

LCB File No. R065-07

**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 29th day of November, 2007 and at 8:30 a.m. on the 30th day of November 2007, at the Green Valley Resort, Henderson, 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 386.628 – Board: Composition; role; nonvoting membership
 - (b) NAC 386.653 – Membership in Association: Private high school.
 - (c) NAC 386.654 – Membership in Association: provisional membership.
 - (d) NAC 386.667 – Classification and alignment of schools: General requirements; request for pupil or team to participate in another league or region.
 - (e) NAC 386.693 – Approval by Association of competition when each member of all-star team is eligible to participate in sanctioned sport.
 - (f) 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.
 - (g) NAC 386.696 – Restrictions on participation in out-of-season activities relating to sanctioned sport.
 - (h) NAC 386.782 – Residency of pupil: General Requirements.
 - (i) NAC 386.786 – Pupil who transfer from public school to private school, from private school to public school or from one private school to another.
 - (j) NAC 386.787 – Pupil who is approved to attend magnet school that offers sanction sport.
 - (k) NAC 386.788 – Pupil who attends magnet school that does not offer sanctioned sport.
 - (l) NAC 386.851 – Appeal of certain determinations that impose hardship on pupil.
- 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 November 23, 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 October 26, 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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NAC 386.628 Board: Composition; role; nonvoting membership. (NRS 386.430)

1. The Board consists of nine members elected from the administrative regions established pursuant to NAC 386.627. The Board is the governing body of the Association.
2. The president of:
 - (a) Each class established pursuant to NAC 386.667;
 - (b) A representative / commissioner from the 4A North and 4A South*
 - ~~(b)~~*(c)* The private schools elected pursuant to NAC 386.665; and
 - ~~(c)~~*(d)* The Nevada Athletic Directors Association or its successor organization,↪ serve as nonvoting members of the Board. Each of those members serves for a term of 2 years.

NAC 386.693 Approval by Association of competition when each member of all-star team is eligible to participate in sanctioned sport. (NRS 386.430) If each member of an all-star team is a pupil who is eligible to participate in a sanctioned sport, the Association may approve any game, contest or meet in which the all-star team participates if:

1. Before the game, contest or meet is conducted, the National Collegiate Athletics Association or its successor organization and the National Federation of State High School Associations or its successor organization approve the game, contest or meet;
2. Any money received from conducting the game, contest or meet is designated for a scholarship or other charitable purpose;
3. The game, contest or meet is not held during the season for the sanctioned sport; *or during another sanctioned sport season.*
4. The school where the game, contest or meet is conducted prohibits the athletic director or principal of the school, or a coach or teacher of the school, from providing assistance for conducting the game, contest or meet unless the school authorizes the athletic director, principal, coach or teacher to use personal leave to provide that assistance;
5. Before the game, contest or meet is conducted, the school district in which the game, contest or meet is conducted and the National Federation of State High School Associations, or its successor organization, approve the use of any equipment or facility of the school district for the game, contest or meet; and
6. The Board approves each sponsor, if any, for the game, contest or meet.