such a spirit squad must be included in the maximum number of members allowed for the spirit squad pursuant to section 4 of this regulation.

3. The provisions of this section do not authorize a school to extend or limit the duration of seasons for spirit squads established pursuant to section 3 of this regulation.

Sec. 6. 1. *A pupil who is a member of a spirit squad at a school may participate in a sanctioned sport during the season for the spirit squad if the coach of the spirit squad and the principal of the school approve the participation of the pupil in the sanctioned sport.*

2. A pupil who is a member of a spirit squad at a school may not engage in activity as a member of a spirit squad that is not sponsored by the school during the season for the spirit squad. The provisions of this subsection do not prohibit a pupil from engaging in practice or enrolling in a class relating to spirit squads during that season.

Sec. 7. *A spirit squad of a school shall not attend or participate in any of the following competitions or events unless the competition or event is sanctioned by the Association:*

1. Any competition or event that is conducted in this State and is sponsored or cosponsored by an organization other than a member school;

2. Any competition or event that is conducted in this State and is sponsored by a member school, regardless of whether the competition or event includes a school from another state; or

3. Any competition or event that:

(a) Is conducted in another state;

(b) Is attended by a member school; and

(c) Is sponsored or cosponsored by:

(1) A school that is a member of the authorized athletic association of the other state; or

(2) An organization other than a school specified in subparagraph (1).

Sec. 8. 1. *Each school that sponsors or cosponsors a competition or event for spirit squads that is sanctioned by the Association shall ensure that the competition or event is conducted in accordance with:*

(a) The rulebook of the Spirit Association of the National Federation of State High School Associations;

(b) The rules of the school; and

(c) The laws and regulations of the state in which the school sponsors or cosponsors the competition or event.

2. *A school or organization that sponsors or cosponsors a competition or event for spirit squads that is sanctioned by the Association in this State shall not refer to the competition or event as a state competition.*

Sec. 9. 1. *Each application for the sanctioning of a competition or event by the Association must be submitted on a form furnished by the Association. The application must:*

(a) Except as otherwise provided in subsection 2, be submitted to the Association not later than 30 days before the competition or event; and

(b) Be accompanied by:

(1) A copy of each regulation or rule applicable for conducting the competition or event;

(2) Proof of liability insurance;

(3) A list setting forth the name of each state, school or group that is invited to attend the competition or event; and

(4) Any other information required by the Association.

2. As soon as practicable after receiving an application, the Executive Director or a person designated by him shall review the application. As soon as practicable after approving or denying the application, the Association will submit a written notification of the approval or denial of the application to the applicant and each member school. If an applicant fails to submit his application within the period specified in subsection 1, and if the application is approved, the applicant must pay to the Association a penalty in the amount of \$100.

Sec. 10. 1. *A school may determine whether the Association has sanctioned a competition or event by accessing the website of the Association at <<http://www.nevada.ihigh.com>>.*

2. If a spirit squad of a school attends or participates in a competition or event that is not sanctioned by the Association, the Association may impose a penalty against the school in the amount of \$500.

3. Before a spirit squad of a school may attend or participate in a competition or event that is sanctioned by the Association, the principal of the school or his designee must approve the attendance or participation of the school in the competition or event.

4. The Association:

(a) Encourages each school to authorize each spirit squad of the school to attend or participate in not more than three sanctioned competitions or events during the season for the spirit squad.

(b) Does not require or encourage a school to attend or participate in any competition or event sanctioned by the Association.

5. Each coach of a spirit squad shall ensure that the spirit squad complies with the provisions of subsection 1 of NAC 386.754.

Sec. 11. NAC 386.600 is hereby amended to read as follows:

386.600 As used in NAC 386.600 to 386.886, inclusive, *and sections 2 to 10, inclusive, of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 386.601 to 386.622, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 12. NAC 386.754 is hereby amended to read as follows:

386.754 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 *and any applicable regulations of the Association* during any period in which the spirit squad participates in a competition *or event* that is sanctioned by the ~~[Nevada Interscholastic Activities]~~ Association.

2. Each school district in this State ~~[shall,]~~ *may*, 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 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.] , including, without limitation, the requirements for academic eligibility for the pupil to become or remain a member of the spirit squad.~~

3. Any competition or other activity engaged in by a spirit squad ~~[is]~~ :

(a) *Must be sanctioned by the Association pursuant to section 9 of this regulation.*

(b) *Is* not a sanctioned sport for *the* 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).], and sections 2 to 10, inclusive, of this regulation.~~

Sec. 13. NAC 386.804 is hereby amended to read as follows:

386.804 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,]~~ *this section*, 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,]~~ *subsections 3 and 4*, 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.

3. *If approved by the Executive Director, a school district may establish a date for conducting a review pursuant to this section that occurs not more than 1 week before or after any date that the school district must establish pursuant to subsection 2. The Executive Director may waive the establishment of a date for conducting a review pursuant to this section if, as determined by the Executive Director, the review scheduled for that date is unnecessary.*

4. 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.]~~ 5. 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}~~ 6. 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}~~ 7. If a pupil who is placed on probation pursuant to subsection ~~{5}~~ 6 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}~~ 8. 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}~~ 9. 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.~~ **10.** 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.~~ **11.** 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.~~ **12.** 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.

Sec. 14. NAC 386.851 is hereby amended to read as follows:

386.851 1. Except as otherwise provided in NAC 386.600 to 386.886, inclusive, *and sections 2 to 10, inclusive, of this regulation*, 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, *and sections 2 to 10, inclusive, of this regulation* 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. *Such a pupil may appeal the determination if the financial burden no longer exists and the pupil demonstrates that a financial burden existed at the time of the transfer.*

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.

↪ 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.

Sec. 15. NAC 386.871 is hereby amended to read as follows:

386.871 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 ~~or~~; *or*
- (e) The Commissioner.*

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.