LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS 233B.066
LCB FILE No. R057-24RA1

The following statement is submitted for adopted amendments to Nevada Administrative Code ("NAC") Chapter 385B.

1. **A clear and concise explanation of the need for the adopted regulation.**

   This regulation is necessary to address the ever-changing nature of high school athletics governed by the Nevada Interscholastic Activities Association ("NIAA"). This regulation revises provisions governing the conduct and sportsmanship of student athletes, coaches, and administrators during NIAA sanctioned events and imposes penalties against student athletes, coaches and administrators who violate provisions of the regulation.

2. **A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

   Copies of the proposed regulation and notice of intent to act upon the regulation and amended notice of intent to act upon the regulation were sent by U.S. mail and by email to persons who were known to have an interest in the subject of the governance of high school athletics in the State of Nevada, including all member schools of the NIAA, and to all persons who had specifically requested such notice. These documents were also made available at the website of the NIAA's office, www.niaa.com, as well as http://notice.nv.gov; and were mailed to all county libraries in Nevada and posted at the following locations:

   Nevada Interscholastic
   Activities Association
   1188 Victorian Plaza Circle
   Sparks, NV 89431

   Washoe County School District
   425 East Ninth Street
   Reno, NV 89520

   Clark County School District
   5100 West Sahara Avenue
   Las Vegas, NV 89143

   Carson City School District
   1140 West King Street
   Carson City, NV 89703

   Elko County School District
   850 Elm Street
   Elko, NV 89801

   This regulation was initially reviewed by the NIAA Board of Control on June 14, 2023, at its summer Board Meeting. On or about May 25, 2023, the Executive Director issued a Notice of Intent to Act Upon a Regulation pursuant to NRS 233B.0603, which incorporated

in the proposed amendments all discussions held at the above-described Board of Control meeting, as well as comments from LCB staff attorneys. That Notice is attached as Exhibit "I." This regulation was again reviewed by the NIAA Board of Control at a workshop and board meeting held on September 27 and 28, 2024, respectively, which included the opportunity for public comment concerning the proposed amendment. The regulation was resubmitted to the LCB with revisions and thereafter returned to the NIAA where it was approved at the NIAA Board of Control meeting held on April 1 and 2, 2025. The regulation was then reviewed by the Legislative Commission on July 7, 2025, but was rejected based on the references in the regulation to spectators. The regulation was subsequently revised to remove any reference to spectators and was reviewed by the Board of Control at its September 23-24, 2025, meeting, where it was again approved.

The Legislative Commission heard this regulation on October 28, 2025, and expressed additional concern with the use of the phrase "verbal abuse" set forth in Section 8, paragraph 12 of R057-24 in regard to its application to spectators on the basis that such restriction would violate First Amendment rights. At a NIAA Board of Control meeting held on November 19, 2025, reference to spectators was removed from Section 8, paragraph 12, of R057-24 to address the Legislative Commissions concern. With that deletion this regulation is again submitted for review by the Legislative Commission.

3. **The number of persons who:**
   - **(a) Attended each hearing: 0**
   - **(b) Testified at each hearing: 0**
   - **(c) Submitted to the agency written comments: 0**

4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information is provided to the agency conducting the hearing:**

   - **(a) Name;**
   - **(b) Telephone number;**
   - **(c) Business address;**
   - **(d) Business telephone number;**
   - **(e) Electronic mail address; and**
   - **(f) Name of entity or organization represented.**

   There was no testimony provided by any of the people in attendance at this meeting and, therefore, no information to provide in response hereto.

5. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

   No businesses are affected by these regulations. Comments were solicited from member schools of the NIAA and other people having an interest in the governance of

interscholastic high school activities in the state, as well as members of the public. The summary of those comments is included in response to question No. 1, above.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

   The regulation was finally adopted on April 1, 2025, without changing any part of the proposed regulation following revisions made at the September 27 and 28, 2024, NIAA Board of Control meeting, because no request for any changes was made at the workshop or hearing. The regulation was revised following the initial review of the regulation by the Legislative Commission on July 7, 2025, with all references to spectators being removed from the regulation and was approved as revised by the NIAA Board of Control at its September 23-24, 2025, Board meeting. The regulation was again revised by the NIAA Board of Control on November 19, 2025, at a meeting of the Board of Control based on concerns raised by the Legislative Commission at its October 28, 2025, meeting concerning use of the phrase "verbal abuse," as explained in paragraph 2, above.

7. **The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

   (a) Both adverse and beneficial effects; and
   (b) Both immediate and long-term effects.

   (a) Both adverse and beneficial effects:

   This regulation will have no economic effect, beneficial or adverse, with respect to any business or the public.

   (b) Both immediate and long-term effects:

   This regulation will have no economic effect, immediate or long-term, with respect to any business or the public.

8. **The estimated cost to the agency for enforcement of the adopted regulation.**

   There is no additional cost to the agency for enforcement of this regulation.

9. **A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

   There are no other state or government agency regulations that the proposed amendments duplicate.

10. **If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

N/A

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

N/A

12. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use to determine the impact of the regulation on a small business?

As stated above, there are no economic effects with respect to the amendments on any business in the State of Nevada. These amendments apply to the governance of high school athletics and activities in the State of Nevada and generally do not impact private business.

Dated this 1st day of December, 2025.

NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION

By: _____

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Legal Counsel

EXHIBIT 1

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NOTICE OF INTENT TO ACT UPON A REGULATION
NRS 233B.0603

The Nevada Interscholastic Activities Association ("NIAA") will hold a public hearing starting at 9:00 a.m. on June 14, 2023, in conjunction with its regularly scheduled Board of Control meeting which is being conducted virtually with Board members participating remotely and members of the public appearing by live stream through a You Tube link as well as the NIAA website, www.niaa.com. Members of the public have been provided the opportunity to address the regulation through the virtual link. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of an amendment to a Regulation that pertains to Chapter 385B of the Nevada Administrative Code.

The following is provided pursuant to the requirements of NRS 233B.0603:

1. The adoption of this amendment to Regulation is needed for purposes of the governance of high school athletics and activities throughout the State of Nevada which are governed by the NIAA.

2. The Regulation changes will address the following:

(a) NAC 385B.800 through NAC 385B.830 modify certain regulations dealing with conduct of coaches, administrators and athletes, penalties for verbal assault of a sports official, and related reporting requirements for member schools.

3(a). The economic effect of the amendment of this amendment to Regulation on high school athletics will be minimal.

(b). The immediate and long-term effects of this amendment to Regulation will be to provide a better source of information to the public regarding the governance of high school athletics and activities, including high school athletes, parents, coaches and officials all of whom are governed by the NIAA.

4. The estimated cost to the NIAA for purposes of enforcement of the proposed amendment to Regulation are minimal.

5. This amendment to Regulation does not overlap or duplicate any regulations of other state or local governmental agencies.

6. The adoption of this amendment to Regulation is not required pursuant to federal law.

7. The adoption of this Regulation does not include any provisions which are more stringent than any federal regulation. *See*, paragraph 6, above.

8. The adoption of this Regulation does not establish any new fee or increases to existing fees associated with the governance of the NIAA.

People wishing to comment upon the proposed action of the NIAA may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Bart Thompson, Executive Director, Nevada Interscholastic Activities Association, 1188 Victorian Plaza Circle, Sparks, Nevada 89431. Written submissions must be received by the NIAA on or before June 14, 2023. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the NIAA may proceed immediately to act upon any written submissions.

A copy of this Notice and the amendment to Regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the Notice and the Regulations to be adopted will be available at 1188 Victorian Plaza Circle, Sparks, Nevada 89431, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This Notice and the text of the proposed Regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the internet at http:\\www.leg.state.nv.us. Copies of this Notice and the proposed Regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of Hearing has been posted at the following locations on or before May 5, 2023:

Office of the Nevada Interscholastic Activities Association
1188 Victorian Plaza Circle
Sparks, Nevada 89431

Clark County School District
5100 West Sahara Avenue
Las Vegas, Nevada 89143

Carson City School District
1140 West King Street
Carson City, Nevada 89703

Elko County School District
850 Elm Street
Elko, Nevada 89801

http://notice.nv.gov

Washoe County School District
425 East Ninth Street
Reno, Nevada 89520

www.niaa.com
https://notice.nv.gov