

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

3
4 **LCB FILE NO. R014-21I**

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9 **The following document is the initial draft regulation proposed**
10 **by the agency submitted on 06/24/2021**

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1 **Proposed Revision of NAC 385B.200 to 385B.218**

2 (The proposed revision embodies a change in regulation to update and clarify the process by
3 which schools are admitted to and maintain membership in the Association. The revision
4 also includes a change in the annual membership dues)

5
6 *Approved by the NIAA Board of Control at their June 15, 2021, Meeting*

7
8 **New material is underlined, italics and blue font**

9 **Material to be deleted is ~~bracketed in red, strike through font~~**

10
11 **NAC 385B.032 is hereby amended to read as follows:**

12
13 **NAC 385B.032 “Member school” defined. (NRS 385B.060)** “Member school” means a
14 school:

- 15 1. Whose board of trustees or governing board has adopted the regulations of the
- 16 Association as its code governing interscholastic activities;
- 17 2. That has paid the annual dues established by the Association; ~~and~~
- 18 3. That has agreed to comply with the policies and regulations of the Association ~~;~~ and
- 19 4. *Has been admitted to membership in the NIAA by the Board of Control.*

20 (Added to NAC by Nev. Interscholastic Activities Ass’n by R206-03, eff. 11-2-2004) —
21 (Substituted in revision for NAC 386.613)

22
23 **NAC 385B.200 to NAC 385B.218 is hereby amended to read as follows:**

24
25 The following Sections to be deleted: NAC 385B.200, 385B.202, 385B.204, 385B.206,
26 385B.208, 385B.216

27 Section 385B.210 to be amended as indicated.

28 The following Sections to be re-numbered: NAC 385B.212 to become 385B.216 and amended as
29 indicated, 385B.214 to become 385B.218 and amended as indicated.

30 The following Sections to be added:

31 **MEMBER SCHOOLS**

32 **Membership in Association**

33 *NAC 385B.200 Authority of the Board of Control to admit schools to*
34 *membership in the Nevada Interscholastic Activities Association; general*
35 *requirements for admission to membership and to change the category of*
36 *membership; fee for application for membership.*

- 37 *1. Any public, charter, private, or parochial school which meets the requirements for*
38 *membership in one of the categories of membership in this Chapter may apply to the*
39 *Board of Control for membership in the Association.*

1 2. The Board of Control shall have plenary authority to admit schools to membership and
2 assign schools to a category of membership in the Association pursuant to the
3 requirements for membership set forth in this Chapter.

4 3. A school may not be a member of the Association in more than one category of
5 membership at any one time.

6 4. The Association shall provide to prospective applicants for membership and/or member
7 schools seeking a change in the school's category of membership a form for that
8 purpose.

9 (a) A completed application shall include the form provided by the Association with
10 all of the requested information from the form provided, as well as a non-
11 refundable application fee equal to the required annual membership dues set
12 forth in NAC 385B.216. If the school is approved for membership, the
13 application fee will be applied to the payment of dues for that school. A
14 completed application for change in category of membership does not require
15 an application fee.

16 (b) The completed application shall be received in the NIAA office no later than
17 October 15 for consideration for membership or change in category of
18 membership for the following school year.

19 (c) Upon receipt of a completed application, the Executive Director or designee
20 shall, in a reasonable time prior to the winter meeting of the Board of Control,
21 conduct a site inspection of the applicant school and sports facilities, the result
22 of which is to be reported at the winter meeting of the Board of Control.

23 (d) Upon receipt of a completed application for membership in the Association, the
24 Executive Director may grant permission to NIAA member schools to compete
25 against the applicant school.

26 5. At the winter meeting of the Board of Control, the Board of Control shall consider any
27 completed applications for membership and/or any completed applications for change
28 in the category of membership of a member school received prior to the deadline set
29 forth in paragraph (b) of sub-section 4.

30 6. The Board of Control shall not admit a school to membership in the Association in any
31 category of membership unless:

32 (a) The school is accredited in compliance with the laws of the State of Nevada or
33 the state in which the school is located;

34 (b) The board of trustees or governing board of the school adopts the regulations,
35 policies, and rulings of the Association as its code governing interscholastic
36 activities;

37 (c) The applicant pays the membership application fee required in this Chapter;

38 (d) The applicant pays the annual dues required pursuant to NAC 385B.216;

39 (e) The applicant agrees to be bound by the regulations, policies, and rulings of the
40 Association; and

1 (f) The applicant demonstrates to the Board of Control that it has adequate
2 physical facilities in place for conducting practices and competitions in the
3 sports it declares it will offer.
4

5 Categories of Membership

6 NAC 385B.202 Full Membership; schools with an enrollment of less than 600
7 pupils; requirements for admission or categorization as a full member; privileges
8 of full membership.

9 1. Except as otherwise provided in this Chapter, any public, charter, private, or parochial
10 school may be admitted to membership and assigned to the full member category of
11 membership in the Association. An application for full membership shall not be
12 approved unless:

13 (a) The school is located within the state of Nevada;

14 (b) The school meets the requirements for membership set forth in NAC 385B.200;

15 (c) The Board of Control approves the application by a majority vote; and

16 (d) Except as provided in subsection 2, the school declares in writing as part of its
17 application to the Association that it will offer a minimum of one sport for boys
18 and a minimum of one sport for girls in each of the fall, winter and spring
19 sports seasons. The declaration shall include the sports, by gender, that it will
20 offer.

21 2. When a school enrolls only one gender, the school is excepted from the requirement in
22 paragraph (d) of subsection 1 and is instead required to declare in writing that it will
23 offer a minimum of one sport in each sport season for the gender the school enrolls.

24 3. In the case of a school which has an enrollment of less than 600 pupils in the
25 aggregate in grades 9-12 at the time of the school's application, the Board of Control
26 shall not categorize such a school as a full member unless:

27 (a) The school's first school year as a full member is in the first year of a new
28 alignment;

29 (b) The school will have completed a minimum of two school years as an associate
30 member of the Association prior to the school's first year as a full member; and

31 (c) Except as provided in subsection 4, while an associate member, the applicant
32 successfully offers, for two consecutive school years immediately prior to full
33 membership, a minimum of one sport for boys and a minimum of one sport for
34 girls in each of the fall, winter and spring sports seasons. To fulfill this
35 requirement, minimally, the sports successfully offered for each gender for two
36 consecutive seasons must be the same sport for the same gender.

37 4. When a school described in subsection 3 enrolls only one gender, the school is
38 excepted from the requirement in paragraph (c) of subsection 3, and is instead required
39 to successfully offer for two consecutive school years immediately prior to full
40 membership, a minimum of one sport in each sport season for the gender the school

1 enrolls. To fulfill this requirement, minimally, the sports successfully offered for two
2 consecutive seasons must be the same sport.

3 5. In considering the application of an associate member for full membership, the Board:

4 (a) Shall review the information provided to the Association annually as required
5 by NAC 385B.208; and

6 (b) Shall receive a report and recommendation from the classification, region
7 and/or league to which the school was assigned pursuant to NAC 385B.208 as
8 to the fitness of the school for full membership.

9 6. A school assigned to the category of full membership in the Association shall:

10 (a) Be aligned in classification(s), region(s) and/or league(s) for the sports offered
11 by that school;

12 (b) With the exception of any sport(s) on independent status, be included in league
13 and/or region scheduling in the sports offered by that school; and

14 (c) Except as otherwise provided in this Chapter, be eligible to compete in post-
15 season tournament series.

16
17 NAC 385B.204 Affiliate Membership; schools with an enrollment of less than
18 600 pupils; requirements for admission or categorization as an affiliate member;
19 privileges of affiliate membership.

20 1. Except as otherwise provided in this Chapter, any public, charter, private, or parochial
21 school may be admitted to membership and assigned to the affiliate member category
22 of membership in the Association. A school shall not be assigned to the affiliate
23 member category of membership unless:

24 (a) The school is located within the state of Arizona, California, Idaho, Oregon, or
25 Utah;

26 (b) The school meets the requirements for membership set forth in NAC 385B.200;

27 (c) The school is recommended for membership in the Association by:

28 (1) A member school; and

29 (2) The committee appointed by the Executive Director to inspect the
30 facilities of the school.

31 (d) The school submits to the Association specific information relating to the
32 athletic programs of the school and any other information that may assist the
33 Association in considering the application;

34 (e) After considering the possible effect the addition of the school will have upon
35 out-of-school time, costs of transportation, costs of per diem allowances,
36 duration of seasons and factors concerning the level of competition among
37 schools, the school is approved for membership by at least two-thirds of the
38 schools that are assigned to the classification and region and/or league of
39 which the school will be a member; and

1 (f) The Board of Control and the Legislative Commission each approve the
2 application by a majority vote.

3 2. The Executive Director shall, within 30 days after the Board of Control and Legislative
4 Commission have each acted to approve or deny an application, notify the applicant in
5 writing of the decisions of each the Board of Control and the Legislative Commission.

6 3. An affiliate member shall be entitled to the privileges of membership set forth in
7 subsection 6 of NAC 385B.202.

8 4. In the case of a school which has an enrollment of less than 600 pupils in the
9 aggregate in grades 9-12 at the time of the school's application, the Board of Control
10 shall not categorize such a school as an affiliate member unless:

11 (a) The school's first school year as an affiliate member is in the first year of a new
12 alignment; and

13 (b) The school will have completed a minimum of two school years as an associate
14 member of the Association prior to the school's first year as an affiliate
15 member;

16 (c) Except as provided in subsection 5, while an associate member, the applicant
17 successfully offers, for two consecutive school years immediately prior to
18 affiliate membership, a minimum of one sport for boys and a minimum of one
19 sport for girls in each of the fall, winter and spring sports seasons. To fulfill
20 this requirement, minimally, the sports successfully offered for each gender for
21 two consecutive seasons must be the same sport for the same gender.

22 5. When a school described in subsection 4 enrolls only one gender, the school is
23 excepted from the requirement in paragraph (c) of subsection 4 and is instead required
24 to successfully offer for two consecutive school years immediately prior to affiliate
25 membership, a minimum of one sport in each sport season for the gender the school
26 enrolls. To fulfill this requirement, minimally, the sports successfully offered for two
27 consecutive seasons must be the same sport.

28 6. In considering an application of an associate member for affiliate membership, the
29 Board:

30 (a) Shall review the information provided to the Association annually as required
31 by NAC 385B.208; and

32 (b) Shall receive a report and recommendation from the classification, region
33 and/or league to which the school was assigned pursuant to NAC 385B.208 as
34 to the fitness of the school for affiliate membership.

35 7. The Executive Director may revoke the membership of an affiliate member school in
36 the Association if:

37 (a) A member school recommends the revocation;

38 (b) The revocation is approved by at least two-thirds of the schools that are
39 assigned to the class and region and/or league of which the school is a member;
40 and

1 (c) The Board of Control and the Legislative Commission each approve the
2 revocation by a majority vote.

3 ↪The provisions of this section are not to interfere in any way with proper disciplinary
4 action or imposition of penalties set forth in this Chapter, including without limitation
5 suspension of membership.

6 8. The Executive Director shall, within 30 days after the Board of Control and Legislative
7 Commission each take action to approve or deny the revocation of the membership of
8 the affiliate school in the Association, notify the affiliate school in writing of the
9 decisions of the Board of Control and Legislative Commission.

10 9. If the membership of an affiliate school is considered for revocation pursuant to this
11 section, the Executive Director shall, until the affiliate school is notified in writing
12 pursuant to subsection 5, notify the affiliate school of each hearing of the Board of
13 Control or Legislative Commission in which the revocation is to be considered. A
14 representative or legal counsel of the affiliate school may appear at any such hearing
15 to present evidence and cross-examine witnesses.

16
17 NAC 385B.206 Provisional Membership; requirements for admission or
18 categorization as a provisional member; privileges of provisional membership.

19 1. The Board of Control and the Legislative Commission may, by a majority vote of each,
20 grant a provisional membership in the Association to a school that:

21 (a) Receives financial support from this State or any county in this State;

22 (b) Only accepts pupils who are wards of a court;

23 (c) Meets the requirements for membership set forth in NAC 385B.200; and

24 (d) Except as provided in subsection 2, the school declares in writing as part of its
25 application to the Association that it will offer a minimum of one sport for boys
26 and a minimum of one sport for girls in each of the fall, winter and spring
27 sports seasons. The declaration shall include the sports, by gender, that it will
28 offer.

29 2. When a school enrolls only one gender, the school is excepted from the requirement in
30 paragraph (d) of subsection 1 and is instead required to declare in writing that it will
31 offer a minimum of one sport in each sport season for the gender the school enrolls.

32 3. A school that is a provisional member of the Association:

33 (a) Shall be bound by the policies, regulations and rulings of the Association; and

34 (b) Shall enjoy the privileges of membership set forth in NAC 385B.202.

35
36 NAC 385B.207 Maintenance of designation within a category of membership
37 for full, affiliate, and provisional members; waiver of requirement for
38 maintenance of designation.

- 1 1. Except as provided in subsection 2, a school assigned to the full, affiliate or provisional
2 categories of membership in the Association shall continue to successfully offer a
3 minimum of one sport for boys and a minimum of one sport for girls in each of the fall,
4 winter and spring sports seasons. A school which fails to comply with this requirement
5 shall, except as provided in subsection 3, be placed in the category of associate
6 membership.
- 7 2. When a school enrolls only one gender, the school is excepted from the requirement in
8 subsection 1, and is instead required to successfully offer a minimum of one sport in
9 each sport season for the gender the school enrolls.
- 10 3. A school which anticipates that it will be unable to meet the requirement outlined in
11 subsection 1, due to circumstances beyond its control, may apply to the Executive
12 Director for a waiver of the requirement for one school year. Such an application, to
13 be considered, must be received by the Executive Director no later than April 1 of the
14 school year prior to the school year in which the waiver is being sought. In ruling on
15 the waiver, the Executive Director shall consider without limitation the following:
 - 16 (a) the circumstances identified by the school;
 - 17 (b) the total enrollment of the school and the enrollment by gender;
 - 18 (c) the history of the school in applying for such a waiver; and
 - 19 (d) any other pertinent facts and/or evidence.
- 20 4. Upon receipt of an application pursuant to subsection 3, the Executive Director shall
21 issue a ruling in writing to the applicant as soon as is practical.

22 NAC 385B.208 Associate Membership

- 24 1. Any public, charter, private, or parochial school may be admitted to associate
25 membership in the Association if:
 - 26 (a) The school is located within the state of Nevada or if seeking to eventually be an
27 affiliate member, Arizona, California, Idaho, Oregon, or Utah;
 - 28 (b) The school declares in writing to the Association the sports, by gender, that it
29 will offer;
 - 30 (c) The school submits to the Association specific information relating to the
31 athletic programs of the school and any other information that may assist the
32 Association in considering the application;
 - 33 (d) The school meets the requirements for membership in NAC 385B.200; and
 - 34 (e) The Board of Control approves the application by a majority vote.
- 35 2. An associate member school:
 - 36 (a) Shall be assigned to a classification, region and/or league for administrative
37 purposes;

1 (b) May compete with NIAA member schools in NIAA sanctioned sports under the
2 regulations, policies and rulings of the NIAA;

3 (c) May be, but is not required to be, included in league and/or region scheduling;

4 (d) Is to attend and participate in classification, region and league meetings;

5 (e) Shall not participate in post-season competition or tournament series;

6 (f) Shall, annually during the period in which the school is an associate member,
7 provide information to the Association regarding schedules, games played,
8 specific information relating to the athletic programs of the school, and any
9 other information that may assist the Association in considering the current
10 and potential future membership of the school; and

11 (g) Shall have all of the sports it offers classified as independent status.

12
13 **NAC 385B.210 Application for limited membership; approval of limited membership;**
14 **authority of high school with such membership. (NRS 385B.060)**

15 1. Any high school in this State ~~[may apply to the Board for limited membership in the~~
16 ~~Association. The application must be submitted:]~~which as of July 1, 2022 is a limited member
17 of the Association may retain that category of membership in accordance with this section.

18 ~~[(a) On a form approved by the Association; and~~

19 ~~—(b) Not later than July 1 of the year in which the school applies for that membership.]~~

20 2. ~~[The Board may approve an application submitted.]~~ A limited member school pursuant to
21 subsection 1 may continue as a limited member school if:

22 (a) The board of trustees or governing board of the school continues to adopt~~[s]~~ the
23 regulations of the Association as its code governing interscholastic activities;

24 (b) The applicant pays annual dues in the amount of \$5,000; and

25 (c) The applicant agrees to comply with the policies and regulations of the Association.

26 3. A high school that ~~[is granted]~~ continues limited membership in the Association pursuant
27 to this section:

28 (a) May participate on a restricted schedule in each sanctioned sport determined pursuant to
29 subsection 4;

30 (b) May not participate in a league, regional or state tournament for a sanctioned sport; and

31 (c) May not include on its roster for any sanctioned sport a pupil who:

32 (1) Is a resident of this State;

33 (2) Has attended a high school for more than 4 years; or

34 (3) Has received a high school diploma or general equivalency diploma.

35 4. For each high school that ~~[is granted]~~ continues limited membership in the Association
36 pursuant to this section, the Board of Control shall annually determine the number of games,
37 contests or meets in which the school may participate for each season for each sanctioned sport.

1
2 NAC 385B.211 Annual continuing commitment of member schools.

- 3 1. All member schools, regardless of the category of membership, shall on or before
4 August 1 of each year affirm the school's continued compliance with the requirements
5 for membership including without limitation those set forth in NAC 385B.200.
- 6 2. The Association shall provide a form for this purpose to which the principal or head
7 administrator of the school shall affix her or his signature indicating the school's
8 continued acceptance of and compliance with those requirements. Additional
9 information demonstrating the school's compliance may also be required to be
10 submitted with the signed form. The completed and signed form is due in the NIAA
11 office no later than August 1 of each year.

12
13 NAC 385B.212 Successfully offering a sport.

- 14 1. To successfully offer a sport, a school shall complete competition at the varsity level, at
15 a minimum, in contests in 50% of the non-tournament contest limit for a sport.
- 16 2. In the following sports, to complete competition as required in sub-section 1, the
17 minimum number of individuals of a specific gender team who compete in a contest
18 shall be:
- 19 (a) Cross Country: 5 runners in 3A, 4A and 5A; 4 runners in 1A and 2A
20 (b) Golf: 4 players
21 (c) Tennis: 6 players, a doubles pair counts as two players
22 (d) Bowling: 4 bowlers
23 (e) Wrestling: 7 wrestlers in 7 different weight classes
24 (f) Swimming & Diving: 5 individuals
25 (g) Track & Field: 7 individuals
- 26 3. A school which fails to successfully offer a sport which it has declared it will offer, may
27 be subject to a fine of up to \$500. That sport at the school shall be immediately placed
28 on independent status. The sport at that school may not be considered for adjustment
29 from independent status unless:
- 30 (a) The sport has been successfully offered by the school in the school year prior to
31 the adjustment becoming effective;
32 (b) The school has completed a minimum of one full school year with the sport on
33 independent status; and
34 (c) in accordance with subsection 4 of NAC 385B.214.

35
36 NAC385B.214 Independent status of sports offered by a school; Exemption
37 from contest limit; Minimum duration of independent status.

1 1. A sport at a member school shall be placed on independent status:

2 (a) Pursuant to the provisions of this Chapter which require a sport to be placed on
3 independent status; or

4 (b) By a majority vote of the Board of Control.

5 2. Teams and individuals in sports offered by a school that are placed on independent
6 status:

7 (a) May compete against NIAA member schools' teams in compliance with the
8 regulations, policies, and rulings of the NIAA; and

9 (b) Shall not compete in post-season competition or state tournament series.

10 3. A member school may exempt one contest in a sport season against a team on
11 independent status in a sport from the contest limit in that sport.

12 4. The Board, by a majority vote, may adjust from independent status a sport or sports at
13 a school if:

14 (a) The adjustment will become effective in the first year of a new alignment of
15 schools; and

16 (b) Action to make the adjustment is taken in time for the Realignment Committee
17 to include the adjustment in its recommendations to the Board.

18
19 **NAC 385B.~~212~~216 Amount and payment of annual membership dues; imposition**
20 **and amount of special assessment. (NRS 385B.060)**

21 1. Except as otherwise provided in NAC 385B.210, if a school enrolls less than 600 pupils
22 during a school year, the annual dues for the membership of the school in the Association for that
23 school year is ~~[\$850]~~ \$1000. If a school enrolls at least 600 pupils during a school year, the
24 annual dues for the membership of the school in the Association is ~~[\$1.50]~~ \$2.00 for each pupil
25 who is enrolled in the school for that school year.

26 2. Each school shall pay the annual dues specified in subsection 1 not later than August 1 of
27 each year. The Executive Director may require a school to pay a penalty in an amount
28 determined by the Board if the school fails to pay the annual dues for the school later than
29 August 21 of that year.

30 3. The Board may impose a special assessment against each school. Any special assessment
31 imposed against a school pursuant to this subsection must not exceed 20 percent of the annual
32 dues paid by that school for the year in which the Board imposes the special assessment.

33 (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by
34 R173-12, 2-26-2014) — (Substituted in revision for NAC 386.655)

35
36 **NAC 385B.~~214~~218 Withdrawal and reinstatement of membership. (NRS 385B.060)**

37 1. Any school that wishes to withdraw its membership in the Association or wishes to
38 reinstate its membership in the Association must apply to the Board. The application must be
39 submitted on a form approved by the Board and include:

1 (a) Such information as the Board requires to evaluate the effect of the proposed withdrawal
2 or reinstatement of membership upon the interscholastic activities of the Association; and

3 (b) A nonrefundable fee ~~of \$850~~ equal to the amount of the annual dues for that school.

4 2. Upon receipt of an application and fee pursuant to subsection 1, the Board shall solicit
5 comments from each member of the Association concerning the extent to which the proposed
6 withdrawal or reinstatement of membership affects the interscholastic activities of the
7 Association, including, without limitation:

8 (a) Out-of-state school time;

9 (b) Costs of transportation and per diem allowances;

10 (c) The duration of seasons; and

11 (d) Factors concerning the level of competition among schools.

12 3. The Board shall notify the applicant, in writing, of the date, time and place of the hearing
13 concerning the application. Representatives of the applicant and each member of the Association
14 may appear at the hearing and testify before the Board concerning the effect of the proposed
15 withdrawal or reinstatement of membership on the interscholastic activities of the Association.
16 Before the Board may reinstate the membership of a school in the Association, the Board shall
17 evaluate the reasons the school withdrew its membership in the Association and establish the
18 conditions for reinstating any activity that was cancelled because of the withdrawal.

19 4. Not later than 30 days after conducting a hearing pursuant to subsection 3, the Board
20 shall issue a decision relating to the application and mail a copy of the decision to the applicant
21 and the Executive Director.

22 5. Not later than 15 days after a decision is issued pursuant to subsection 4, the Executive
23 Director shall submit a written notice to the Legislative Commission indicating that the
24 Executive Director has received the application and a copy of the decision of the Board. Upon
25 receipt of the written notice, the Legislative Commission shall place the application on the
26 agenda for the next regularly scheduled meeting of the Legislative Commission. The Legislative
27 Commission shall mail to the applicant a notice setting forth the date, time and place of the
28 meeting.

29 6. At the date, time and place fixed for the meeting, the applicant and a representative of the
30 Board may testify before the Legislative Commission concerning the proposed withdrawal or
31 reinstatement of membership.

32 7. Not later than 30 days after the hearing, the Legislative Commission shall issue its
33 decision and mail a copy of the decision to the applicant and the Board.

34 8. The decision of the Legislative Commission is a final decision and binding on the
35 applicant and the Board.

36 9. The office of the Executive Director shall:

37 (a) Provide administrative, legal and clerical support for the Legislative Commission and the
38 Board; and

1 (b) If money is available for that purpose, reimburse any per diem and travel expenses
2 incurred by the Legislative Commission or the Board in conducting a hearing or issuing a
3 decision pursuant to this section.

4 (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004) —
5 (Substituted in revision for NAC 386.656)

6
7 **Following is the text of the deleted sections:**

8 **NAC 385B.200 Submission of application by Nevada high school or affiliate**
9 **school. (NRS 385B.060)**

10 1. Except as otherwise provided in NAC 385B.208 and 385B.210, any public high school in
11 this State may apply to the Board for membership in the Association. The application must be
12 submitted:

13 (a) On a form approved by the Association; and

14 (b) Not later than July 1 of the year in which the school applies for membership in the
15 Association.

16 2. The Board shall approve an application submitted pursuant to subsection 1 if:

17 (a) The board of trustees or governing board of the school adopts the regulations of the
18 Association as its code governing interscholastic activities;

19 (b) The applicant pays the annual dues required pursuant to NAC 385B.212; and

20 (c) The applicant agrees to comply with the policies and regulations of the Association.

21 3. A high school that is located in Arizona, California, Idaho, Oregon or Utah may submit
22 an application to the Board for admission as an affiliate school. The application must be
23 submitted:

24 (a) On a form approved by the Association; and

25 (b) Not later than July 1 of the year in which the school applies for membership in the
26 Association.

27 4. A high school that submits an application pursuant to subsection 3 may be admitted as an
28 affiliate school if:

29 (a) The school is recommended for membership in the Association by:

30 (1) A member school; and

31 (2) The committee appointed by the Executive Director to inspect the facilities of the
32 school;

33 (b) The school submits to the Association specific information relating to the athletic
34 programs of the school and any other information that may assist the Association in considering
35 the application;

36 (c) The school complies with the requirements of the Association for accreditation;

37 (d) After considering the possible effect the addition of the school will have upon out-of-state
38 school time, costs of transportation, costs of per diem allowances, duration of seasons and factors
39 concerning the level of competition among schools, the school is approved for membership by at
40 least two-thirds of the schools that are assigned to the class and league of which the school will
41 be a member;

42 (e) The school pays a nonrefundable fee of \$850 for the application; and

43 (f) The Board and the Legislative Commission approve the application.

1 5. The Executive Director shall, within 30 days after the Board and Legislative Commission
2 approve or deny an application, notify the applicant in writing of the decision of the Board and
3 Legislative Commission.

4 (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by
5 R173-12, 2-26-2014; R128-13, 6-23-2014) — (Substituted in revision for NAC 386.652)

6
7 **NAC 385B.202 Private high school. (NRS 385B.060, 385B.110)**

8 1. Except as otherwise provided in NAC 385B.208 and 385B.210, any high school in this
9 State with an enrollment of less than 500 pupils may apply for membership in the Association by
10 submitting a written request to the Executive Director.

11 2. Except as otherwise provided in subsection 6, upon receipt of a written request submitted
12 pursuant to subsection 1, the Executive Director shall place the school on independent status for
13 2 years beginning on the date the written request is received. A school that is placed on
14 independent status may, during the period in which the school is on independent status, schedule
15 a game, contest or meet with a member or affiliate school for a season for a sanctioned sport. The
16 school may not, during the period in which it is on independent status, participate in any game,
17 contest or meet for a sanctioned sport that is conducted after the regular season for that
18 sanctioned sport.

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

24 (a) The facilities of the school; and

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

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

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

30 4. As soon as practicable after conducting an evaluation of a school pursuant to subsection
31 3, the class shall submit to the Board a recommendation to approve or deny the written request of
32 the school for membership in the Association.

33 5. If the Board approves a written request for membership in the Association pursuant to
34 subsection 4, the Board shall, in accordance with NAC 385B.250, place the school in a class and
35 align it in a league for the school year after the Board approves the request.

36 6. On and after August 1, 2012:

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

40 (b) If the Board receives a written request for membership in the Association pursuant to
41 subsection 1, the Board shall, based upon twice the number of pupils specified in the count of
42 enrollment for the school year in which the Board considers the written request, place the school
43 in a class and align it in a league pursuant to NAC 385B.250.

44 (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by
45 R207-08, 5-5-2011; R173-12, 2-26-2014; R128-13, 6-23-2014; R060-15 & R029-16, 6-28-2016)
46 — (Substituted in revision for NAC 386.653)

1
2 **NAC 385B.204 Provisional membership; academic requirements of pupil enrolled at**
3 **school with such membership. (NRS 385B.060)**

4 1. The Board and the Legislative Commission may, by a majority vote, grant a provisional
5 membership in the Association to a school that receives financial support from this State or any
6 county in this State and only accepts pupils who are wards of a court. A school that is a
7 provisional member of the Association:

8 (a) Shall comply with the regulations of the Association; and

9 (b) Upon approval by the Board, may participate in any league, regional or state tournament.

10 2. A pupil enrolled in a school that is a provisional member of the Association may, for 30
11 days after the school is granted provisional membership, participate in a sanctioned sport without
12 complying with the provisions of NAC 385B.700 to 385B.798, inclusive, concerning academic
13 eligibility. Upon the expiration of that period, the pupil must comply with those sections before
14 participating in a sanctioned sport.

15 (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004) —
16 (Substituted in revision for NAC 386.654)

17
18 **NAC 385B.206 Application for associate membership. (NRS 385B.060)**

19 1. Any high school in this State may apply to the Board for associate membership in the
20 Association. The application must be submitted:

21 (a) On a form approved by the Association; and

22 (b) Not later than:

23 (1) July 1 of the year in which the school applies for associate membership, if the
24 application is the initial application submitted by the school; or

25 (2) November 1 of the year immediately preceding the year in which the school applies
26 for associate membership, if the application is submitted by a current member school.

27 2. In addition to the provisions of subsection 1, an applicant for associate membership in the
28 Association must submit, together with the application, a letter setting forth the reasons for
29 submitting the application which is signed by:

30 (a) If the applicant is a public school:

31 (1) The principal of the school;

32 (2) The superintendent of schools of the school district in which the school is located; and

33 (3) The board of trustees of that school district; or

34 (b) If the applicant is a private school:

35 (1) The principal or other person in charge of the school;

36 (2) The administrative head of the school; and

37 (3) The governing body of the school.

38 (Added to NAC by Nev. Interscholastic Activities Ass'n by R128-13, eff. 6-23-2014) —
39 (Substituted in revision for NAC 386.6543)

40
41 **NAC 385B.208 Approval of application for associate membership; authority of high**
42 **school with associate membership. (NRS 385B.060)**

43 1. The Board may approve an application submitted pursuant to NAC 385B.206 if:

44 (a) The board of trustees or governing body of the school adopts the regulations of the
45 Association as its code governing interscholastic activities;

1 (b) The applicant pays the annual dues required pursuant to NAC 385B.212;
2 (c) The applicant agrees to comply with the policies and regulations of the Association; and
3 (d) The Board determines that granting associate membership to the school will not
4 compromise the competitive integrity of the league in which the school is aligned pursuant
5 to NAC 385B.250.

6 2. A high school that is granted associate membership in the Association pursuant to this
7 section:

8 (a) May participate on a restricted schedule approved by the Board in each sanctioned sport
9 against any member school or affiliate school;

10 (b) May not participate in any state championship for a sanctioned sport; and

11 (c) May not apply for or hold any other type of membership in the Association until the next
12 time the Board aligns the school in a league pursuant to NAC 385B.250 after granting associate
13 membership to the school.

14 3. If the Board grants associate membership to a high school pursuant to this section, the
15 Board shall, at the time the Board aligns the school in a league pursuant to NAC 385B.250,
16 determine the number of games, contests or meets in which the school may participate for each
17 sanctioned sport.

18 (Added to NAC by Nev. Interscholastic Activities Ass'n by R128-13, eff. 6-23-2014) —
19 (Substituted in revision for NAC 386.6546)

20
21 **NAC 385B.216 Revocation of membership of affiliate school. (NRS 385B.060)**

22 1. The Executive Director may revoke the membership of an affiliate school in the
23 Association if:

24 (a) A member school recommends the revocation;

25 (b) The revocation is approved by at least two-thirds of the schools that are assigned to the
26 class and league of which the school is a member; and

27 (c) The Board and the Legislative Commission approve the revocation.

28 2. The Executive Director shall, within 30 days after the Board and Legislative Commission
29 approve or deny the revocation of the membership of the affiliate school in the Association,
30 notify the affiliate school in writing of the decision of the Board and Legislative Commission.

31 3. If the membership of an affiliate school is considered for revocation pursuant to this
32 section, the Executive Director shall, until the affiliate school is notified in writing pursuant to
33 subsection 2, notify the affiliate school of each hearing in which the revocation is considered. A
34 representative or legal counsel of the affiliate school may appear at any such hearing to present
35 evidence and cross-examine witnesses.

36 (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004) —
37 (Substituted in revision for NAC 386.657)