SECOND REVISED ADOPTED REGULATION

OF THE NEVADA INTERSCHOLASTIC

ACTIVITIES ASSOCIATION

LCB File No. R057-24

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

AUTHORITY: §§ 1-10, NRS 385B.060.

A REGULATION relating to interscholastic activities; extending certain requirements concerning sportsmanship, ethics and conduct to certain persons attending a sanctioned sport; prescribing penalties for assault or battery of a sports official; establishing a process for the reinstatement of persons who are suspended from participating in or attending a sanctioned sport for committing assault or battery against a sports official; revising provisions relating to ejections from a sanctioned sport and the penalties relating to such ejections; revising the persons to whom a principal of a school or a designee thereof must provide a report concerning any penalty he or she imposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Nevada Interscholastic Activities Association to adopt regulations governing interscholastic events. (NRS 385B.060) Existing regulations require a coach, administrator, faculty member or other representative of a school to practice and demonstrate the highest principles of sportsmanship and ethics in all sanctioned sports, and provide that a person who violates such principles is subject to certain penalties. (NAC 385B.800, 385B.960) **Section 3** of this regulation further requires such persons to represent the highest principles of sportsmanship and ethics in all sanctioned sports and subjects a person who fails to do so to certain penalties.

Existing regulations require each pupil, coach, administrator, faculty member and sports official who participates in or is assigned to a sanctioned sport to comply with certain provisions relating to sportsmanship and ethics. (NAC 385B.802, 385B.812) **Sections 4 and 5** of this regulation extend these requirements to such persons whenever they attend a sanctioned sport, regardless of whether they are participating in or assigned to the sport being played.

Existing regulations prescribe certain procedures governing the ejection of a pupil or coach from a game, contest or meet and certain penalties to be imposed on a pupil or coach who is so ejected. (NAC 385B.822) **Section 6** of this regulation: (1) authorizes the ejection and

suspension for 180 school days of any pupil or coach who commits assault or battery against a sports official; and (2) prescribes a procedure for the reinstatement of such a pupil or coach before the end of that period of 180 school days. **Sections 1, 2 and 7** of this regulation make various changes to prescribe a uniform definition of the term "eject" for the purposes of all regulations governing sanctioned sports. **Section 7** additionally clarifies that certain provisions regarding the removal of a coach from the premises after being ejected from a game, contest or meet apply if the coach is ejected for committing assault or battery against a sports official.

Existing regulations establish the penalties for a pupil or coach who is ejected from a game, contest or meet for unsportsmanlike conduct. (NAC 385B.822) **Section 7** revises such penalties depending on: (1) the number of games, contests or meets from which a pupil or coach is ejected; (2) the number of scheduled games, contests or meets in the sanctioned sport for that season; and (3) the timing in the season of the game, contest or meet in which the ejection occurred. If a pupil is ejected from a game, contest or meet, **section 7** requires the pupil's head coach or the staff of the school responsible for the pupil's participation to ensure the pupil is escorted away from the area in which the game, contest or meet is being held. **Section 7** also requires a pupil or coach who is ejected from a game, contest or meet to satisfy certain requirements before again participating in or attending any level of a sanctioned sport. **Section 7** further clarifies that a decision to eject a pupil or coach from a game, contest or meet is final and may not be appealed.

Existing regulations prohibit a coach, sports official, administrator, faculty member or pupil from making a defamatory statement to the media or through the use of social media relating to any person, sports official or school involved in a game, contest or meet and prescribe penalties for doing so. (NAC 385B.826) **Section 8** of this regulation extends this prohibition to such persons when they attend a sanctioned sport, regardless of whether they are involved in or participate in the sport being played in the game, contest or meet.

Existing regulations require the principal of a school or his or her designee, or a sports official, to report to the Commissioner of Sports Officials of the Association certain penalties that the principal, designee or sports official imposes on a person relating to a game, contest or meet. (NAC 385B.828) **Section 9** of this regulation expands the list of persons to whom such penalties may be reported to include the designee of the Commissioner and the Association.

Existing regulations prohibit each coach, administrator or faculty member of a school who is involved in or has responsibility for any sanctioned sport from engaging in certain conduct. (NAC 385B.830) **Section 10** of this regulation extends these prohibitions to such persons when they are attending any sanctioned sport. **Section 10** also requires a coach, administrator or faculty member who attends a game, contest or meet and becomes aware of a spectator engaging in unsportsmanlike conduct to report that fact to the Commissioner, his or her designee or the Association.

Section 1. Chapter 385B of NAC is hereby amended by adding thereto a new section to read as follows:

"Eject" means the permanent removal of a pupil or coach from a game, contest or meet by a principal of a school or designee thereof, or a sports official who is assigned to the game, contest or meet.

Sec. 2. NAC 385B.002 is hereby amended to read as follows:

385B.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 385B.004 to 385B.054, inclusive, and section 1 of LCB File No. R139-24, ***and section 1 of this regulation*** have the meanings ascribed to them in those sections.

Sec. 3. NAC 385B.800 is hereby amended to read as follows:

385B.800 1. A pupil who represents a school in any sanctioned sport must be of good moral character as determined by the principal of the school. The pupil shall comply with any standards concerning discipline adopted by the school he or she attends or school district in which he or she resides and shall not engage in conduct that discredits the pupil or school. As used in this subsection, "conduct that discredits the pupil or school" includes, without limitation:

(a) A violation of any training or disciplinary rules of the school or school district or a team at the school;

(b) The use or possession of:

(1) Any tobacco or alcoholic beverages; or

(2) Any controlled substance, unless in accordance with a lawfully issued prescription for the controlled substance; and

(c) The commission of any act that violates a law or regulation of this State or the Federal Government.

2. A coach, administrator, faculty member or any other representative of a school shall practice ***,*** ~~[and]~~ demonstrate ***and represent*** the highest principles of sportsmanship and ethics in all sanctioned sports.

3. A sports official who is assigned to a game, contest or meet shall carry out his or her duties in an impartial manner.

4. Any sports official or any pupil, coach, administrator, faculty member or other representative of a school who violates any provision of this section is subject to the penalties set forth in NAC 385B.960.

Sec. 4. NAC 385B.802 is hereby amended to read as follows:

385B.802 The provisions of NAC 385B.802 to 385B.812, inclusive, apply to each pupil, coach, administrator, faculty member and sports official who participates in ***,*** ~~[or]~~ is assigned to ***or attends*** any sanctioned sport.

Sec. 5. NAC 385B.812 is hereby amended to read as follows:

385B.812 1. Each pupil, coach, administrator, faculty member and sports official shall comply with the provisions of NAC 385B.802 to 385B.812, inclusive, during any period in which he or she is assigned to ***,*** ~~[or]~~ participates in ***or attends*** a sanctioned sport.

2. Any violation of the provisions of NAC 385B.802 to 385B.812, inclusive, may result in the imposition of the penalties set forth in NAC 385B.960.

3. A specific violation set forth in NAC 385B.820 to 385B.826, inclusive, includes the penalties specified in each of those sections.

Sec. 6. NAC 385B.820 is hereby amended to read as follows:

385B.820 1. If a team, pupil, coach, administrator or faculty member of a school violates any provision of NAC 385B.802 to 385B.812, inclusive, the principal of the school or a designee thereof shall, within 24 hours after becoming aware of the violation, prepare and submit to the Executive Director a written report concerning the violation. The report must include:

(a) The name of each person who is alleged to have committed the violation and any other person involved in the violation; and

(b) A statement indicating the disciplinary action, if any, the school will impose against the team, pupil, coach, administrator or faculty member for the violation.

2. As soon as practicable after receiving a written report pursuant to subsection 1, the Executive Director:

(a) Shall review the written report; and

(b) May impose any additional penalty against the team, pupil, coach, administrator or faculty member in accordance with the provisions of NAC 385B.960.

3. If a team, pupil, coach, administrator, faculty member or spectator who is enrolled at, employed by or affiliated with a school ***or is attending a game, contest or meet*** commits an act of violence against a sports official who is assigned to a game, contest or meet, the principal of the school or the designee shall prepare and submit to the Executive Director a written report concerning the act of violence within 24 hours after the act is committed.

4. ***A pupil or coach who commits assault or battery against a sports official assigned to a game, contest or meet is guilty of unsportsmanlike conduct. The principal of the school with which the pupil or coach is affiliated or the designee thereof may, where the principal determines that such action is reasonably likely to prevent or discourage such conduct:***

(a) Immediately eject the pupil or coach from the game, contest or meet; and

(b) Suspend the pupil or coach from participating in or attending any sanctioned sport, at any level, for 180 school days or until the pupil or coach is reinstated pursuant to subsection 9, whichever occurs first.

5. A written report that is prepared pursuant to subsection 3 must include:

(a) The name of each person who is alleged to have committed the act of violence and any other person involved in the act; and

(b) The disciplinary action the school may take against the person for the act of violence.

~~[5.]~~ ***6.*** As soon as practicable after receiving a written report pursuant to subsection 3, the Executive Director:

(a) Shall review the written report; and

(b) May impose a penalty in addition to the disciplinary action ~~[, if any,]~~ taken by the school, including any penalties set forth in NAC 385B.960.

~~[6.]~~ ***7.*** In addition to ~~[imposing a]~~ ***any other*** penalty ***imposed*** pursuant to ~~[paragraph (b) of subsection 5,]~~ ***this section,*** if a pupil uses physical force or an immediate threat of physical force during the commission of an act of violence, the Executive Director may, depending upon the severity of the physical force or the immediate threat of physical force:

(a) Suspend the pupil from participating in ***or attending*** the sanctioned sport for the remainder of the season; or

(b) Prohibit the pupil from participating in any sanctioned sport for the remainder of the period in which the pupil is eligible to participate in sanctioned sports.

8. A pupil or coach who is suspended in accordance with subsection 4 and wishes to have his or her eligibility to participate in or attend sanctioned sports reinstated before the passage of 180 school days must submit a request to the Executive Director seeking reinstatement in the form prescribed by the Association and, as determined by the Executive Director based on the severity of the assault or battery:

(a) Satisfy any conditions imposed by the principal of the school with which the pupil or coach is affiliated relating to the assault or battery;

(b) Attend a meeting with the Executive Director; or

(c) Comply with the requirements of both paragraphs (a) and (b).

9. The Executive Director may approve a request for reinstatement submitted pursuant to subsection 8 if he or she:

(a) Determines that the pupil or coach seeking reinstatement has complied with the requirements of subsection 8; and

(b) Has good cause to believe that the pupil or coach seeking reinstatement is unlikely to commit further acts of violence against a sports official or other pupils or coaches of sanctioned sports.

10. Not later than 30 days after the scheduled date of a meeting pursuant to paragraph (b) of subsection 8 or, if no such meeting is scheduled, not less than 30 days after receiving a request for reinstatement pursuant to subsection 8, the Executive Director shall notify the requester and the principal of the school with which the pupil or coach is affiliated in writing of his or her decision to approve or deny the request.

11. A decision made by the Executive Director pursuant to subsection 9 is a final decision and may not be appealed.

~~[7.]~~ ***12.*** As used in this section ~~[, "act]~~ ***:***

(a) "Act of violence" means ***assault, battery or*** any ***other*** conduct that threatens the safety of a ***participant, coach, administrator, spectator, employee, volunteer or*** sports official ~~[,]~~ ***at a sanctioned sport,*** including, without limitation, any unwelcome and intentional touching, hitting or shoving ***.*** ~~[of the sports official.]~~

(b) "Assault" has the meaning ascribed to it in NRS 200.471.

(c) "Battery" has the meaning ascribed to it in NRS 200.481.

Sec. 7. NAC 385B.822 is hereby amended to read as follows:

385B.822 1. ~~[Unsportsmanlike]~~ ***Except as otherwise provided in NAC 385B.820, unsportsmanlike*** conduct which results in the ejection of a pupil or coach from a game, contest or meet must be treated in the following manner:

(a) If the ejection occurs before the last game, contest or meet of a season ~~[,]~~ ***in a sanctioned sport for which the season consists of 10 or fewer scheduled games, contests or meets,*** the pupil or coach must be removed from the game, contest or meet immediately and may not participate in ***or attend*** the next scheduled game, contest or meet for that season ***.*** ~~[;]~~

(b) ***If the ejection occurs before the second-to-last game, contest or meet of a season in a sanctioned sport for which the season consists of more than 10 scheduled games, contests or meets, the pupil or coach must be removed immediately from the game, contest or meet and may not participate in or attend the next 2 scheduled games, contests or meets for that season.***

(c) If the ejection occurs during the second-to-last game, contest or meet of a season in a sanctioned sport for which the season consists of more than 10 scheduled games, contests or meets, the pupil or coach must be removed immediately from the game, contest or meet and may not participate in or attend:

(1) The next scheduled game, contest or meet for that season; and

(2) The first scheduled game, contest or meet for the season for that sanctioned sport that is held immediately after the season in which the ejection occurs.

(d) If the ejection occurs during the last game, contest or meet of a season, the pupil or coach must be removed from the game, contest or meet immediately and may not participate in ***or attend*** the first ***2*** scheduled ~~[game, contest]~~ ***games, contests*** or ~~[meet]~~ ***meets*** for the season for that sanctioned sport that is held immediately after the season in which the ejection occurs ***.*** ~~[; or (c)]~~ ***(e)*** If the ejection occurs during the last game, contest or meet of a season and the person ejected is a pupil who is enrolled in twelfth grade, the pupil must be removed from the game, contest or meet immediately and may not participate in the first ***2*** scheduled ~~[game, contest]~~ ***games, contests*** or ~~[meet]~~ ***meets*** of any other season in which he or she participates.

2. Except as otherwise provided in this subsection, if a coach is ejected from or becomes ineligible to participate in ***or attend*** a game, contest or meet pursuant to this section ~~[,]~~ ***or NAC 385B.820,*** the coach shall not remain on the premises during that game, contest or meet or any other game, contest or meet for which the coach is ineligible to participate ***or attend*** because of the ejection. If ~~[the]~~ ***a*** coach ***who is ejected*** is the only adult on the premises who is available to supervise his or her team or pupils who are participating in the game, contest or meet, the coach

must be allowed to remain on the premises to supervise the team or pupils after the conclusion of the game, contest or meet.

3. If a pupil is ejected from a game, contest or meet, the pupil's head coach ***or the staff of the school with which the pupil is affiliated*** shall ensure that the pupil is ~~[supervised]~~ ***:***

(a) Supervised for the remainder of the game, contest or meet ~~[.]~~ ***; and***

(b) Escorted away from the premises before the next play.

4. If a pupil or coach is ejected from two games, contests or meets during a season, the principal of the school ~~[of]~~ ***with which*** the pupil or coach ***is affiliated*** or a designee thereof shall report that fact to the Executive Director ~~[.]~~ ***and prohibit the pupil or coach from participating in or attending the next two scheduled games, contests or meets for that season.*** In addition to any penalty imposed by the Association pursuant to NAC 385B.960, the principal or the designee may impose an additional penalty in accordance with that section.

5. If a pupil or coach is ejected from three or more games, contests or meets during a season, the pupil or coach may not participate in ~~[the]~~ ***or attend:***

(a) Any sanctioned sport for ~~[which the game, contest or meet was held for the remainder of the season.]~~ ***180 school days; and***

(b) All future sanctioned sports until the Executive Director approves such participation or attendance in accordance with subsection 7.

6. ***A pupil or coach who is ejected from a game, contest or meet for unsportsmanlike conduct pursuant to this section may not participate in or attend any level of any sanctioned sport until he or she:***

(a) Satisfies all penalties imposed pursuant to this section at the level from which he or she was ejected;

(b) Completes the free course offered through the Learning Center of the National Federation of State High School Associations at the Internet address http://www.nfhslearn.com that has been specified by the Association based on the circumstances surrounding the ejection; and

(c) Submits the certificate of completion of the course described in paragraph (b) to an athletic administrator of the school with which the pupil or coach is affiliated, a designee of the board of trustees of the school district to which that school belongs, if applicable, or a designee of the Association.

7. A pupil or coach who is ejected from three or more games, contests or meets during a season and wishes to participate in or attend a sanctioned sport after the expiration of the period prescribed by paragraph (a) of subsection 5 must apply to the Executive Director in the form prescribed by the Association. The Executive Director may approve such a request if he or she:

(a) Determines that the pupil or coach has complied with the requirements of subsection 6; and

(b) Has good cause to believe that the pupil or coach seeking reinstatement is unlikely to engage in further unsportsmanlike conduct.

8. Each coach of a school must comply with the provisions of this section and shall enforce those provisions against each of his or her assistant coaches and pupils. In addition to any penalty imposed by the Association pursuant to NAC 385B.960, the principal of the school or

the designee, or the Executive Director may impose an additional penalty in accordance with that section.

~~[7.]~~ ***9.*** The decision of ***the principal of a school, the designee thereof or*** a sports official to eject a pupil or coach from a game, contest or meet is a final decision and may not be appealed.

~~[8.]~~ ***10.*** As used in this section ~~[~~:

~~(a) "Eject" means the permanent removal of a pupil or coach from a game, contest or meet by a sports official who is assigned to the game, contest or meet.~~

~~(b) "Premises"]~~ ***, "premises"*** means the area in which a game, contest or meet is conducted, including, without limitation, any area designated for spectators at that game, contest or meet.

Sec. 8. NAC 385B.826 is hereby amended to read as follows:

385B.826 1. A coach, sports official, administrator or faculty member who is involved in ~~[,]~~ ***or attends a sanctioned sport*** or a pupil who participates in ~~[,]~~ ***or attends*** a sanctioned sport shall not make a defamatory statement to the media or through the use of any social media relating to any person, sports official or school that is involved in any game, contest or meet.

2. The Association will investigate each alleged violation of this section. If the Association determines that a coach, sports official, administrator, faculty member or pupil specified in subsection 1 has violated this section, the Association will suspend the coach, sports official, administrator, faculty member or pupil from any involvement in the sanctioned sport for at least one game, contest or meet.

3. As used in this section, "social media" means any electronic service or account or electronic content, including, without limitation, any video, photograph, video blog, podcast,

instant message, text message, electronic mail program, online service or Internet website profile.

Sec. 9. NAC 385B.828 is hereby amended to read as follows:

385B.828 1. The Executive Director or any principal of a school or a designee thereof, or a sports official who is assigned to a game, contest or meet, may impose any penalty set forth in NAC 385B.820 to 385B.826, inclusive. The penalty may be imposed during a game, contest or meet or after the review of a videotape or written report concerning the conduct for which the penalty is imposed.

2. If a principal of a school or the designee, or a sports official who is assigned to a game, contest or meet, imposes any penalty specified in subsection 1, the principal or the designee or the sports official shall immediately report that fact to the Commissioner ~~[.]~~ ***, his or her designee or the Association.*** As soon as practicable after receiving the report, the Commissioner ***, his or her designee or the Association, as applicable,*** shall submit the report to the Executive Director.

3. In addition to imposing a penalty for any conduct specified in subsection 1, the Executive Director may impose an additional penalty for that conduct in accordance with the provisions of NAC 385B.960.

Sec. 10. NAC 385B.830 is hereby amended to read as follows:

385B.830 1. Each coach, administrator or faculty member of a school who is involved in ***,*** ~~[or]~~ has responsibility for ***or attends*** any sanctioned sport shall not:

(a) Use any tobacco or alcoholic beverages or any controlled substance, unless in accordance with a lawfully issued prescription for the controlled substance, during any period in which he or

she is ***attending a game, contest or meet or is*** directly supervising a pupil or team during a game, contest or meet or a practice for a game, contest or meet;

(b) Use foul or abusive language or insulting gestures or engage in abusive physical contact with any pupil, sports official or other person who is associated with a game, contest or meet or a practice for a game, contest or meet;

(c) Taunt a sports official, pupil, team, coach or spectator during any game, contest or meet; or

(d) Engage in conduct that may incite a fight, violence or other unsportsmanlike act.

2. Each coach, administrator or faculty member of a school shall ensure that each pupil enrolled in the school who participates in a game, contest or meet conducts himself or herself in accordance with the rules of sportsmanship.

3. Each coach, administrator or faculty member of a school shall, if a violation of this chapter occurs during a game, contest or meet, prepare a written report concerning the violation. The written report must be submitted to the Executive Director within 24 hours after the coach, administrator or faculty member becomes aware of the violation and must include, without limitation, the name of each person involved in the violation. As soon as practicable after receiving the written report, the Executive Director shall review the report and may impose any appropriate penalty against any person who committed the violation in accordance with the provisions of NAC 385B.960.

4. Each coach, administrator or faculty member of a school who attends a game, contest or meet shall, if the coach, administrator or faculty member becomes aware of a spectator of the school who engages in unsportsmanlike conduct during the game, contest or meet:

(a) ***Report that fact to the Commissioner, his or her designee or the Association;***

(b) Require the spectator to refrain from engaging in the unsportsmanlike conduct; and

~~[(b)]~~ ***(c)*** Impose any applicable penalty or disciplinary action against the spectator.