

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

LCB File No. R019-20

February 13, 2020

EXPLANATION – Matter in *italics* is new; matter in brackets ~~is material to be omitted~~.

AUTHORITY: §1, NRS 385B.060.

A REGULATION relating to interscholastic activities; eliminating certain restrictions concerning the eligibility of certain international students to participate in a sanctioned sport; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the formation of the Nevada Interscholastic Activities Association, composed of all the school districts of the State, for the purposes of controlling, supervising and regulating all interscholastic athletic events and other interscholastic events in the public schools and requires the Association to adopt regulations governing those events. (NRS 385B.050, 385B.060)

Existing regulations set forth certain restrictions concerning the eligibility of certain international students to participate in a sanctioned sport. Under existing regulations, a student from a foreign country who is enrolled in a school because he or she has been issued an F-1 Visa by the United States Citizenship and Immigration Services of the Department of Homeland Security is deemed to be a transfer student. If such a student is in the 12th grade, the student is prohibited from participating in a sanctioned sport. If such a student is in the 9th, 10th or 11th grade, the student is required to comply with all provisions concerning eligibility that are applicable to transfer students and is prohibited from participating in a sanctioned sport at the varsity level. (NAC 385B.738) This regulation eliminates these restrictions, thereby authorizing an international student who has been issued an F-1 Visa by the United States Citizenship and Immigration Services of the Department of Homeland Security to participate in a sanctioned sport at any level of competition, subject to the same requirements and restrictions applicable to students generally.

Section 1. NAC 385B.738 is hereby amended to read as follows:

385B.738 1. The provisions of this section govern the eligibility of ~~†~~

~~—(a) A†~~ *a* foreign exchange student . ~~†; and~~

~~—(b) An international student who enrolls in a school and is not a foreign exchange student.]~~

2. The Association will allow a foreign exchange student to participate in a sanctioned sport if the foreign exchange student:

(a) Is sponsored by and placed with a host family in the United States by an international student exchange program that:

(1) Is approved for listing by the Council on Standards for International Educational Travel or its successor organization;

(2) Is recognized by the United States Department of State; and

(3) Assigns students to host families in a manner which ensures that a student, school or other interested party is unable to influence the assignment of the student to a host family for athletic or other purposes or in any other manner which ensures that the student is not chosen or placed because of his or her athletic interests or abilities;

(b) Possesses a J-1 Visa issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

(c) Attends the school on the first day of the semester in which the first day of practice for the sanctioned sport is conducted and enrolls in a foreign exchange program at the school that is conducted for at least 1 semester;

(d) Is eligible in not more than 1 school year at any school or combination of schools in this State or any other state;

(e) Has not completed the 12th grade or its equivalent in the United States or any other country; and

(f) Complies with any other requirements for eligibility of the Association during the period in which he or she is a pupil enrolled in a school.

3. If a foreign exchange student transfers to another school during the school year because of a change in residence by the student and the host family with whom he or she was placed at the time of enrollment in the original school, the transfer does not affect the student's eligibility to participate in a sanctioned sport. If the transfer occurs because the student is placed with another host family, the student is ineligible to participate in a sanctioned sport at the school to which he or she transfers for the remainder of the school year.

4. If a school or coach of a school places or arranges for the placement of a student in violation of any provision of this section, the student is ineligible to participate in a sanctioned sport and the Association may impose a penalty against the school or coach pursuant to this chapter.

~~5. A student from a foreign country who is enrolled in a school because he or she has been issued an F-1 Visa by the United States Citizenship and Immigration Services of the Department of Homeland Security shall be deemed to be a transfer student. If the student is in the 12th grade, the student is ineligible to participate in a sanctioned sport. If the student is in the 9th, 10th or 11th grade, the student:~~

~~—(a) Must comply with the provisions for eligibility that are applicable to a transfer student; and~~

~~—(b) May only participate in a sanctioned sport at a level other than varsity in accordance with subsection 4 of NAC 385B.386.~~

~~6.]~~ The eligibility of a foreign exchange student to participate in a sanctioned sport pursuant to this section terminates upon his or her completion of the period during which he or she participates in the foreign exchange program.

~~7.]~~ 6. For the purposes of this section:

(a) A foreign exchange student shall be deemed to be placed with a host family if:

(1) The school that the student attends was not involved in the selection or assignment of the student; and

(2) The principal office for the sponsoring organization approves the placement of the student.

(b) A sanctioned sport which is conducted during the fall season of a school year shall be deemed to begin during the first semester of that school year regardless of whether the first day of practice for the sanctioned sport is held before the beginning of that school year.

~~18.1~~ 7. As used in this section, “foreign exchange student” has the meaning ascribed to it in NRS 483.075.