

Chapter 386 of NAC

LCB File No. T046-05

**ADOPTED TEMPORARY REGULATION OF THE NEVADA  
INTERSCHOLASTIC ACTIVITIES ASSOCIATION**

Filed with the Secretary of State on May 25, 2005.

**NAC 386.609 “Hardship” defined.** (NRS 386.430 *Category I* “Hardship” means an unusual circumstance that:

~~{1. Is beyond the normal control of a pupil or a parent or legal guardian of the pupil; and  
—2. Is not related to participation by the pupil in a sanctioned sport.}~~ *go beyond the normal control of the student or his family, or both, and which are unrelated to participation of the student in NIAA competition.*

*Category II “Hardship” relates to financial income and is based on changes in the financial status of the parent, legal guardian, or other family member who is providing the finances for the student to attend a private school. Only changes in salary, and/or investment income owned and in the name of the parent, legal guardian, or other family member, involved in financing the student’s enrollment in a private school, will be considered in a hardship case. In the event of a change, copies of current employment checks and appropriate paperwork indicating a change in investment income will be required. In addition the parent, guardian, or other family member, may be required to provide a copy of their W-2 income tax form for the year prior to the student’s first year in a private school, as well as the years the student attended the private school.*

*Changes in financial assistance from outside the family will not be considered in a hardship case.*

**386.695 Period of season and first day of practice for sanctioned sport; prohibited and authorized out-of-season activities relating to sanctioned sport.** (NRS 386.430)

1. The season for each sanctioned sport begins on the first day of practice for the sanctioned sport established by the Board pursuant to this subsection and ends upon the completion of the state tournament for the sanctioned sport. Except as otherwise provided in NAC 386.600 to 386.886, inclusive, not later than September 1 of each year, the Board shall:

- (a) Establish the date for the first day of practice for each sanctioned sport for the school year; and
- (b) Prepare a schedule of activities that includes each date established pursuant to paragraph (a).

2. Each school shall ensure that a practice for a sanctioned sport is conducted on the date established for that practice pursuant to subsection 1.

3. A school shall not sponsor a pupil or team or provide a uniform or transportation or otherwise accept responsibility for a pupil or team to participate in any out-of-season

competition for a sanctioned sport, including, without limitation, a camp, summer league or travel to a foreign country or another state, territory, district or possession of the United States. A school may engage in an activity to obtain money for an out-of-season competition and deposit any money obtained as a result of that activity in an account maintained by a bank or other financial institution in this State. A school shall not use any money that is budgeted for a school district or any state money for an out-of-season competition for a sanctioned sport.

4. A coach of a school that complies with subsections 2 and 3 may assist a pupil in an activity that is related to a sanctioned sport and that is conducted during a period that is not the season for the sanctioned sport. The participation of the pupil in the activity must be voluntary and must not be a condition for qualifying for a team or for accepting the pupil as a member of a team during the season for the sanctioned sport.

5. Except as otherwise provided in this section, a coach or pupil specified in subsection 4 may, if approved by the school and the school district in which the school is located, use any facility or equipment of the school to engage in an activity specified in that subsection. A coach or pupil may use the following equipment for football during any period that is not the football season:

- (a) Footballs;
- (b) Football shoes; and
- (c) Shorts and sweatshirts.

6. A coach or pupil shall not use the following equipment for football pursuant to subsection 5:

- (a) A helmet or shoulder, hip or thigh pads, or any other protective equipment; or
- (b) A blocking dummy or sled, or any similar device.

7. A school or school district in which a school is located may require each pupil of the school who engages in an activity relating to a sanctioned sport pursuant to subsection 5 to maintain a policy of health insurance in an amount determined by the school or school district.

8. A coach or pupil shall not engage in an *out-of-season* activity relating to a sanctioned sport pursuant to subsection 5 if the activity interferes with ~~the participation of the coach or pupil in a sanctioned sport~~ *on in-season sport*.

#### **NAC 386.721 Football: Required practice; interschool scrimmages. (NRS 386.430)**

1. A school shall not participate in an interschool football game or scrimmage unless the school completes at least 8 days of team practice, including at least 3 days of noncontact practice pursuant to NAC 386.722. ~~Each pupil who is a member of the football team for the school shall~~ *A student who comes out late must*, before participating in the game or scrimmage, complete at least 5 days of practice, including 3 days of noncontact practice.

2. A football team may participate in not more than ~~one~~ *two* interschool scrimmage before the first regularly scheduled game for the football season for the team. The team shall not participate in an interschool scrimmage after completing that game.

3. Each school and each pupil who participates in football as a sanctioned sport shall, before participating in a scheduled interschool football game, complete at least 10 days of team practice, including 3 days of noncontact practice.

4. A school or pupil may count not more than one practice each day toward the total number of practices required pursuant to this section. If the school or pupil completes more than one practice during a day, that day counts as one day of practice for the purposes of this section.

5. As used in this section, “scrimmage” means a practice football game in which:

- (a) Each team alternates in carrying the football;
- (b) The score is not kept;
- (c) The coach of each team is present on the field of play to direct the team for which he is a coach;
- (d) Unpaid sports officials are used;
- (e) Admission is not charged;
- (f) Donations are not accepted or solicited; and
- (g) Spectators are not encouraged to attend.

**NAC 386.780 Maximum allowable participation by pupil. (NRS 386.430)**

1. After a pupil enrolls in the 9th grade, the pupil is eligible to participate in a sanctioned sport for not more than 8 consecutive semesters.
2. A pupil is not eligible to participate:
  - (a) For more than four seasons in any sanctioned sport; or
  - (b) In the same sanctioned sport more than once during a school year.
3. *An 8th grade student who because of substandard academic performance begins high school at the commencement of the second academic semester in a school year shall be deemed to have commenced his athletic eligibility as of the first semester of that school year. Such student shall be deemed to be a member of the class which began high school during the first semester of the school year in question, and shall not be allowed to extend his athletic eligibility beyond the year his class graduates.*

**NAC 386.782 – Residency of pupil: General requirements. (NRS 386.430)**

1. To be eligible to participate in a sanctioned sport, a pupil must attend the school that is located in the zone of attendance of the residence of a parent or legal guardian of the pupil as determined by the school district in which the residence is located.
2. A pupil whose parents are divorced or ~~legally~~ separated is eligible to participate in a sanctioned sport at the school that is located within the zone of attendance of the residence of the parent having primary physical custody of the pupil as determined by an order or decree issued by a court of competent jurisdiction establishing that the parent has been awarded primary physical custody of the pupil.
3. If the primary physical custody of a pupil is jointly shared ~~[at the separate residences of the parents,]~~ by the student's divorced parents pursuant to the Court Order or Decree *or if the parents are separated*, then the ~~[pupil must choose which residence will be his primary residence for establishing eligibility to participate in a sanctioned sport. If the pupil chooses a primary residence pursuant to this subsection, the school that is located within the zone of attendance of the residence is the pupil's home school for the purposes of NAC 386.600 to 386.886, inclusive.]~~ *student's eligibility shall remain in the school in which the student was first enrolled at the time of the divorce or separation.*
4. A pupil who begins ninth grade at a private school that serves all pupils who are located within the zone of attendance of the residence of a parent or legal guardian of the pupil is eligible to participate in a sanctioned sport at the private school.
5. For the purposes of NAC 386.600 to 386.886, inclusive, the Association will not recognize a temporary guardianship that is granted without the approval of a court pursuant to NRS 159.205 or 159.215.

6. A pupil is not eligible to participate in a sanctioned sport at a school that is located within the zone of attendance of the legal guardian of the pupil unless the legal guardian has complied with subsection 3 of NAC 386.782.

**NAC 386.793 Homeschooled Children. (NRS 386.430)**

1. To be eligible to participate in a sanctioned sport, a parent or legal guardian of a homeschooled child must submit to the school district in which the homeschooled child resides a written notice of intent to provide instruction for the homeschooled child at home. A parent or legal guardian of a homeschooled child who submits such a notice shall be deemed to be the teacher of the homeschooled child for all matters relating to participation by the homeschooled child in a sanctioned sport.

2. To be eligible to participate in a sanctioned sport, a parent or legal guardian of a homeschooled child must submit evidence satisfactory to the Executive Director that the homeschooled child has complied with the requirements for academic eligibility adopted by the school district in which he resides pursuant to NAC 386.803. The evidence must be submitted to the person designated by the school pursuant to paragraph (c) of subsection 4.

3. A homeschooled child who withdraws from a school where he is enrolled:

(a) Remains eligible to participate in a sanctioned sport at that school if he was eligible to participate in that sanctioned sport at the time he withdrew from the school; or

(b) If he was not eligible to participate in a sanctioned sport at the time he withdrew from the school, must establish his eligibility to participate in that sanctioned sport by complying with the requirements for academic eligibility specified in subsection 2.

4. If a homeschooled child resides within the zone of attendance of a school and notifies the school that he wishes to participate in a sanctioned sport at that school, the school shall provide to the parent or legal guardian of the homeschooled child:

(a) A statement setting forth the requirements for academic eligibility to participate in a sanctioned sport specified in subsection 2;

(b) All schedules and requirements of the school relating to eligibility for participation in a sanctioned sport at the school; and

(c) The name and telephone number of a person in the athletic department of the school with whom the homeschooled child or a parent or legal guardian of the homeschooled child may communicate relating to the academic eligibility of the homeschooled child to participate in the sanctioned sport.

5. *A home school student may participate in athletics at a private school with the acceptance of the private school. The private school may also assess a consistent fee for this participation and that fee must be reported to the NIAA. Home school students would be affected by all transfer rules if they should chose to change schools after participation.*

**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.*

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.

**NOTICE OF ADOPTION OF TEMPORARY REGULATION**  
**LCB File No. T046-05**

The Nevada Interscholastic Activities Association revised regulations that pertain to chapter 386 of the Nevada Administrative Code on June 15, 2004, December 2, 2004 and March 9, 2005. The NIAA would like to have these changes made temporary regulations (bold/italicized are changes).

Meetings to discuss the changes were attended and voted on by 9 members of the NIAA Board of Control.

Interested parties may obtain a copy of the summary by logging onto our website at [www.nevada.ihigh.com](http://www.nevada.ihigh.com), under channels, click on NIAA Board of Control for minutes of meetings.

There is no economic effect on public and businesses.

There will be no cost for enforcing the regulation changes.

These changes do not duplicate or overlap any NIAA, state or federal regulations.

These regulations are not more stringent than federal regulations that may regulate the same activities.

No new fees were established.