

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

LCB FILE NO. R130-17I

**The following document is the initial draft regulation proposed
by the agency submitted on 11/01/2017**

Proposed Revision of NAC 386.782

Adopted by NIAA Board of Control January 18-19, 2017

Deletions are bracketed in ~~strike-through font~~

Additions are underlined, bold and italics

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 ~~the~~ the pupil and his or her parent(s) or legal guardian(s) ~~of the pupil~~ as determined by the school district in which the residence is located. A pupil enrolled in a school based on an affidavit of residency is not eligible to participate in any sanctioned sport at the school for 180 school days beginning on the date of enrollment.

2. A pupil whose parents are divorced or 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 whose parents are divorced or separated is jointly shared at the separate residences of the parents and if the pupil:

(a) Was enrolled in a member school at the time of the divorce or separation, the pupil remains eligible to participate in a sanctioned sport at that member school.

(b) Was not enrolled in a member school at the time of the divorce or separation, the member school that is located within the zone of attendance of the residence of the pupil at the time of the pupil's initial enrollment in 9th grade ~~divorce or separation~~ is the pupil's home school for the purposes of NAC 386.600 to 386.886, inclusive.

4. A pupil shall have no more than one residence at any one time for the purposes of eligibility in NIAA sanctioned sports. The residence and corresponding address of that residence used for enrollment in school is the singular residence of the pupil for the purposes of eligibility in NIAA sanctioned sports.

5. A residence is a place where a pupil has established his or her true, fixed and permanent home, where the family regularly eats, sleeps and lives. It is the place where the pupil and his or her parent(s) or legal guardian(s) are habitually present and to which, when departing, they intend to return.

6. The use of an address, even that of a parent with joint custody, under the circumstance in which it could be reasonably inferred to be an attempt to circumvent eligibility requirements does not constitute a legitimate residence.

~~4~~7. 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~~8. 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~~9. 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 386.785.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R050-05, 12-29-2005; R207-08 & R147-10, 5-5-2011)