

LCB File No. R028-07

**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 starting at 8:30 a.m. on the 12th day of September, 2007 and at 8:30 a.m. on the 13th day of September 2007, at the Grand Sierra 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) NAC 386.813 – Minimum Amount of Practice: Pupil
 - (b) NAC 386.814 – Minimum Amount of Practice: Team
 - (c) NAC 386.825 – Attempts to Circumvent Requirements for Eligibility of Pupil
 - (d) NAC 386.695 – Period of season and first day of practice for sanctioned sport; prohibited and authorized out-of-season activities relating to sanctioned sport.
 - (e) NAC 386.696 – Restrictions on participation in out-of-season activities relating to sanctioned sports.
 - (f) NAC 386.851 – Appeal of certain determinations that impose hardship on pupil
 - (g) NAC 386.786 – Pupil who transfers from public school to private school, from private school to public school or from one private school to another.
- 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 Eddie Bonine, 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 7, 2007. 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 August 10, 2007:

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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The following items were approved by the NIAA Board of Control for revision in the NAC:

NAC 386.813 Minimum amount of practice: Pupil. (NRS 386.430)

1. Except as otherwise provided in this section and NAC 386.815, a pupil is not eligible to participate in a sanctioned sport unless he completes at least 10 days of practice in the sanctioned sport under the direct supervision of a member of the coaching staff of the school ~~for that~~ *for that sanctioned sport.*

2. Each calendar day, other than a Sunday, shall be deemed 1 day of practice regardless of whether more than one practice is held during that day.

3. Except as otherwise provided in subsection 4, if a pupil participates individually in a state tournament for a sanctioned sport or as a member of a team that qualifies for a state tournament for a sanctioned sport, and if the season for that sanctioned sport extends beyond the beginning of the season for another sanctioned sport in which the pupil participates, the pupil must complete at least 5 days of practice for the other sanctioned sport before he is eligible to participate in that sanctioned sport. A pupil may not participate in a day of practice for a sanctioned sport and compete in ~~an~~ another sanctioned sport during that day.

4. A pupil specified in subsection 3 who participates in baseball is not eligible to pitch during any baseball game unless he completes at least 10 days of practice in baseball.

NAC 386.814 Minimum amount of practice: Team. (NRS 386.430)

Except as otherwise provided in NAC 386.815, each team of a school that participates in a sanctioned sport must, before participating in the sanctioned sport, complete at least 10 days of practice in the sanctioned sport under the direct supervision of a member of the coaching staff of the school ~~for that~~ *for that sanctioned sport.*

**NAC 386.825 Attempts to circumvent requirements for eligibility of pupil.
(NRS 386.430)**

1. A pupil who circumvents or attempts to circumvent the requirements for eligibility of a school or school district or the Association, or any other state athletic association, is ineligible to participate in any sanctioned sport for not more than 360 school days as determined by the Executive Director ~~or his designee.~~ *or his designee.*

2. If reasonable cause exists to believe that a pupil has transferred from a school or a school district in which a school is located to another school or school district in which a school is located, or has transferred to a school from outside this State with the intent to circumvent the requirements for eligibility of the Association or any school or school district, or an out-of-state school, school district or state athletic association, the pupil must prove, in accordance with the provisions of NAC 386.850 to 386.858, inclusive, that the transfer was based on a reason that is unrelated to the circumvention of those requirements for eligibility.

3. If a pupil specified in subsection 2 fails to carry the burden of proof required by the provisions of NAC 386.850 to 386.858, inclusive, the Executive Director *or his designee* shall declare the pupil ineligible to participate in a sanctioned sport for the remainder of the school year in which the declaration is made and for an additional 180 school days after the expiration of the school year.

4. If the Executive Director *or his designee* determines that a pupil or his parent or legal guardian has falsified any records or information relating to a transfer, the Executive Director shall declare the pupil ineligible to participate in all sanctioned sports for 2 years after the date of the last game, contest or meet in which the pupil participated.