

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

LCB FILE NO. R048-19I

**The following document is the initial draft regulation proposed
by the agency submitted on 07/24/2019**

Proposed Revision of NAC 385B.784

(Eliminates the ability of a school to appeal a forfeiture for playing an ineligible player.)

Approved by NIAA Board of Control at their June 18, 2019 Meeting

Proposed deletions are ~~[bracketed in red, strike-through font]~~

Proposed new language is underlined, italics and blue font

NAC 385B.784 Penalties for participation of ineligible pupil~~;~~ ~~appeal of forfeiture or loss of position~~. (NRS 385B.060, 385B.090)

1. If an ineligible pupil participates in any game, contest or meet, the Association will impose the following penalties against the pupil's school:

(a) If the ineligible pupil participated in a sanctioned sport for a team, including, without limitation, baseball, basketball, football, soccer, softball and volleyball:

(1) The school forfeits each game, contest or meet in which the ineligible pupil participated;

(2) The team's place in any conference or tournament standings will be adjusted to reflect any game, contest or meet the team forfeits pursuant to subparagraph (1); and

(3) The team shall return to the Association each award given to the team or any member of the team during the period in which the ineligible pupil participated on the team.

(b) If the ineligible pupil participated in an individual sport, including, without limitation, cross-country, golf, swimming, diving, skiing, tennis, wrestling, and track and field:

(1) Each individual match, place, point and score of the ineligible pupil, including, without limitation, any contribution made by the ineligible pupil to the team, will be eliminated;

(2) Any conference or tournament standing or place of the team will be adjusted based on the reduction of points or score for the participation of the ineligible pupil;

(3) The ineligible pupil shall return to the Association each award given to the ineligible pupil during the period of ineligibility; and

(4) The team shall return to the Association each award given to the team if the elimination of any point or score pursuant to this subsection results in an adjustment to the team's place or standing in any game, contest or meet of the conference or tournament.

(c) In addition to the penalties set forth in paragraph (b), if a pupil participates in a game, contest or meet, and is ineligible to participate in the game, contest or meet because the pupil or a parent or legal guardian of the pupil falsified a record or any other information provided to the school, the Association will declare the pupil ineligible to participate in any sanctioned sport for 360 school days after the last game, contest or meet in which the ineligible pupil participated. As used in this paragraph, "school days" does not include a school day that occurs during the summer of a school year.

(d) If the use of an ineligible pupil is discovered during any tournament, the team or pupil who was last defeated by the ineligible team or pupil must be substituted for the ineligible team or pupil for the remainder of the tournament.

~~{2.— Except as otherwise provided in subsection 3, a school that forfeits a game, contest or meet or loses its position in a tournament pursuant to this section may appeal the forfeiture or loss of position to the Association in accordance with the provisions of NAC 385B.900 to 385B.924, inclusive. For any such appeal:~~

~~—(a) The school that files the appeal must establish by a preponderance of the evidence that the school would have won the game, contest or meet without the participation of the ineligible pupil; and~~

~~—(b) The opposing school may appear at the hearing and present testimony.~~

~~—3. An ineligible pupil who participates in more than one-half of a game, contest or meet for which he or she is ineligible to participate may not appeal a forfeiture specified in subsection 2.]~~

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004) —
(Substituted in revision for NAC 386.829)