

# PROPOSED REGULATION OF THE NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION

## LCB File No. R029-16

Deletions are in ~~strike-through font~~  
Additions are *italicized*.

### Proposed Revision of NAC 386.628

**NAC 386.628 Board: Composition; role; nonvoting membership; terms of nonvoting members.** (NRS 386.430)

1. The Board consists of nine voting members selected from the administrative regions established pursuant to NAC 386.627. The Board is the governing body of the Association.

2. In addition to the voting members specified in subsection 1, the Board includes the following nonvoting members:

(a) The president of:

(1) Each class established pursuant to NAC 386.667;

(2) The private schools selected pursuant to NAC 386.665; and

(3) The Nevada Athletic Directors Association or its successor organization;

(b) A representative from Class 4A North who is not serving as a nonvoting member pursuant to subparagraph (1) of paragraph (a);

(c) A representative from Class 4A South who is not serving as such a nonvoting member; and

(d) A representative appointed by the Nevada Association of School Administrators or its successor organization.

(e) A representative from the NIAA Officials Association;

*(f) a representative from any member charter school.*

3. Each nonvoting member specified in subsection 2 serves for a term of 2 years.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R065-07, 1-30-2008; R207-08 & R147-10, 5-5-2011)

### Proposed Revision of NAC 386.653

**NAC 386.653 Membership in Association:** ~~Private-h~~*High schools with an enrollment of less than 500 pupils.* (NRS 386.430, 386.450)

1. Except as otherwise provided in NAC 386.6546 and 386.6549, any private, *public charter or public* high school in this State *with an enrollment of less than 500 pupils* may apply for membership in the Association by submitting a written request to the Executive Director.

2. Except as otherwise provided in subsection 6, upon receipt of a written request submitted pursuant to subsection 1, the Executive Director shall place the school on independent status for 2 years beginning on the date the written request is received. A school that is placed on independent status may, during the period in which the school is on independent status, schedule a game, contest or meet with a member or affiliate school for a season for a sanctioned sport. The school may not, during the period in which it is on independent status, participate in any game,

contest or meet for a sanctioned sport that is conducted after the regular season for that sanctioned sport.

3. A school that is placed on independent status shall, if the class into which the school is placed conducts a meeting of the class not later than August 31 of the year after the school is placed on independent status, attend the meeting of the class and submit a request for membership in the Association at that meeting. As soon as practicable after the meeting, the members of the class shall evaluate:

(a) The facilities of the school; and

(b) The extent to which the school has complied with:

(1) The schedule of the school for participating in games, contests or meets pursuant to this section; and

(2) The regulations of the Association concerning participation by the school in a sanctioned sport.

4. As soon as practicable after conducting an evaluation of a school pursuant to subsection 3, the class shall submit to the Board a recommendation to approve or deny the written request of the school for membership in the Association.

5. If the Board approves a written request for membership in the Association pursuant to subsection 4, the Board shall, in accordance with NAC 386.667, place the school in a class and align it in a league for the school year after the Board approves the request.

6. On and after August 1, 2012:

(a) Each school that submits a written request for membership in the Association pursuant to subsection 1 must have at least one athletic program for boys and at least one athletic program for girls during the fall season, winter season and spring season of each school year.

(b) If the Board receives a written request for membership in the Association pursuant to subsection 1, the Board shall, based upon twice the number of pupils specified in the report of enrollment submitted for the school for the first month of the school year immediately preceding the school year in which the Board considers the written request, place the school in a class and align it in a league pursuant to NAC 386.667.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R207-08, 5-5-2011; R173-12, 2-26-2014; R128-13, 6-23-2014)

### **Proposed Revision of NAC 386.667**

**NAC 386.667 Classification and alignment of schools: General requirements; effective period; considerations; request for pupil or team to participate in another classification, league or region. (NRS 386.430)**

1. The Board shall, not later than September 1, 2006, and every 4 years thereafter, appoint a committee to place each school in a class and align that school in a league or region. The committee must consist of the members of the Board who are selected by the Board for that purpose and one or more representatives from each classification of schools who are selected by the Board for that purpose. As soon as practicable after the creation of the committee, the committee shall consider the requirements for the classification of each school pursuant to subsection 3 along with any relevant considerations set forth in subsection 4 and submit to the Board a written recommendation for the classification and alignment of each school. The written recommendation must be submitted on or before the date specified by the Board for that purpose.

2. As soon as practicable after receiving the written recommendation, the Board shall conduct a public hearing to consider the written recommendation. The Board shall provide a

notice to each school setting forth the date, time and place of the hearing. The classification and alignment of each school must be determined by a majority vote of the Board. A determination of the Board relating to a written recommendation of the committee is final and binding on each school. The initial classification and alignment of a school approved by the Board pursuant to this section becomes effective on August 1, 2008. A classification and alignment of a school approved after that date and before August 1, 2012, becomes effective on August 1, 2012. Each 4 years thereafter, any classification and alignment made during the 4-year period becomes effective on August 1 at the end of the 4-year period.

3. ~~{Except when a different determination is justified based on a consideration set forth in subsection 4, the}~~ *The Board and the committee appointed pursuant to subsection 1 shall, based upon the points from a Board approved Competitive Balance Rubric and any considerations set forth in subsection 4,* or the report of enrollment submitted for the school for the first school month of the school year immediately preceding the school year in which Board and the committee consider the classification and alignment of a school pursuant to subsection 1, place the school in:

- (a) Class 1A, if not more than 169 pupils are enrolled in the school;
- (b) Class 2A, if not less than 170 but not more than 460 pupils are enrolled in the school;
- (c) Class 3A, if not less than 461 but not more than 1,200 pupils are enrolled in the school; or
- (d) Class 4A, if 1,201 or more pupils are enrolled in the school.

4. In determining the classification and alignment of a school pursuant to this section, the Board and the committee may consider:

- (a) Any geographic factors relating to the school;
- (b) The requirements of the school to travel to an interscholastic activity;
- (c) Any traditional rivalries of the school;
- (d) Any financial factors relating to any interscholastic activities conducted at or by the school;
- (e) Any competitive factors relating to the school; and
- (f) On and after August 1, 2012, whether the school has at least one athletic program for boys and at least one athletic program for girls during the fall season, winter season and spring season of a school year.

5. Except as otherwise provided in this section, the Board shall not revise the classification or alignment of a school more than once every 4 years.

### **Proposed Revision of NAC 386.698**

**NAC 386.698 Participation by member of team or spirit squad in certain activities other than as such member; establishment of requirements for eligibility of pupil to participate in postseason competition. (NRS 386.430)**

1. If, during the school year, a pupil participates in a sanctioned sport as a member of a team or engages in an activity as a member of a spirit squad for a school, the pupil may participate as a member of any other team or event for the sanctioned sport or spirit squad if:

- (a) The coach for the sanctioned sport or spirit squad *and the principal/headmaster of the school or their designee* approves the pupil's participation on the team or in the event; ~~and~~
- ~~{(b) The pupil counts each game, contest or meet in which the other team participates or each event in which the spirit squad competes as one of the allowable games, contests or meets or competitions specified in the athletic bylaws for the sanctioned sport or spirit and}~~

~~(e)~~*b*) The other team is not a team for a school *or*

*(c) The other team is not fundamentally the same team as the school team of which the pupil is a member.*

2. In addition to the requirements of subsection 1, if the team or spirit squad of which the pupil is a member is a team or spirit squad of a high school, and if the pupil participates in an interscholastic activity other than as a member of the team or spirit squad, the pupil's participation in the interscholastic activity must be approved by the head coach of the high school. The pupil is not required to substitute games, contests or meets to participate as a member of the team or spirit squad.

3. Each league, region or class established pursuant to NAC 386.667 may establish the requirements for eligibility for a pupil who is in the league, region or class to participate in any competition for a sanctioned sport or spirit squad that is conducted after the expiration of the regular season for the sanctioned sport or spirit squad.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R105-06, 9-18-2007)

### **Proposed Revision of NAC 386.699**

**NAC 386.699 Maximum number of games, contests or meets during seasons for sanctioned sports.** (NRS 386.430) A school or a pupil enrolled in a school who participates in a sanctioned sport shall not, during the season for the sanctioned sport, participate in more than:

1. For the fall season:
  - (a) Fourteen cross-country meets;
  - (b) Except as otherwise provided in subsection 5 of NAC 386.720, nine football games;
  - (c) Sixteen matches for girls' golf;
  - (d) Except as otherwise provided in subsection 5 of NAC 386.731, eighteen soccer games and two tournaments for soccer;
  - (e) Eighteen tennis matches; or
  - (f) Eighteen matches for girls' volleyball.
2. For the winter season:
  - (a) Eighteen basketball games and two tournaments for basketball;
  - (b) Eighteen bowling competitions and two tournaments for bowling;
  - (c) Fourteen ski races;
  - (d) Except as otherwise provided in subsection 5 of NAC 386.731, eighteen soccer games for girls' soccer and two tournaments for girls' soccer; or
  - (e) Fifteen wrestling contacts or meets.
3. For the spring season:
  - (a) Twenty-one baseball games and two tournaments for baseball;
  - (b) Sixteen matches for boys' golf;
  - (c) Twenty-one softball games and two tournaments for softball;
  - (d) Twelve swim meets;
  - (e) Fourteen track and field meets; or
  - (f) Eighteen matches for boys' volleyball.

*4. One contest in each of the sports listed in sub-sections 1-3 against a school on independent status in that particular sport, may be deemed exempt from the limits outlined in this section provided the exemption is approved by the Executive Director.*

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R147-10, 5-5-2011)

### **Proposed Revision of NAC 386.7542 and 386.7543**

**NAC 386.7542** Number and membership of squads: Restrictions; authority of coach and school. (NRS 386.430)

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.~~ *The number and identity of members on a spirit squad and the identity of those who will participate at a given time or in a particular routine is to be determined by the administration of the school or district and spirit coach of the school the squad represents. When performing cheers or stunts during an indoor athletic contest in an activity other than a spirit competition, the number of individuals participating at any one time in the cheering or stunting shall not exceed:*

- (a) 20 excluding the school mascot for a varsity squad;*
- (b) 16 for a junior varsity squad; nor*
- (c) 14 for a freshman 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 stunt, dance, drill or pom group and the spirit squad is combined with a spirit squad that performs cheers *during an indoor athletic contest in an activity other than a spirit competition*, the number of members of the combined spirit squad *participating in the cheering or stunting at any one time* must not exceed 20 members.

*4. The school or district administration of a facility which will not safely accommodate the maximum limits set forth in sub-sections 2 and 3 may impose limits which are more restrictive than those listed in this section. Any limit shall apply equally to all schools involved in the event.*

~~5[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.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R136-05, eff. 6-1-2006)

**NAC 386.7543** Separate tryouts for fall and winter seasons; separate squad to perform stunts. (NRS 386.430)

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 NAC 386.7542.

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 NAC 386.7542.}~~

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 NAC 386.7541.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R136-05, eff. 6-1-2006)

### **Proposed Revision of NAC 386.789**

**NAC 386.789 Pupil who attends charter school; requirements of charter school relating to eligibility.** (NRS 386.430)

1. A pupil who attends a charter school that is approved by *the state or* a school district remains eligible at his or her school of residence for the purpose of participating in any sanctioned sport that is not offered by the charter school.

2. A pupil who participates in a sanctioned sport at his or her school of residence pursuant to subsection 1 must comply with the requirements for eligibility of the school he or she attends.

3. Any requirements of a charter school relating to eligibility for participation in a sanctioned sport must be approved by the Association or the school district in which the charter school is located.

4. As used in this section, "charter school" has the meaning ascribed to it in NRS 385.007.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004)

### **Proposed Revision of NAC 386.823**

**AC 386.823 Restrictions on solicitation or encouragement of prospective pupil to enroll in school; prohibited representation of athletic program; duty of coach upon receiving certain notification regarding prospective pupil.** (NRS 386.430)

1. A person who is associated with a school shall not:

(a) Use or attempt to use undue influence on a prospective pupil to solicit or encourage the pupil to enroll in the school; or

(b) Request any other person to solicit or encourage a prospective pupil to enroll in the school.

2. A school, or any person acting on behalf of a school, shall not give any speech or other presentation or distribute any written material, including an advertisement in a newspaper, magazine or other publication, which states or implies that the athletic program of the school is superior to the athletic program of any other school, or that it is more advantageous for a prospective pupil to participate in athletics at that school.

3. The provisions of this section do not prohibit a school from conducting a program to attract pupils to enroll in the school based upon the educational and extracurricular programs of the school.

4. If a pupil enrolled in a junior high, middle school or high school, or a parent or legal guardian of that pupil, notifies a coach of another school concerning the possibility of attending the coach's school, the coach shall immediately refer the pupil, parent or legal guardian to the principal of the school or any other person at that school who is responsible for enrolling prospective pupils.

5. As used in this section, "undue influence" includes, without limitation:

(a) Initiating or arranging communication, including calls by telephone, questionnaires, cards or letters, with a prospective pupil or member of his or her family with the intent to solicit or encourage the pupil to enroll in a school;

(b) Visiting or entertaining a prospective pupil or a member of his or her family with the intent to solicit or encourage the pupil to enroll in a school;

(c) Providing transportation for a prospective pupil or a member of his or her family to visit a school or to meet with a person who is associated with a school with the intent to solicit or encourage the pupil to enroll in the school;

(d) Attending a game, contest or meet of a grade school, junior high or middle school to evaluate and recruit a prospective pupil who is not assigned by a school district to a zone of attendance;

(e) Requesting a pupil or an alumnus of a school or a member of a club or other organization that supports a team at the school to notify a prospective pupil or a member of his or her family in person or by telephone, letter or any other form of communication to discuss the merits of the athletic program of the school; and

*(f) Allowing junior high or middle school pupils to participate in a high school program of conditioning, weight lifting, open gyms, intramurals or team practices prior to their completion of 8th grade.*

(g) Any other communication with a prospective pupil of a school or a member of his or her family with the intent to solicit or encourage the pupil to enroll in the school.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004)