

**LCB File No. R093-01**

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

**REGULATION 2070**

**ELIGIBILITY OF STUDENTS AND COACHES**

**General Rules**

**2070.001**     *Uniform Application Of Rules.*

*All of the eligibility Rules and Regulations of the NIAA set forth in this section shall apply to all students who attend and represent a NIAA member or affiliate school in any sport sanctioned by the NIAA.*

**Definitions**

**2070.002**     *Definitions*

*The following definitions shall apply to the words and/or phrases below with respect to interpretation of Regulation 2070 and all other Regulations in which the word or phrase is used:*

- a. "Affiliate School" means a school in a neighboring state to the State of Nevada, which has been recommended for membership by one of the member schools of the NIAA and has complied with all NIAA requirements pertaining to affiliate school status.*
- b. "Executive Director" means the Executive Director of the NIAA.*
- c. "Game, Contest or Meet" means any competition regularly scheduled by a member or affiliate school for any of its teams or individuals competing in a NIAA sanctioned sport.*
- d. "Legal Guardian" means an individual who has complied with the laws of the State of Nevada pertaining to creation of a guardianship as described and limited in Regulation 2070.061(a)(2).*
- e. "Magnet School" means a school established by a local school district for the purpose of creating special programs to attract students within the local school district.*

f. *“Member School” means a school whose Board of Trustees or Governing Board has adopted the Regulations of the NIAA as its code governing interscholastic activities, has paid annual dues established by the NIAA, and agrees to accept and abide by the Policies and Regulations of the NIAA to bind students and faculty members in interscholastic athletics.*

g. *“Participation” means to be a student involved in a sport sanctioned by the NIAA who becomes a participant on the first official day of practice determined by the NIAA activities calendar for that particular year.*

h. *“Recruiting or Recruitment” means the use of undue influence (2070.206) and/or special inducement (2070.207) by anyone associated with a school in an attempt to encourage a prospective student to attend or remain at that school for the purpose of participating in interscholastic athletics.*

i. *“Sanctioned” means a sport approved by the NIAA for interscholastic competition.*

j. *“School Shopping” is the process by which a student or the parent(s) or legal guardian(s) of a student attempts to circumvent any NIAA Regulation pertaining to eligibility, or solicits or seeks enrollment in a member or affiliate school for the purpose of participating in interscholastic athletics in return for favorable conditions or treatment.*

k. *“Sport” means athletic competition, which has been sanctioned by the NIAA.*

l. *“Sport season” begins with the first official day of practice and ends with the state championship event in each sport as set forth in the NIAA Reference Manual.*

m. *“Territory Served” means the region established by the Board of Trustees for public schools or other governing board for private schools.*

n. *“Unit of Credit” means a unit of credit as defined by the Nevada State Board of Education and the Northwest Association of secondary and higher schools.*

### Registration of Students

#### 2070.010 General Rules Applicable To Registration Of Student Athletes

*The following shall apply to all member and affiliate schools with respect to registration of student athletes.*

**2070.011**      *Minimum Standards; Adoption Of Stricter Eligibility Regulations*

*The eligibility rules set forth below are minimum requirements for eligibility imposed by the NIAA on member and affiliate schools, coaches and their student athletes. Any school district having jurisdiction over a member or affiliate school or schools may adopt stricter regulations or standards than those set forth below, provided that the school district complies with the following:*

*a. A school district proposing to adopt stricter standards or regulations shall submit a copy of the proposed standards or regulations to the Executive Director 30 days prior to the next regularly scheduled meeting of the NIAA Board of Control.*

*b. The proposed stricter standards or regulations shall reference by number and section the NIAA Handbook provisions the school district is proposing to modify.*

*c. The NIAA Board of Control shall review the proposed regulations at its next regularly scheduled meeting.*

*d. The NIAA Board of Control shall advise the school district proposing the modification to rules and regulations as to its approval, rejection or modification of the proposed changes within 30 days following its review of the same.*

**2070.012**      *Responsibility of Member Schools*

*It shall be the responsibility of the administration at each member or affiliate school to educate students attending the school as to the rules and regulations governing participation in NIAA sanctioned sports.*

**2070.013**      *Registration With Executive Director.*

*All students who intend to participate in any NIAA sanctioned sport shall comply with the following regulations regarding participation:*

*a. Before a student may participate in any NIAA sanctioned sport the student shall be registered with the Executive Director of the NIAA.*

*b. Registration of students in any NIAA sanctioned sport is the responsibility of the administration of the member or affiliate school the student attends. Registration shall be completed on forms provided in the NIAA Reference Manual, or similar forms approved by the Executive Director.*

*c. Students shall be separately registered for each sport the student participates in each school year, subject to the limitations set forth at Regulation 2070.030 and 2070.084.*

*d. All initial rosters must be addressed and mailed or telefaxed to the attention of the Executive Director of the NIAA and must be postmarked or telefax dated on or before the date competition begins. Additions to initial rosters must be received by the Executive Director before the student becomes eligible for competition.*

*(1) Competition begins for any sport on the day of the first sanctioned game, meet or contest authorized for the particular sport by the NIAA.*

*(2) The first sanctioned game, meet or contest shall not be scheduled until the eleventh day after tryouts for the sport to ensure compliance with Regulations 2070.080 and 2070.081.*

*(3) Failure to comply with Regulation 2070.013(d) shall result in a \$100.00 fine imposed against the offending member or affiliate school.*

### General Rules Regarding Eligibility

#### **2070.020 Eligibility Of Student To Participate In NIAA Sport**

*A student is presumed eligible to compete or practice in a NIAA sport subject to all of the other rules governing eligibility, if the following basic criteria are met:*

*a. The student is enrolled in the ninth, tenth, eleventh or twelfth grade of a member or affiliate school; and*

*b. The student resides within the boundaries served by the member or affiliate school as specifically set forth in Regulation 2070.050; and*

*c. The student has complied with all eligibility rules and regulations of the NIAA, the member or affiliate school, and the school district having jurisdiction over the member or affiliate school the student attends; and*

- d. The student has not graduated from high school or received a general education development certificate (GED); and*
- e. The pupil is not enrolled full time in a college, junior college, or other post secondary institution; and*
- f. The student has not participated on a college, junior college, or other post secondary institution athletic team; and*
- g. The student has not competed as a professional in the sport the student is seeking to participate in at the NIAA level.*

*Length of Participation*

*2070.030 Maximum Period Of Participation*

*Following enrollment in the ninth grade a student shall be eligible to participate in a NIAA sport for a period not to exceed 4 consecutive years or 8 consecutive semesters.*

- a. No student shall be eligible to participate more than 4 seasons in any one sport.*
- b. No student shall be eligible to participate in the same sport more than one time during a school year regardless of where the participation occurs.*

*Age Requirements*

*2070.040 Age*

*A student whose twentieth birthday occurs during any sport season as defined in Regulation 2070.002(1), is ineligible to participate in that particular sport and all others occurring thereafter.*

- a. The age of all students participating in a NIAA sport season shall be verified by official school records on file with the member or affiliate school.*
- b. There shall be no appeal from this Regulation.*

*Revised 2/01;*

*Residency Requirements*

**2070.050 Residence Eligibility**

*To be eligible to participate in a NIAA sanctioned sport a student must attend the school located in the attendance zone or boundary of the student's parent(s) or legal guardian(s) physical residence as established by the school district of the student's parent(s) or legal guardian(s)' physical residence.*

*a. A student whose parents are divorced or legally separated is eligible at the school located in the attendance zone of the physical residence of the parent having primary physical custody as determined by Court Order or Decree.*

*b. If the primary physical custody of a student is jointly shared by the student's divorced parents pursuant to Court Order or Decree, then the student shall choose which parent's residence shall be deemed the student's primary physical residence for purposes of establishing athletic eligibility. Once the student makes a choice of primary physical residence, the school within the zone or boundary of the parent chosen by the student becomes the student's home school for purposes of application of these Regulations for all matters occurring in the future.*

*1. Example: Student's parents have joint custody with mother's residence located within the boundaries for School A and father's located within the boundaries of School B. Student chooses mother's residence for purposes of athletic eligibility and attends School A. Student is eligible at School A. If student chooses father's residence at a later time, and enrolls at School B after attending School A, Student is ineligible for 180 school days at School B.*

*b. A student beginning their ninth grade year attending a private school serving all students within the area of the student's parents physical residence is eligible to participate at the private school.*

*c. A temporary guardianship granted without court approval pursuant to NRS 159.205 or NRS 159.215, or any similarly enacted statute, shall not be recognized by the NIAA as a legal guardianship.*

*d. A legal guardian of a student must comply with Regulation 2070.061(2) in order for the student to be athletically eligible at the school located within the attendance zone of the legal guardian's residence.*

**2070.051 Guidelines for Determining Place of Residence**

*The following guidelines shall apply to any situation in which the residence of a student is at issue, including transfers from one school district to another school district or from one attendance zone to another attendance zone within the same school district.*

*a. The burden of proof rests with the student's parent(s) or legal guardian(s), or the student if the student has reached age 18 and lives alone, to prove to the satisfaction of the school district or the Executive Director, as appropriate, that the student has established a bona fide residence within the school district or attendance zone.*

*1. A student who has reached age 18 and lives alone shall comply with Regulation 2070.061(a)(4), in establishing residence eligibility.*

*b. Proof of a bona fide residence shall be established by providing reliable documentation to the school district or the Executive Director, as appropriate, of the following:*

*(1) The student, his parent(s) or legal guardian(s) right to the use and enjoyment of the new residence, and similar documentation establishing the student's, his parent(s) or legal guardian(s) abandonment of the former residence. Such evidence may include, but is not limited to, one or more of the following:*

- A. Documentation of title to, and sale of, real property;*
- B. Lease documents;*
- C. Utility service (telephone, power, sewer, garbage) documents;*
- D. Drivers license or vehicle registration establishing the new address;*
- E. Change of address on voter registration documentation; and*
- F. Any other documentary evidence establishing the student, his parent(s) or legal guardian(s) are in fact residing at the new address.*

*c. A student who is determined to have established eligibility in accordance with subsection (b), above, and who within one year following that determination reestablishes residence within the student's former school district or attendance zone, shall be ineligible for 180 school days to participate in interscholastic activities at the former school unless a waiver has been granted pursuant to Regulation 2070.061.*

## Transfers

### 2070.060 *Presumption of Ineligibility*

*Any student who transfers from one member or affiliate school to another member or affiliate school shall be presumed ineligible for 180 school days to compete in any NIAA sanctioned sport at the school to which the student transfers.*

*a. This presumption shall apply in the following situations:*

*1. Where the student transfers from one member or affiliate school to another member or affiliate school within the same school district which has established and definite regions or boundaries for attendance of students living within the school district.*

*2. Where the student transfers from one school district to another school district.*

*3. Where the student transfers from a public school to a private school, or from a private school to a public school, or from a private school to another private school within the territory served.*

*b. The presumption of ineligibility may be overcome by the student and his parent(s) or legal guardian(s) or the student alone, if emancipated, through compliance with the applicable Regulations set forth at Regulation 2070.061 through 2070.062, below.*

### 2070.061 *Transfer From One Member or Affiliate School To Another Member or Affiliate School Within The Same School District; Transfers From One School District To Another School District*

*A student who transfers from one member or affiliate school to another member or affiliate school within the same school district or from one school district to another school district may overcome the presumption of ineligibility set forth in Regulation 2070.060 through proof of the following:*

*a. The student's parent(s), or the student's parent having legal custody of the student, or the student's legal guardian(s), is a bona fide resident of the region or boundaries of the member or affiliate school or school district to which the student has transferred in accordance with Regulation 2070.052.*



1. *If the student's parent(s) are both living, but not living together, the parent with whom the student physically resides must provide, in addition to the proof required by Regulation 2070.061(a), a certified copy of the Order or Decree from a court of competent jurisdiction establishing that parent has been awarded physical custody of the student.*

2. *If a student is living with a legal guardian, the guardian must provide, in addition to the proof required by Regulation 2070.061(a), a certified copy of the Order or Decree from a court of competent jurisdiction appointing that person as guardian of the student and containing a specific finding by the court of either (A) or (B), and (C) below:*

A. *The parent or parents of the student are unfit or incapable of maintaining or caring for the student;*

B. *The student is a delinquent who will benefit from the guardianship; and*

C. *The guardianship has not been established pursuant to NRS 159.205 or NRS 159.215.*

3. *A guardianship established for any other reason must meet the criteria of a pupil hardship appeal set forth in Regulation 2090.020. The exception created for guardians in Regulation 2070.061(a)(2) is intended to apply only to those situations in which a bona fide guardian has been appointed by a court of competent jurisdiction for the best interests of the student. If it is determined that a guardianship has been established for purposes of avoiding or circumventing the NIAA transfer rules and regulations, the NIAA may ignore the guardianship and determine the eligibility of the student as if no guardianship existed.*

4. *If the student is less than eighteen (18) years of age and not residing with a parent or legal guardian the student must provide, in addition to the proof required by Regulation 2070.061(a), a certified copy of the Decree of Emancipation entered by a court of competent jurisdiction.*

5. *If the student has attained eighteen (18) years of age and is not residing with a parent or legal guardian, in addition to the proof required by Regulation 2070.061(a), the student must establish by a preponderance of the evidence that the student is emancipated and willingly living separate and apart without financial support from the student's parent(s) or legal guardian(s).*

*b. A student, parent of a student or legal guardian of a student who establishes by a preponderance of the evidence, at a hearing conducted pursuant to Regulation 2090, the matters set forth in Regulation 2070.061(a), shall be eligible for participation in any NIAA sanctioned sport.*

*c. A student who is granted eligibility pursuant to Regulation 2070.061(a), and who within one year thereafter returns to his former residence or a residence within the boundaries of the member or affiliate school from which the transfer was made, shall have the eligibility determination revoked and shall be declared ineligible for a period of 180 school days from the date of revocation.*

*d. School districts consisting of multiple member schools may deviate from the provisions of Regulation 2070.061, but only if stricter Regulations are imposed. See, Regulation 2070.011.*

*e. School districts consisting of multiple member schools may make adjustments to the NIAA transfer Rules and Regulations to best fit the specific needs of the school district. Such adjustments shall apply only to the year in which a new high school has been opened and shall not extend to subsequent years.*

**2070.062** *Transfers Between Private and Public Schools and From One Private School to Another Private School.*

*a. An eligible student who has attended a member or affiliate school for at least 180 school days and who then transfers from a public to a private, a private to a public, or one private school to another private school within the territory served, is ineligible to compete in any sport in which the student's name appeared on a NIAA roster for 180 school days following the date of the transfer. A student who transfers within the first 180 days is ineligible for the remainder of that school year in addition to the above mentioned guidelines.*

*b. A student who lives with his parent(s) or legal guardian(s), or who is emancipated, and who resides in an area effected by a change in region or zoning boundaries for member or affiliate public schools which has been approved by the governing board of the school district for the territory in question, shall be allowed to transfer between a public and private school, or vice versa, regardless of whether the change was instituted to establish region boundaries for a new public school or to effect rezoning of an existing public school.*

**2070.063 Attendance At Magnet School Contained Within a Member Or Affiliate School Outside The Region Or Boundaries Of Residence**

*A student who does not reside within the region or boundaries of a magnet school which is contained within a member or affiliate school, but who is approved by waiver to attend the magnet program shall be automatically eligible to participate in any NIAA sanctioned sport at the member or affiliate school housing the magnet school.*

*a. To establish immediate eligibility the student shall:*

*1. Be accepted and meet all standards for the magnet program; and*

*2. Meet all application requirements and deadlines imposed by the magnet program; and*

*3. Be and remain eligible to complete the magnet program; and*

*4. Be enrolled in the standard course load for the magnet program; and*

*5. Waive at all member or affiliate schools, other than the member or affiliate school housing the magnet program, any right the student may otherwise have to participate in NIAA sanctioned sports offered by the member or affiliate school housing the magnet program during the time the student is enrolled in the magnet program.*

*b. A student approved for a magnet program who fails to comply with the requirements of subsection (a), above, or who drops out of the magnet program shall be immediately declared ineligible at the member or affiliate school housing the magnet program for 180 school days.*

*c. A student who is accepted to a magnet program within a member or affiliate school and who thereafter chooses to return to the student's school of residence becomes ineligible for the remainder of the school year in which the transfer occurs and for an additional 180 school days in any sport in which the student appeared on a NIAA roster during the student's attendance at the magnet school.*

**2070.064 Stand Alone Magnet Schools**

*A student who is accepted to, and thereafter attends, a magnet school which does not offer a comprehensive athletic program may retain eligibility at the student's school of residence to participate in any sport not offered at the magnet school.*

*a. Examples of stand-alone magnet schools include Advance Technology Academy, Las Vegas Academy, and Southern Nevada Vocational/Technical Center.*

**2070.065 Charter Schools**

*A student who attends a charter school approved by a local school district may retain eligibility at the student's school of residence to participate in any sport not offered by the charter school.*

*a. A charter school student who participates in any sport at his school of residence must maintain the same eligibility standards as are required by the student's member school of attendance.*

*b. Charter school guidelines regarding eligibility must be approved by the local school district and/or the NIAA.*

*c. Public schools will assess a \$100.00 per sport participation fee to each charter school student for the purpose of covering the expenses of officials, field maintenance, etc.*

**2070.066 Option Zones of Attendance**

*A student who is assigned to option attendance zones by a school district may establish eligibility to participate in NIAA sanctioned sports in accordance with the following:*

*a. A student who remains at their original school of residence remains eligible at that school.*

*1. The student may choose to attend the option-zoned school at any time, and shall be immediately eligible to participate in any NIAA sanctioned sport at the option school.*

2. Any transfer between schools involved in an option zone, after the initial transfer by a student, shall render the student ineligible for 180 school days.

b. A student who initially chooses to attend the option-zoned school shall be immediately eligible to participate in any NIAA sanctioned sport offered by the option school.

1. A student who initially chooses to attend the option zone, and who thereafter transfers to the student's school of residence, shall be ineligible for the remainder of the school year and for 180 school days in any sport in which the student appeared on a NIAA roster while attending the option zone school.

c. School districts having multiple member or affiliate schools that choose to rezone boundaries for any reason shall be entitled to waive NIAA eligibility regulations pertaining to transfers of students affected by the rezoning during the school year in which the rezoning occurs.

1. The provisions of Regulation 2070.062(b) shall govern any private school or public school students affected by such school board decisions.

2. There shall be no appeal to the NIAA for any student adversely affected by such school board decisions.

2070.067 Community College High Schools

A student who attends a community college high school shall retain eligibility at the student's school of residence.

2070.068 Alternative Education

A student who attends a non-traditional high school in which time schedules and grading is adjusted shall be ineligible to participate in any NIAA sanctioned sport. Examples of such schools include Washoe High School, Sunset High School and Horizon High School.

2070.069 Home School Students

Home school students are not regularly enrolled students at a member or affiliate school and are ineligible for participation in NIAA sanctioned sports.

2070.0691 Sibling Transfers

*The following applies to situations in which a family has multiple high school age children who are assigned by school district regulations to different member high schools.*

*a. The older sibling is eligible only at the member school to which that student is assigned by the school district.*

*b. All younger siblings of high school age at the time the zoning regulations are adopted, and who qualify for a zone variance, shall be eligible at their zoned school or the school attended by the older sibling.*

*1. Any transfer to another school by the sibling following his/her initial choice of schools shall result in ineligibility for 180 school days.*

*c. The above-mentioned waiver will be in effect for any family member that is approved for a zone variance while another sibling attends the original school. If one family member opts to attend their school of residence or there comes a time when a family member does not attend the school of original residence then that family will follow standard eligibility regulations with no waivers permitted.*

**2070.0692 Pupils From A Foreign Country**

*The following regulations shall govern the eligibility of students engaged in foreign exchange programs and the eligibility of other international students who enroll in member schools.*

*a. Generally. The NIAA acknowledges the importance of permitting students visiting Nevada through a recognized foreign exchange program to experience the benefits of participation in interscholastic athletic competition. To this end, the NIAA will permit a foreign exchange student to participate in interscholastic athletic competition under the following conditions.*

*1. The foreign exchange student must be sponsored and placed within a U.S. host family by a "bona fide" international student exchange program that has been accepted for listing by the Counsel on Standards for International Educational Travel ("CSIET") and recognized by the U.S. Department of State. The foreign exchange program must assign students to host families by a method that insures that no student, school or other interested party may influence the assignment for athletic or other purposes. Neither shall the foreign exchange student be selected or placed on any basis related to his/her athletic interests or abilities.*

2. *A foreign exchange student is considered placed with a host family when:*

A. *The school that the student attends had no input into the selection or assignment of the student; and*

B. *The host family placement is approved by the National Headquarters of the sponsoring organization.*

3. *The foreign exchange student must possess a J-1 visa issued by the U.S. Immigration and Naturalization Service.*

4. *The foreign exchange student must be in attendance at the school on the first day of the school year and must be enrolled in a full-year program rather than a program of shorter duration such as a six-week, three-month or six-month program, etc.*

5. *Any subsequent transfer by the student to a different school during the school year must correspond with a change in residence by the foreign exchange student and the host family with whom he/she was placed at the time of enrollment in the original school. If the transfer of schools occurs as a result of a move by the foreign exchange student to another host family, the foreign exchange student will be ineligible at the new school for the remainder of the school year.*

6. *The foreign exchange student may be eligible for a maximum of one year at any school or combination of schools in this or any other of the United States commencing with his/her initial date of enrollment in a U.S. school.*

7. *The foreign exchange student must not have completed the twelfth grade (terminal grade) or its equivalent in either the U.S. or his/her home country. Foreign exchange students will not be eligible once they have completed the twelfth grade or its equivalent in either the U.S., or their home countries.*

8. *The foreign exchange student must meet all other eligibility standards of the NIAA while a student at a member or affiliate school.*

9. *If at any time the placement of a student can be traced to a school or coach, the student will be ruled ineligible and the coach or school may receive additional penalties.*

*b. International Students Not In A Foreign Exchange Program. A pupil from a foreign country enrolled in a member or affiliate school who is not in the U.S. on a foreign exchange program that is accepted for listing by CSIET is considered a transfer student and must establish a bona fide residence in his/her school district appointed to him/her by a court of competent jurisdiction to gain eligibility.*

**2070.0693** *One School Per Season*

*A student shall not participate, practice or play in any particular sport for more than one member or affiliate school during one particular season.*

*a. The Executive Director may waive the provisions of this rule in situations involving the moving of a student with his parent(s) or legal guardian(s) from the boundaries of one member or affiliate school to another member or affiliate school during a season. See, Regulation 2070.061.*

*b. Both schools involved with a student who moves from the boundaries of one member or affiliate school to another member or affiliate school during a sport season must approve the Executive Director's waiver.*

*c. A waiver by the Executive Director is valid if it complies with subsection (b), above, and meets the following criteria:*

- 1. The transfer is completed before the season is half over; and*
- 2. The student transferring participates at the sub-varsity level; and*
- 3. The student transferring was not cut, dismissed or otherwise rendered ineligible for any reason from the team of the member or affiliate school from which the student is transferring.*

**2070.0694** *Reestablishing Eligibility Following Transfer*

*A student may reestablish eligibility for participation in any NIAA sanctioned sport by complying with subsection (a) or (b), and (c) below:*

*a. Serving 180 continuous days of ineligibility at the school to which the student transferred.*



*b. Obtaining a favorable ruling from an appeals panel pursuant to Regulation 2090.*

*c. Complying with all other Regulations set forth in Regulation 2070 regarding eligibility for participation in NIAA sanctioned sports.*

**2070.0695 Registration of Transfer Pupils**

*A student who has transferred to a member or affiliate school, and who has been granted eligibility for participation in NIAA sports in accordance with all the applicable provisions of Regulation 2070, shall not be eligible to participate in competition until the principal of the member or affiliate school to which the student has transferred has in his possession the official scholastic record of the student attested to by the appropriate administrator of the member or affiliate school from which the student transferred.*

*a. The principal of the member or affiliate school to which the student transfers must provide a copy of the student's official transcript to the Executive Director before the student will be eligible to compete.*

*b. The principal of the member or affiliate school shall provide the Executive Director copies of all court orders or decrees affecting the student before the student is eligible to participate.*

**2070.0696 One Time Transfer Waiver**

*A student who attends a public school who has complied with the Board Policies and Regulations of the student's school district concerning approval of a zone variance, and who has completed and received approval from the NIAA of the One Time Transfer Waiver Form set forth in the NIAA Reference Manual, shall be entitled to transfer with sub-varsity athletic eligibility only.*

*a. Students who transfer from a public school to a private school, or a private school to a public school, or a private school to another private school within the territory served, are not required to obtain a zone variance before completing the One Time Transfer Waiver Form.*

*b. A student who has been denied a One Time Transfer Waiver by the NIAA shall have the right to appeal that decision pursuant to Regulation 2090.*

*c. A student who has been granted a One Time Transfer Waiver who at any time thereafter transfers to another school, including the student's zoned school, shall be athletically ineligible for 180 school days.*

1. *There shall be no appeal from a student requesting a second transfer.*

d. *A One Time Transfer Waiver which is approved shall only become effective at the beginning of a new semester and must meet all other Regulations of the NIAA including, but not limited to, the one school per sport season. See, Regulation 2070.0693.*

e. *Any student, parent(s) or legal guardian(s) of a student who submits a One Time Transfer Waiver Form, which is subsequently determined to contain false information, shall be declared athletically ineligible for two (2) full school years.*

### Academic Eligibility

#### 2070.070 *Academic Eligibility*

*A student must meet the following minimum academic criteria set forth in Regulations 2070.071 through 2070.0791, to be eligible for NIAA sanctioned interscholastic activities. A member or affiliate school may impose more stringent academic criteria for its students.*

#### 2070.071 *First Semester Ninth Grade Students*

*A first semester ninth grade student is presumed academically eligible to participate in any NIAA sanctioned sport upon enrollment at a member or affiliate school.*

#### 2070.072 *Minimum Units of Credit*

*A student must be enrolled in at least two units of semester credit and must be in regular attendance at a member or affiliate school for each semester the student participates in any NIAA sport. A student must pass a minimum of two units of credit the previous semester. Students failing to do so shall be ineligible for one semester unless they are passing two units of credit at the nine-week grading period, at which time they will be placed on weekly probation. If at any time during the probationary period, the student receives a failing grade, the student shall become ineligible for the remainder of the semester without further recourse.*

a. *“Unit of credit” shall have the meaning ascribed to it in Regulation 2070.002(n).*

b. *A unit of credit includes any unit of credit granted by a high school, including credit for religion courses, so long as the unit of credit meets the requirements of subsection (a), above.*

*c. A student may enroll for one unit of credit per semester in post-secondary, summer school, night school or correspondence course work and receive credit for the satisfactory completion of that course work toward satisfaction of academic eligibility requirements if the principal of the member or affiliate school in which the student is enrolled has provided written approval that the course will be accepted by the member or affiliate school toward the student's graduation requirements.*

*1. The course work referenced in Regulation 2070.072(c), above, becomes part of the student's academic record and counts toward eligibility standards once the grade is posted on the student's transcript.*

*2. Member or affiliate schools are responsible for insuring the classes referenced in Regulation 2070.072(c) are periodically checked for purposes of determining academic eligibility.*

**2070.073 Options for Determining Academic Eligibility**

*Each school district having a member or affiliate school must adopt, prior to commencement of the school year, one of the options set forth in Regulations 2070.074 to 2070.077, inclusive, for determining the academic eligibility of its students who participate in any NIAA sanctioned sport. The member or affiliate school must continually monitor the academic progress of such students in accordance with the chosen option during all times the student is participating in a NIAA sanctioned sport. The four options available for determining academic eligibility include:*

*a. Passing academic grades in all courses during the sport season with progress checked a minimum of once every three weeks (Regulation 2070.074);*

*b. A 2.0 minimum academic grade point average during the prior semester (Regulation 2070.075);*

*c. A combination of (A) and (B), above (Regulation 2070.076); or*

*d. Either passing academic grades in all courses during the sports season with progress checked a minimum of once every three weeks (Regulation 2070.074), or a 2.0 minimum academic grade point average during the prior semester (Regulation 2070.075).*

**2070.074 Passing Grades In All Courses; Three-Week Grade Checks**

*Pursuant to this option any student who participates in a NIAA sport must maintain passing grades in academics throughout the duration of the sport.*

*a. The student's progress in all academic courses must be checked a minimum of once every three weeks.*

*1. All classes in which the student is enrolled, including classes outside the member or affiliate school in vocational, magnet, college or night courses, must be checked by the member or affiliate school.*

*b. Dates for three week progress checks shall be set by the school district based on its academic calendar and shall be calculated by starting at the end of the first semester and counting back toward the beginning of the school year in three week increments, and from the beginning of the second semester and counting forward towards the end of the school year in three week increments.*

*c. The first official grade check shall not occur until after the first date games can be scheduled for that sport season as determined by the NIAA's activities calendar. See Regulation 2070.002(g).*

*d. The three-week check shall reflect the student's academic status from the beginning of the semester to and including the date of the grade check, and shall be calculated according to local school district regulations and/or guidelines. These may include cumulative semester grades, nine-week grades or any combination thereof. It is the responsibility of each local school district to declare student's eligible or ineligible based on the school district's philosophy.*

*e. A student who receives a failing grade in an academic course at any three week grade check shall be placed on probationary status for one week.*

*1. A student on probationary status remains eligible to participate in the sport during the probationary week, but is subject to a mandatory grade check on the Friday of the probationary week.*

*2. If a student on probationary status continues to have a failing grade at the grade check made on the Friday of the probationary week, then the student shall be declared ineligible the following Monday through Saturday.*

3. *A student who has been declared ineligible following the probationary week shall have grades checked weekly until the student becomes eligible even if this period of time goes beyond the next three-week grade check. Once declared eligible, the student shall be checked again at the regular three-week grade check and would be entitled to another probationary week.*

f. *If a three-week eligibility grade check is set to occur on the day prior to a recognized holiday or vacation, the following shall apply:*

1. *A student with a failing grade at that grade check shall be placed on probationary status beginning on the first school day following the vacation. If the student is declared ineligible one or two weeks before a vacation, the student remains ineligible until he/she no longer has a failing grade.*

2. *A student on probationary status prior to a holiday or vacation is academically eligible if his grades are determined to be passing at the regularly scheduled grade check prior to a holiday or vacation. If the student's grades are not determined to be passing at the grade check occurring the day prior to the holiday or vacation, then the student shall remain academically ineligible during the holiday or vacation.*

3. *A student who has been declared academically ineligible one or two weeks prior to the vacation remains ineligible until the student no longer has a failing grade as determined by weekly grade checks.*

g. *A student who either withdraws from a class with a failing grade or is excluded from class with a failing grade at any time during a semester shall be declared academically ineligible for one week beginning the following Monday and continuing through the following Saturday. This one time per class penalty should be administered immediately after the records become available; however, the student must still comply with the minimum two (2) units of credit requirement. See, Regulation 2070.072.*

## **2070.075 2.0 Minimum Grade Point Average**

*A student must maintain a 2.0 grade point average ("GPA") during the prior semester, based on a 4.0 grading system. A student who fails to meet this minimum requirement shall be ineligible until grades are checked at the next nine-week period.*

*a. For purposes of this Regulation a student's academic eligibility status shall be determined on the day immediately following distribution of semester grades.*

*b. A student who is below a 2.0 GPA at the end of a semester and remains below a 2.0 GPA at a nine-week progress check remains ineligible for the remainder of the semester.*

*c. A student who receives an incomplete grade at the end of a semester shall have three weeks to make up the grade. To be eligible a student must have passed 2 units of credit and accumulated a GPA of 2.0 even if the student has an incomplete grade.*

*1. Discretion shall be given to the student's teacher in deciding upon the appropriate amount of time to accept make up work, but this discretion shall not exceed three weeks from the date grades are posted for the grading period.*

*2. Within three weeks after grades are posted for a particular grading period a permanent grade shall be issued and used to calculate the student's GPA.*

*3. An incomplete grade shall not be computed in the student's GPA for purposes of determining academic ineligibility until the student's permanent grade has been posted.*

*d. If a student repeats a class during summer school, grades shall be computed in accordance with the regulations of the specific school district. The summer school grade may be used as it best benefits the student in the previous or current semester. Grades may only be used one time for this purpose.*

**2070.076**      **Combination**

*A student must maintain both passing grades during the sport and a 2.0 GPA the prior semester as outlined in Regulations 2070.074 and 2070.075, above.*

**2070.077**      **Alternative**

*A student must maintain either passing grades in all classes or a 2.0 GPA as outlined in Regulations 2070.074 and 2070.075, above.*

**2070.078**      **Special Education Students**

*A student who qualifies for special education services pursuant to the Individuals With Disabilities Education Act, 20 U.S.C. § 1400, et seq. (“IDEA”), or Nevada law, NRS 388.450, et. seq. and NAC Chapter 388, must meet the same minimum academic criteria as non-disabled regular education students.*

*a. Any exception to the NIAA’s minimum academic criteria for athletic eligibility which is set forth in the Individual Education Plan (“IEP”) of a special education student may be considered by the NIAA pursuant to the student hardship appeal procedure set forth in Regulation 2090 if the exception is based on the student’s disability.*

*b. An exception to the NIAA’s minimum academic criteria for athletic eligibility set forth in the IEP of a special education student after the student has been declared academically ineligible will not be subject to challenge pursuant to Regulation 2090 until the commencement of the next progress report period.*

**2070.079**      *Home School Students*

*A home school student who enrolls at a member or affiliate school must establish by a preponderance of the evidence that the student successfully passed two units of semester credit and maintained a 2.0 GPA the previous semester to be academically eligible at the member school.*

**2070.0791**      *General Exceptional Circumstances*

*The following Regulations apply to assist member or affiliate schools with the interpretation and application of the academic eligibility rules.*

*a. If a teacher has made a mistake in calculating a student’s grade thereby rendering the student academically ineligible, the student shall become immediately eligible following discovery of the mistake. The principal of the member or affiliate school involved, or his designee, shall be responsible for making this decision.*

*b. A student who has been academically ineligible during a semester and who has practiced with the team after first receiving approval from the principal of the member or affiliate school to do so, becomes academically eligible the day grades are officially submitted to the member or affiliate school’s computer system if the student is academically eligible in accordance with the above regulations at that time.*

**2070.0792**      *NIAA Assistance*

*The NIAA office is available to assist any member or affiliate school with the interpretation of the NIAA's academic eligibility rules.*

**Minimum Practice And Maximum Participation**

**2070.080      *Ten Day Practice Rule***

*A student who participates in any sport is required to have completed ten (10) days of practice under the direct supervision of the member or affiliate school coaching staff for that particular sport before the student shall be eligible to participate in any NIAA sanctioned game, contest or meet.*

*a.      Each calendar day, excluding Sundays, counts as one practice regardless of whether multiple practices are held on a given day.*

*b.      A student who participated individually or on a team that qualified for regional playoff or state competition during the prior season that overlaps the beginning of the next season in question must complete a minimum of five (5) days practice to be eligible for competition in the next sport. A student cannot practice and compete in interscholastic competition on the same day.*

*c.      Any student who participates in baseball is prohibited from pitching until he has completed ten (10) days of practice.*

**2070.081      *Minimum Team Practices***

*A team that competes in any sport must complete ten (10) days of organized practice under the direct supervision of the coaching staff for that particular sport before participating in any interschool game, contest or meet.*

**2070.082      *Golf and Bowling***

*The minimum practice requirements for individuals and teams, set forth in Regulations 2070.080 and 2070.081 do not apply to students or teams participating in boys or girls golf or bowling.*

**2070.083      *Sundays***

*a.      Practices on Sundays are prohibited.*

*b.      Any game, contest or meet sponsored or sanctioned by the NIAA, or any of its member or affiliate schools, shall not be scheduled on a Sunday, except for boys and girls skiing.*



*c. Participation of individual students or teams of member or affiliate schools in out-of-state competitions held on a Sunday may be granted if approval is first obtained from the Executive Director.*

**2070.084**      *One Sport Per Season Per Year*

*A student may only participate in one sport during any sport season, and in one sport during one year.*

*a. “Sport” shall have the meaning ascribed to it in Regulation 2070.002(k), and “sport season” shall have the meaning ascribed to it in Regulation 2070.002(l).*

*b. A student may transfer to another sport during the same sport season offered by the student’s member school if:*

*1. The transfer occurs prior to the first scheduled game, contest or meet for both sports; and*

*2. The transfer has been approved by the principal and both coaches of the member or affiliate school; and*

*3. Approval of the transfer has been granted by the Executive Director.*

*c. No student shall be eligible to participate in the same sport more than one time during a school year regardless of where the participation occurs.*

**2070.085**      *Gender Limitations*

*Member or affiliate schools shall designate the gender of students allowed to participate on the member or affiliate school’s team for any sport in accordance with the following:*

*a. If only a boy’s team is offered, girls shall be allowed to compete and qualify for the boy’s team.*

*b. If only a girls team is offered, boys are prohibited from competing and qualifying for the girls team unless the opportunities for boys to participate in all sports at the member or affiliate school have been limited in comparison to opportunities offered to girls for participation in sports at the member or affiliate school.*

1. *A request by a boy to compete or qualify for a girls team must be submitted in writing to the principal of the member or affiliate school, and must set forth, in detail, the reasons for the request.*
  2. *If the principal approves the request, it must be submitted to the Executive Director for approval fifteen (15) days prior to the start of the season.*
- c. *If both a boys and girls team is offered by the member or affiliate school, a student is limited to participation on the team of his/her gender.*

### *Physical Examination and Medical Release Requirement*

#### *2070.090 Physical Examination*

*A student who, for the first time, wishes to compete in any sport is required to complete a physical examination in accordance with the NIAA Pre-Participation Physical Evaluation Form, and be approved for interscholastic competition by a licensed health care professional authorized to perform the NIAA Pre-Participation Physical Evaluation in accordance with the Nevada Revised Statutes and Nevada Administrative Code governing the practice for the licensed health care professional.*

- a. *A student who has previously complied with the provisions of Regulation 2070.090, must complete the NIAA Health Questionnaire/Interim Form each subsequent year the student competes in any sanctioned sport.*
  1. *Any affirmative response to a question on the NIAA Health Questionnaire/Interim Form shall require the student to submit to a complete physical examination as provided in Regulation 2070.090, before the student is eligible for participation.*
- b. *Both the NIAA Pre-Participation Physical Evaluation Form and the NIAA Health Questionnaire/ Interim Form must be kept on file by the member or affiliate school and reviewed each season the student participates by the athletic director, athletic trainer and/or the school nurse.*

*c. If the religious beliefs of a student prohibit submission to a physical examination, the student, the student's parent(s) or legal guardian(s) shall execute a release which includes indemnification and hold harmless language relieving the member or affiliate school, school district, conference and the NIAA from all liability which may arise as a result of the student's participation in that particular sport.*

*d. Sample forms for the release referenced in Regulation 2070.090(c) can be found in the NIAA Reference Manual.*

**2070.091 Medical Release**

*Any student injured in a sport who seeks treatment from a licensed health care provider shall not be allowed to resume participation in the sport until the health care provider submits a written and signed document addressed to the principal of the member or affiliate school clearing the student for participation. All such documents must be kept by the member or affiliate school as part of the student's records.*

**Prohibited Conduct And Penalties**

**2070.100 Participation of Ineligible Student In Game, Contest or Meet**

*A student who is declared ineligible for participation in any NIAA sanctioned sport pursuant to NIAA Regulations is prohibited from appearing in any game, contest or meet.*

**2070.101 Practice**

*A student who is declared ineligible for participation in any NIAA sport during a particular season may practice if the coach and principal of the member or affiliate school grant approval.*

*a. Any ineligible student is prohibited from participating in any interscholastic competition including, but not limited to, scrimmages, exhibitions, etc.*

**2070.102 Continuance of Ineligibility Following Transfer**

*Any student declared ineligible for participation in interscholastic athletics, whether pursuant to the policies, rules or regulations of the NIAA, a member or affiliate school, a school district having a member or affiliate school in the NIAA, or any other state high school athletic association, member or affiliate member thereof, may not transfer and thereby obtain eligibility at any NIAA member or affiliate school.*

*a. Any such student shall remain ineligible for participation in any NIAA sanctioned sport for the period of ineligibility originally imposed.*

*b. Any such student shall be subject to a determination of eligibility following expiration of the period of ineligibility in accordance with the policies, rules and regulations of the NIAA.*

#### **2070.103      *Actions To Circumvent Eligibility***

*A student who is determined to have circumvented or attempted to circumvent the eligibility requirements of the NIAA, a member or affiliate school, or any other state athletic association, shall be declared ineligible for participation in any NIAA sport for a minimum of 180 school days.*

*a. If there is reasonable cause to believe a student has transferred between any NIAA member or affiliate schools or school districts having NIAA member or affiliate schools, or has transferred to a NIAA member or affiliate school from outside the state of Nevada with the primary purpose being to avoid the eligibility requirements of the NIAA, any of its member or affiliate schools or school districts, or an out of state school, school district or athletic association, that student shall be required to prove, in accordance with the appeal procedures set forth in Regulation 2090, that the transfer was based on a good faith, bona fide reason unrelated to avoiding the eligibility requirements of the respective school, school district or athletic association from which the student transferred.*

*b. If the student fails to carry the burden of proof required by Regulation 2090, the Executive Director shall declare the student ineligible for the remainder of the school year and for 180 school days thereafter.*

*c. If it is determined the student, the student's parent(s) or legal guardian(s) has falsified any records or information generated as a result of the transfer or hearing process, the Executive Director shall declare the student ineligible for participation in all NIAA sanctioned sports, for two (2) calendar years from the date of the last game, contest or meet in which the student participated.*

#### **2070.104      *School Shopping***

*Any student determined to have engaged in school shopping, as defined in Regulation 2070.002(j), shall be declared ineligible for participation in any NIAA sanctioned sport for 180 school days.*

**2070.105 Recruiting Prohibited**

*The recruiting or attempted recruitment of students for athletic purposes, as defined in Regulation 2070.002(h), regardless of the student's residence, is a gross violation of the spirit and philosophy of the bylaws of the NIAA and these Regulations, and is expressly prohibited.*

- a. A student who is the subject of a recruiting violation shall be declared ineligible for a minimum of one semester and a maximum of one school year.*
- b. A member or affiliate school which violates this Regulation may be placed on probation for one year. See, Regulation 2095.010(b).*
- c. A coach who violates this Regulation may be suspended for a period of one year. See, Regulation 2095.010(c)*

**2070.106 Undue Influence**

*The use of undue influence, which is the use of direct or indirect communication by anyone associated with a member or affiliate school with a prospective student athlete in an attempt to solicit or encourage the enrollment of a prospective student athlete in that school, is prohibited. Additionally, no person associated with a member or affiliate school may request any third party to solicit or encourage the enrollment of a prospective student athlete in that school, for in that case the third party also becomes associated with the member or affiliate school.*

- a. Undue influence includes, but is not limited to:*
  - 1. Initiating or arranging telephone, telegram or other written contact such as questionnaires, cards or letters, with a prospective student athlete or member of his/her family for the purpose and intent of soliciting or encouraging the enrollment of the student in a school.*
  - 2. Visiting or entertaining a prospective student athlete or member of his/her family for the purpose and intent of soliciting or encouraging the enrollment of the student in a school.*
  - 3. Providing transportation to a prospective student athlete or member of his/her family to visit a school or to meet with anyone associated with a school for the purpose and intent of soliciting or encouraging the enrollment of the student at that school.*

4. *Attending grade school, junior high or middle school games for the purpose of evaluating and recruiting specific prospective student athletes that are not assigned to their respective attendance zone.*

5. *Requesting booster club members, students, or alumni from a school to discuss the merits of the schools athletic program with a prospective student athlete or member of his/her family by phone, in person or through letters or other written communication.*

6. *Any other contact with a prospective student athlete or member of his/her family for the purpose and intent of soliciting or encouraging the enrollment of the student in a school.*

b. *No member of affiliate school, and no one acting on behalf of any member or affiliate school, may give any speech or any slide, film or tape presentation or distribute any written material, including advertisements in newspapers, magazines or other publications, which state or imply that a member of affiliate school's athletic program is better than the athletic program of any other member of affiliate school or that it would be more advantageous for any prospective student athlete to participate in athletics at that member of affiliate school as opposed to any other member or affiliate school.*

1. *This Regulation is not intended to prevent a member or affiliate school from conducting academic recruitment programs or recruitment programs designed to attract students based upon the school's overall educational and extra-curricular programs. However, such recruitment programs must be designed to present the overall educational and extra-curricular programs of the school and not be used as a subterfuge for recruiting students for athletic purposes.*

c. *When a student at a junior high, middle school or other high school, or the parent(s) or legal guardian(s) of that student contacts a coach about attending the coach's school, the coach must immediately refer the student, parent(s) or legal guardian(s) to the principal or other appropriate school personnel, who have the responsibility of seeking and processing prospective students.*

d. *It shall not be considered a violation of this Regulation for a coach to have normal community contact with a student who attends a junior high or middle school of the same school district, which is a feeder school to the high school at which the coach is employed.*

2070.107 *Special Inducement*

*A student athlete may not receive or be offered any remunerations of any kind or receive or be offered any special inducement of any kind, which is not made available to all students who enroll in or apply to a member or affiliate school.*

*a. Special inducements include, but are not limited to, the following:*

- 1. Offer or acceptance of money or other valuable consideration such as free or reduced tuition during the regular school year or summer school by any person associated with a school.*
- 2. Offer or acceptance of room, board, text books or clothing, or financial allotment for text books or clothing.*
- 3. Offer or acceptance of pay for work that is not performed or that is in excess of the amount regularly paid for such service.*
- 4. Offer or acceptance of free transportation by any person associated with a school.*
- 5. Offer or acceptance of a residence with any person associated with a school.*
- 6. Offer or acceptance of any privilege not afforded to non-athletes.*
- 7. Offer or acceptance of free or reduced rent for parent(s) or guardian(s) of a student athlete.*
- 8. Offer or acceptance of payment of moving expenses for parent(s) or guardian(s) of student athletes or assistance with the moving of parent(s) or guardian(s) of student athletes.*
- 9. Offer or acceptance of employment of parent(s) or guardian(s) in order to entice the family to move to a certain community if any person associated with the school makes the offer.*
- 10. Offer or acceptance of help in securing a college athletic scholarship.*

2070.108 *Penalties for Using An Ineligible Student*

*The following penalties shall be imposed against a NIAA member or affiliate school that uses an ineligible student for competition in any game, contest or meet during the regular season or during post-season play:*

*a. For team sports including, but not limited to, baseball, basketball, football, soccer, softball and volleyball:*

*1. The school shall forfeit all games or contests in which the ineligible player participated;*

*2. The team's place in conference or tournament standings shall be adjusted to reflect games or contests the team is required to forfeit;*

*3. The team shall return to the NIAA all awards given to the team or any individual member of the team.*

*b. For individual sports including, but not limited to, cross-country, golf, swimming and diving, skiing, tennis, track and field, and wrestling:*

*1. All individual matches, places, points, and scores of the ineligible student, and all contributions made by the ineligible student to the team, shall be eliminated;*

*2. The conference and tournament standing or place of the team shall be adjusted based on the reduction of points or score for use of the ineligible student;*

*3. The ineligible student shall return to the NIAA all awards given to the ineligible student during the period of ineligibility;*

*4. The team shall return to the NIAA all awards given to the team if elimination of points and scores contributed to the team by the ineligible student results in an adjustment to the team's place or standing in conference or tournament event.*

*c. In addition to the penalties set forth in subsection (b), above, if it is determined that use of an ineligible student occurred as a result of the student, the student's parent(s) or legal guardian(s) falsifying records or other information provided to the member or affiliate school, the student shall be declared ineligible to participate in any NIAA sanctioned sport for two (2) calendar years from the date of the last game, contest or meet in which the ineligible student participated.*



*d. If the use of an ineligible student is discovered during any tournament, the team or student most recently defeated by the ineligible team or ineligible student shall replace the ineligible team or ineligible student for the remainder of the tournament.*

*e. A member or affiliate school adversely effected by use of an ineligible student may appeal any forfeiture to the NIAA in accordance with the procedure for appeal hearings set forth in Regulation 2090.*

*1. The burden of proof rests with the school filing the appeal to establish by a preponderance of the evidence that the game, contest or meet would have been won by the school without the participation of the ineligible student.*

*2. An ineligible student who starts and/or participates in over one half of the game, contest or meet in question shall not have the right to appeal.*

*3. The opposing school or schools shall have an opportunity to be heard at any such appeal.*

**2070.109**      **Restitution**

*Any team or individual student which has been disqualified or rendered ineligible in accordance with the NIAA's Regulations, which is subsequently permitted to participate in interscholastic competition based upon a restraining order, injunction or other directive issued by a court of competent jurisdiction against a member or affiliate school, school district or the NIAA, or any combination thereof, and the restraining order, injunction or court directive is subsequently vacated, stayed, reversed or ultimately determined not to justify the initial relief granted, shall have the penalties outlined in Regulation 2070.108(a) through (d) imposed as a means of restitution and fairness to the other member and affiliate schools.*

**2070.110**      **Coach to Accompany Team or Student; Ejections; Forfeiture**

*a. A team or student representing a member or affiliate school in connection with any NIAA sanctioned sport shall be accompanied by a coach or a designated member of the school at all times.*

*b. If a coach is ejected from a game, contest, or meet, and there is no coach or designated member of the school to supervise the team or student during the remainder of the game, contest or meet, the team or student shall forfeit and, if appropriate, be disqualified from the game, contest or meet.*

## Reporting of Violations

### 2070.200      *Generally*

*All NIAA member and affiliate schools have an ethical obligation and are obligated to report violations of any NIAA Regulation to the member or affiliate school allegedly in violation of the Regulation. See, Regulation 2090.010.*

*a. NIAA member and affiliate schools shall also report any violations of NIAA member and affiliate schools to the Executive Director immediately after becoming aware of the alleged violation. See, Regulation 2090.010.*

*b. NIAA member and affiliate schools are obligated to self report violations of NIAA Regulations committed by the school, any of the school's teams, or individual students to the Executive Director immediately after becoming aware of the alleged violation.*

### 2070.201      *Cooperation With Investigations*

*Any NIAA member or affiliate school which is the subject of a NIAA investigation shall cooperate fully with the Executive Director and all members of the NIAA involved in the investigation. See, Regulation 2090.010. If it is determined that a NIAA member or affiliate school has failed to cooperate with the NIAA during the course of an investigation the member or affiliate school in violation may be placed on probation or suspended from membership in the NIAA. See Regulation 2095.010.*

## Eligibility of Coaches

### 2070.300      *Generally*

*All newly hired faculty and non-faculty member coaches at any member or affiliate school shall be required to complete the courses set forth below to be eligible to coach during the following year:*

*a. NFICEP Coaching Principles, or equivalent;*

*b. NFICEP Sport First Aid, or equivalent;*

*c. CPR certification;*

*d. It shall be the responsibility of all schools in the State of Nevada to honor this requirement.*

*Section 2070 rewritten June 2001;*

## **REGULATION 2080**

### **SPORTSMANSHIP, ETHICS, PROHIBITED CONDUCT AND BEHAVIOR**

#### **General Rule**

##### **2080.001      *General Philosophy***

*Athletic activities are an extension of the classroom and the instructional environment for those activities is not the place for the display of unsportsmanlike conduct by any of the participants. The fundamental purpose of interscholastic activities is to instill and develop the character and morals of the participants involved. Accordingly, the participation of a student, coach or official in any NIAA sanctioned sport shall always be viewed as a privilege and not a right, which privilege may be suspended or revoked if abused.*

*a.      A student who represents a school in any NIAA sanctioned sport must be a credible citizen as judged so by the appropriate school authorities. Any student whose character or conduct is such as to reflect discredit upon the student or the students' school is not considered a "credible citizen." A student's conduct shall be satisfactory in accordance with the standards for good discipline prescribed by the specific member or affiliate school and school district.*

*1.      Conduct which reflects discredit on the school shall include, but is not limited to, the following:*

*A.      Violation of school or team training or disciplinary rules;*

*B.      Use or possession of tobacco, alcoholic beverages or controlled substances;*

*C.      Stealing, vandalism or any other act which violates state law or school rules.*

*b.      A coach, administrator, faculty member or any other representative of a member or affiliate school shall practice and exhibit the highest principles of sportsmanship and ethics in all NIAA sanctioned sports.*

*c. An official assigned to any contest shall practice the highest degree of ethics and impartiality in fulfilling that assignment.*

*d. Any student, coach, administrator, faculty member or other representative of a member or affiliate school, or any official found in violation of the general philosophy of the NIAA, set forth in this Regulation, shall be subject to the penalties set forth below.*

### *Code of Ethics Applicable To Students, Coaches and Officials*

#### *2080.010 Generally*

*The practice of good sportsmanship by all participants in any NIAA sanctioned sport is expected at all times. The following Codes of Ethics shall apply to students, coaches, officials, administrators and faculty members of member or affiliate schools, who participate in or are assigned to any NIAA sanctioned sport.*

#### *2080.011 Students*

*Any student appearing on a NIAA roster for any sport shall conduct himself/herself in accordance with the following Code of Ethics.*

*a. Treat opponents with respect; shake hands prior to and after all contests.*

*b. Respect the judgment of contest officials, abide by the rules of the games, contest or meet, and display no behavior that might insight fans.*

*c. Cooperate with officials, coaches and fellow participants to conduct a fair game, contest or meet.*

*d. Not make statements to the news media critical of any game official, the NIAA, or any other school's team, players, coaches, administrators or representatives. See, Regulation 2080.024.*

*e. Accept seriously the responsibility and privilege of representing your school and community by displaying positive behavior in public at all times.*

*f. Live up to the high standards of sportsmanship established and expected by your coach and school.*

#### *2080.012 Coaches*

*All member and affiliate schools of the NIAA entrust their coaches to contribute to the educational development of their students through athletic and/or non-athletic activities. In recognition of these expectations, it shall be the responsibility of a coach to follow the directions provided in the following Coaches Code of Ethics. Accordingly, all coaches shall:*

*a. Abide by the spirit and letter of the NIAA's policies, rules and regulations as well as those of the National Federation of High Schools.*

*b. Not make statements to the news media critical of any game official, the NIAA, or any other school's team, players, coaches, administrators or representatives. See, Regulation 2080.024.*

*c. Cooperate with others in the field of education and within the athletic department of the school.*

*d. Exemplify behavior that is a credit to the teaching profession, your program and school.*

*e. Exercise patience, tolerance and diplomacy in relations with all players, coaches, contest officials and spectators.*

*f. Adhere to high ideals of sportsmanship including cooperation, courage, unselfishness and self-control, as well as desires for clean, healthful living and respect for discipline and authority.*

*g. Support all reasonable actions to improve athletic conditions, to provide for adequate equipment, and to promote the welfare of all participants.*

*h. Demonstrate high ideals, good habits and desirable attitudes in professional behavior, and demand the same standards of your student athletes.*

#### **2080.013 Officials**

*The NIAA as well as its member and affiliate schools have entrusted officials to assist them in the educational development of their students through athletics. To fulfill this goal, officials must be independent, impartial and responsible to the people they serve. In recognition of these expectations, it shall be the responsibility of an official to follow the directives provided in the following Officials Code of Ethics. Violation of the Official's Code of Ethics shall constitute a violation of the NIAA rules and regulations and may result in sanctions or penalties to the offending party. Accordingly, an official shall:*

- a. *Place the welfare of the individual student above all other considerations.*
- b. *Maintain confidence and control from start of an assignment to finish.*
- c. *Devote time, thought and study to the rules of the contest and the mechanics necessary to carry out the rules so that one may render effective and credible service in a fair and unbiased manner.*
- d. *Work with fellow officials and the NIAA in a spirit of harmony and cooperation in spite of differences of opinion that may arise from time to time.*
- e. *Resist every temptation and outside pressure to use one's position as an official to benefit oneself or any school, team or student over the other.*
- f. *Avoid under all circumstances promoting the special interest of any person or group of persons other than the students served.*
- g. *Constantly uphold the honor and dignity of an official in all personal conduct and relations with students, coaches, athletic directors, school administrators, colleagues and the public, and be a worthy example to the athletes under one's jurisdiction.*
- h. *Be prepared both physically and mentally, dress according to expectations, and maintain a proper appearance that is befitting the importance of the contest.*
- i. *Remember and recognize that it is important to honor contracts regardless of possible inconvenience or financial loss.*
- j. *Not make any statements to the news media critical of any member or affiliate school, administrator, team, coach, student or other contest official of the NIAA. See, Regulation 2080.024.*
- k. *Abstain from the use of tobacco, alcoholic beverages or drugs on or in the vicinity of the playing area on the day of the contest.*
- l. *Act in a manner becoming of a professional person at all times. The conduct of any official influences the attitude of the public toward the profession in general as well as toward the official in particular.*

2080.014 *Administrators and Faculty Members*

*Environment and setting the philosophy that shall permeate the conduct of their school, students, coaches, teams and representatives in all NIAA sanctioned sports. Accordingly, school administrators and faculty members shall adopt and follow the Administrators and Faculty Members Code of Ethics with respect to all NIAA sanctioned sports sponsored by their school. An administrator or faculty member shall:*

- a. Develop a program for teaching and promoting the ideals and fundamentals of good sportsmanship within the school, the conference, and the state of Nevada.*
- b. Provide appropriate supervisory personnel for all NIAA sanctioned sports hosted by the member or affiliate school.*
- c. Support students, coaches and fans who teach and display good sportsmanship.*
- d. Recognize exemplary behavior and actively discourage undesirable conduct by participants, coaches and fans.*
- e. Attend all NIAA sanctioned sports whenever possible.*
- f. Not make any statements to the news media critical of any school, administrator, team, coach, student, official or the NIAA. See, Regulation 2080.024.*
- g. Comply with the provisions of Regulation 2080.031.*

### *Unsportsmanlike Behavior And Conduct*

#### *2080.020 Sportsmanship*

*All students, administrators and faculty members, coaches and officials are expected to follow the Code of Ethics set forth in Regulations 2080.011 through 2080.014, at all times in which they are participating in a NIAA sanctioned sport.*

- a. Any violation of the provisions of Regulations 2080.011 through 2080.014 may result in the imposition of the sanctions and penalties set forth in Regulation 2095.010, below.*
- b. Specific violations of Regulations 2080.021 through 2080.024, shall carry the penalties specified in each Regulation.*

2080.021 *Respect For Officials*

*Authority vested in the game, contest or meet officials must be respected and upheld at all times.*

*a. Any violation of Regulations 2080.011 through 2080.014 by a student, coach, administrator or faculty member of a member or affiliate school shall be documented in a written report prepared by the principal or designated administrator of the member or affiliate school in which the student is enrolled, or the coach, administrator or faculty member is employed.*

*1. A copy of the report of the incident shall be provided to the Executive Director within twenty-four (24) hours of the occurrence and shall include the names of all persons involved as well as a statement of the disciplinary action the member or affiliate school intends to impose against the team, student, coach, administrator or faculty member involved.*

*2. The Executive Director shall review the incident report as soon as is practical, and may impose additional sanctions against the team, student, coach, administrator or faculty member, as warranted.*

*b. If an act of violence is committed against an official assigned to a game, contest, or meet by a fan, team, student, administrator or faculty member enrolled, employed, or affiliated with a member or affiliate school, the principal or designated administrator of the member or affiliate school which enrolls, employs, or has the affiliation with the individual or group involved shall prepare a written report of the incident and send the report to the Executive Director within twenty-four (24) hours following the occurrence.*

*1. An “act of violence” includes, but is not limited to the unwelcome and intentional touching, hitting or shoving of an official, as well as any conduct that threatens the safety of the official in any fashion.*

*2. The documentation provided to the Executive Director shall include a statement of the names of all persons involved in the incident as well as the disciplinary action the member or affiliate school has or will impose against the group or individual involved.*



3. *The Executive Director shall review the documentation as soon as is practical and may impose any penalty or sanction beyond those imposed by the member or affiliate school, including the penalties set forth at Regulations 2095.010.*

2080.022 *Ejections*

*An ejection occurs whenever a coach or student athlete is permanently removed from a game, contest or meet by an official assigned to the game, contest or meet.*

a. *Unsportsmanlike conduct, which results in the ejection of a student athlete or coach from a NIAA sanctioned sport, shall be treated as follows:*

1. *If the ejection occurs prior to the last game, contest or meet of a season, the student or coach shall be immediately removed from the game, contest, or meet in which the ejection occurred and shall be rendered ineligible to participate in the next scheduled game, contest or meet of that season.*

2. *If the ejection occurs during the last game, contest or meet of a particular season, the student or coach shall be immediately removed from the game, contest or meet in which the ejection occurred, and shall be rendered ineligible for the first scheduled game, contest or meet set for the following season in that sport.*

3. *Ejections occurring during the last game, contest or meet of a season which involves a student who is a senior shall result in that student being immediately removed from the game, contest or meet in which the ejection occurred, and the student shall be rendered ineligible for the first scheduled game, contest or meet of the next sport season in which the senior participates.*

4. *In all cases, if a student or coach has been rendered ineligible to participate due to an ejection, the student or coach is prohibited from being on the premises during that game, contest or meet and any other game, contest or meet from which the student or coach has been excluded as a result of the ejection.*

b. *A coach or student who is ejected from a game, contest or meet is prohibited from being on the premises during the game, contest or meet from which he/she has been ejected or rendered ineligible as a result of the ejection, as well as the next regularly scheduled game, contest or meet.*

1. *Premises shall be defined as the total area in which the game, contest or meet takes place including any area designated for spectators.*

2. *No student ejected from a game, contest or meet at a venue away from the student's home school shall be left unsupervised. It shall be the responsibility of the student's head coach to ensure proper adult supervision of the student takes place.*

c. *A second ejection of a coach or student athlete from a game, contest or meet during the same season must be reported to the Executive Director by the principal or designated administrator of the member or affiliate school employing or enrolling the coach or student, who shall be vested with authority to impose additional disciplinary action including the penalties outlined in Regulation 2095.010.*

d. *A third ejection of a coach or student athlete from a game, contest or meet during the same season shall result in the coach or student athlete being suspended from participation in the sport for the remainder of the season.*

e. *It shall be the responsibility of the coach to know these Regulations and to impose the same against himself, his assistant coaches, and student athletes. The principal, designated administrator of the member or affiliate school or Executive Director may impose additional sanctions against the coach or student athlete in accordance with Regulation 2095.010, if warranted.*

f. *There shall be no appeal from the decision of a game, contest or meet official to eject a coach or student athlete from a game, contest or meet.*

**2080.023**      *Bench Clearing*

*A bench clearing incident occurs whenever before, during or after the course of a NIAA sanctioned sport a student athlete, group of student athletes, team, coach or coaches leave the bench, sideline or other area outside the designated playing field or area of play, and enter onto the designated playing field or area of play in response to an incident, altercation or fight occurring during the game, contest or meet.*

*a. A head coach is responsible for, and shall maintain control over, his student athletes during any game, contest or meet in which his student athletes compete. If a coach's student athletes leave the bench, sideline or other area outside the designated playing field or area of play, and enter onto the designated playing field or area of play in response to a bench clearing incident, the head coach shall be ejected for the remainder of that game, contest or meet and shall be suspended for the next scheduled game, contest or meet.*

*b. Coaches shall develop a plan of action to be implemented by their coaching staff and student athletes in response to any bench-clearing incident. The plan of action may include methods by which the coach and coaching staff assist game, contest or meet officials in preventing or subduing the bench clearing incident if:*

*1. Such assistance is designed to prevent student athletes from entering onto the designated playing field or area of play; and*

*2. Intervention by the coach and coaching staff reasonably facilitates the separation of student athletes from opposing student athletes and coaches.*

*c. Any student athlete who leaves the bench, sideline or other area outside the designated playing field or area of play, or who leaves a designated fielding position within the designated playing field or area of play to which the player has been assigned and, thereafter, enters onto the designated playing field or area of play in response to a bench clearing incident occurring before, during or after a game, contest or meet, is guilty of unsportsmanlike conduct and shall be ejected from the game, contest or meet.*

*d. If the majority of a team, or both teams, leave the bench, sideline or other area outside the designated playing field or area of play and enter onto the designated playing field or area of play in response to a bench clearing incident occurring before, during or after a game, contest or meet, the team or teams commit an unsportsmanlike act which shall result in a forfeiture or double forfeiture of the game, contest or meet.*

*e. Any student athlete identified as being involved in a fight, altercation or incident which results in a bench clearing incident shall be ejected from that game, contest or meet, and shall be ineligible for the next scheduled game, contest or meet.*

*f. Any student athlete, coach or team found guilty of fighting two (2) times in a single season shall be suspended and rendered ineligible for the remainder of the season.*

*1. The Executive Director is authorized to impose additional sanctions if the second fighting incident occurs with two or less games, contests or meets remaining in the sport season. See, Regulation 2095.010.*

*g. The head coach of a team and the principal or designated administrator of a member or affiliate school shall ensure that their team and student athletes who comprise the team act in a sportsmanlike manner at all times.*

*1. If an unsportsmanlike incident occurs the principal or designated administrator of the member or affiliate school involved, or the Executive Director, shall suspend or declare ineligible the coach, team or student athlete for a period of time beyond those stated in Regulation 2080.023, if the circumstances so warrant.*

**2080.024**      *Comments To The Media*

*At no time shall a coach, official, administrator or student athlete make a derogatory comment to the media regarding any individual, official or school involved in any game, contest or meet. A violation of this Regulation shall result in an investigation and if substantiated, a minimum of a one game suspension shall result.*

*Revised 7/01;*

**2080.025**      *Imposition Of Discipline For Unsportsmanlike Conduct Or Behavior*

*The disciplinary sanctions set forth in Regulation 2080.021 through 2080.024 may be administered by the game, contest or meet officials, member or affiliate school administrators, Executive Director, or any combination thereof.*

*a. Disciplinary sanctions may be imposed immediately during a game, contest or meet, or following the review of a videotape or written incident report, regarding the unsportsmanlike conduct or behavior.*

*b. Any disciplinary sanction imposed by a game, contest or meet official or an administrator of a member or affiliate school, must be reported immediately to the Commissioner of Officials who shall thereafter report the incident to the Executive Director.*

## Guidelines For Game, Contest And Event Behavior

### 2080.030      *Generally*

*Coaches, administrators and faculty members of member and affiliate schools who are involved with NIAA sanctioned sports are role models for the students involved in such programs whether in the classroom, on the practice field, or at games, contests and meets. Accordingly, all coaches, administrators and faculty members of member and affiliate schools are expected to follow and uphold the respective Code of Ethics applicable to their positions outlined in Regulation 2080.012 and 2080.014, above.*

### 2080.031      *Professional Behavior And Maintenance Of Decorum At NIAA Sanctioned Sports, Activities And Events*

*a. All coaches, administrators and faculty members of member and affiliate schools who are involved or have responsibility for any NIAA sanctioned sport shall refrain from the following behaviors:*

- 1. The use of alcoholic beverages, drugs or tobacco while in direct supervision of students during practices, games, contests and meets.*
- 2. The use of foul or abusive language, insulting gestures, or abusive physical contact toward any student, official or other person associated with any practice, game, contest or meet.*
- 3. The taunting of any official, student athlete, team, coach or spectator at any game, contest or meet.*
- 4. The exercising of any conduct which may incite a fight, violence or other unsportsmanlike act.*

*b. Coaches, administrators and faculty members of any member or affiliate school are responsible for assuring that all games, contests and meets in which their team or student athletes participate are conducted in a professional manner with the highest degree of sportsmanship exhibited by all participants in the game, contest or meet.*

- 1. Any coach, administrator or faculty member involved in, or responsible for, any NIAA sanctioned game, activity or meet shall exercise the authority of their position to ensure the game, contest or meet is conducted with the utmost of good sportsmanship.*

2. Any violations occurring at a game, contest or meet shall be documented in a written report containing the names of all persons involved, and sent to the Executive Director for his review within twenty-four (24) hours following the occurrence.

3. The Executive Director shall review the report as soon as is practical, and shall be vested with authority to impose any appropriate sanction against the offending party. See, Regulation 2095.010.

c. Coaches, administrators and faculty members of any member or affiliate school are responsible for the conduct of their fans at any game, contest or meet, shall intervene if any unsportsmanlike conduct occurs through their fans, and shall administer appropriate sanctions or discipline against the offending party.

### Penalties and Sanctions

#### 2080.040 Generally

The Executive Director is vested with authority to impose any appropriate sanction or penalty including the penalties and sanctions listed in NIAA Regulation 2095.010 whenever disciplinary action is necessary to enforce any NIAA Regulation, or when a NIAA Regulation allows the enforcement of a penalty or sanction in addition to that provided by the specific NIAA Regulation.

Section 2080 rewritten June 2001;

## REGULATION 2090

### COMPLAINT AND APPEAL PROCEDURES

#### General Rules

#### 2090.001 General Rule

All NIAA Rules and Regulations are subject to appeal by an aggrieved student, or member or affiliate school, unless specifically stated to the contrary. The procedure for the filing and processing of complaints and appeals from matters involving NIAA Regulations are set forth below.

#### 2090.002 Definitions

*The following definitions shall apply to the words and/or phrases below with respect to interpretation of NIAA Regulation 2090.*

- a. “Complaint” means a formal charge filed with the NIAA by a principal of a member or affiliate school, or any person alleging that a student, coach, official, affiliate or member school has violated a specific NIAA Regulation.*
- b. “Complainant” means the person, or member or affiliate school that has submitted a formal complaint.*
- c. “Hardship” means unusual circumstances that go beyond the normal control of the student or his family, or both, and which are unrelated to participation of the student in NIAA competition.*

*Complaint Procedure*

*2090.010 Generally*

*Complaints which charge a member or affiliate school or a student thereof with misconduct or a violation of a school, school district or NIAA Regulation, or any combination thereof, shall be made in writing by the complainant with any documentation supporting the charge attached thereto, and shall be sent or delivered to the Executive Director or his designee with a copy to the principal of the member or affiliate school that has allegedly committed the violation or infraction. If the complaint is lodged by a member or affiliate school, the Executive Director shall recommend the process begin with a courtesy call from the complainant to the principal of the member or affiliate school in which the infraction has allegedly occurred.*

- a. Following receipt of the written complaint, the principal of the member or affiliate school, or the principal of the member or affiliate school which enrolls the student charged, shall provide a written response, together with any supporting documentation, to the Executive Director or his designee.*
- b. Following receipt of the written response referenced in paragraph (a), above, the Executive Director or his designee shall conduct an investigation to determine whether the complaint has factual and legal merit and what, if any, disciplinary action is warranted.*
- c. Following investigation pursuant to subsection (b) above, the Executive Director or his designee shall mail his written decision to the principal of the member or affiliate school charged and to the student involved, if applicable. The date of receipt of the decision shall be deemed to be the date stamped on the envelope by the postal service or the third day following the mailing.*

*d. Following receipt of an adverse decision by the Executive Director, or his designee, the member or affiliate school charged or the student involved, may appeal the Executive Director's decision to a Level II Appeal in accordance with the provisions of NIAA Regulation 2090.024.*

### *Student Hardship Appeals and Procedures*

#### *2090.020 General Rule*

*All NIAA Regulations, which adversely impact a student, are subject to a hardship appeal by the student unless otherwise stated in the Regulation at issue. A student shall be deemed to have established the existence of a hardship by proving through a preponderance of the evidence, the existence of the following criteria:*

*a. It is evident that a hardship, as defined in Regulation 2090.002(c), exists; and*

*b. In situations involving the transfer of a student, there is no evidence the student was recruited in any way.*

#### *2090.021 Level I Appeals - Clark and Washoe County School Districts*

*The Clark and Washoe County School Districts shall establish Level I appeal procedures applicable to students attending the respective District's schools. Such appeals may be conducted by a District level administrator responsible for interpreting and enforcing NIAA Regulations, a panel of principals from member or affiliate schools within the District, or any combination thereof.*

#### *2090.022 Level I Appeals - Small Counties and Private Schools*

*Any appeal involving a student enrolled in a member or affiliate school outside the jurisdiction of the Clark or Washoe County School Districts, or who is enrolled in a private school, shall initially be made to the Executive Director.*

#### *2090.023 Level I Appeal Procedures*

*A student who is declared ineligible to participate in any NIAA sanctioned sport shall have a right to appeal that determination to the appropriate individual or panel described in NIAA Regulations 2090.021 and 2090.022, above.*

*a. The student's appeal shall be in writing and must contain, at a minimum, the following:*



1. *The name of the student and the school attended by the student;*

2. *The description of the hardship or circumstance which prevents the student from complying with the Regulation at issue, and any other documentation or information supporting the position of the student regarding the appeal.*

b. *The district administrator, panel or Executive Director responsible for the Level I appeal shall review the written information received from the student pursuant to subsection (a). Following the review the district administrator, panel or Executive Director may:*

1. *Grant the appeal;*

2. *Deny the appeal; or*

3. *Direct the appeal be heard in accordance with the procedures set forth for appeals at Level II, in accordance with Regulation 2090.024.*

c. *The district administrator, panel or Executive Director shall notify in writing the student and the schools involved in the appeal after reaching a decision.*

d. *A student aggrieved by the decision rendered at Level I shall have the right to appeal that decision to a Level II appeal hearing pursuant to Regulation 2090.024.*

**2090.024** *Level II Appeal; Hearing Officer*

*A student adversely affected by a Level I decision shall have a right to a Level II appeal. If the district administrator, panel or Executive Director direct a Level I appeal be initially heard at Level II, the Level I appeal shall be heard in accordance with the procedures set forth below.*

a. *The Level II appeal shall be heard by a Hearing Officer approved by the Board of Control to hear Level II appeals, and appointed by the Executive Director.*

b. *A non-refundable fee of \$250.00 payable to the NIAA shall be remitted by the student or the parent(s) or legal guardian(s) of the student with the student's appeal.*

*1. The filing fee may be waived if the student qualifies for the federal school lunch program or if, in the judgment of the Executive Director, payment of the fee will cause substantial financial hardship to the student.*

*c. All Level II appeals shall be heard in either Reno or Las Vegas, Nevada, unless the Executive Director decides the matter may be heard at some other location.*

*d. The Level II appeal shall be conducted as follows:*

*1. The proceedings shall be closed to the public to protect the privacy interests of any student under the age of eighteen (18).*

*A. A student who has reached the age of eighteen (18) may elect to have the hearing open to the public.*

*2. The proceedings shall be tape-recorded.*

*3. The Hearing Officer appointed by the Executive Director shall conduct the hearing in accordance with the procedures set forth for administrative hearings in NRS Chapter 233B.*

*4. The student shall have an opportunity to call witnesses and present oral and documentary evidence in support of the student's position.*

*5. The NIAA shall be represented by its legal counsel who may call witnesses and present oral and documentary evidence in support of the NIAA's position.*

*6. The Hearing Officer may examine the student, the student's parent(s) or legal guardian(s), and any other witness at the hearing.*

*7. The student and the NIAA shall have the right to present closing statements to the Hearing Officer following the taking of evidence.*

*8. At the close of the evidence, and following conclusion of any closing statements, the Hearing Officer shall declare the hearing closed.*

9. *The Hearing Officer shall, within fourteen (14) days following the close of the hearing, issue Findings of Fact, Conclusions of Law and Decision to the student, administrators of the member or affiliate schools affected by the decision, and the Executive Director, and NIAA legal counsel.*

e. *The decision of the Hearing Officer shall be binding and not subject to further administrative appeal.*

f. *The office of the Executive Director shall provide administrative and clerical support to the Hearing Officer, and shall reimburse any per diem, travel expenses, and fees charged by the Hearing Officer from an account set up to receive and disburse the fees for appeals.*

### Member or Affiliate School Appeals From Adverse Determinations

#### 2090.025 *Member or Affiliate School Appeals*

*A member or affiliate school found by the Executive Director to have committed a violation of school, school district or NIAA Regulations, or any combination thereof, pursuant to NIAA Regulation 2090.010(c), shall have a right to appeal that decision in accordance with the procedures set forth in Regulation 2090.024.*

### Game, Contest or Meet Appeals

#### 2090.030 *Official Decision*

*All decisions of game, contest or meet officials are final and binding unless a protest procedure exists under the official rulebook of the National Federation of High Schools for the sport in question. In such cases, the protest procedure from the official rulebook of the NFHS shall be followed.*

### Procedures For Applications To Withdraw Or Re-Enter NIAA Membership

#### 2090.040 *Procedure For Approval Or Denial Of Application To Withdraw From, Or Re-Enter, NIAA Membership*

*The following procedures apply to any member or affiliate school seeking to withdraw or re-enter from membership within the NIAA.*

*a. Upon receipt of a request of a member or affiliate school to withdraw or re-enter the NIAA, the Board of Control shall require the requesting school to complete an application form and supply such information as the Board deems necessary to evaluate the impact of the withdrawal or re-entry upon the interscholastic activities of the existing membership.*

*b. Upon the receipt of the application, information and a non-refundable application fee of \$850, the Board of Control shall survey its membership for comments concerning how the proposed withdrawal or re-entry effects the interscholastic activities of the existing membership, including, but not limited to, out-of-state school time, transportation and per diem costs, length of seasons and competitive factors.*

*c. The Board shall notify the applicant of the date, time and place for a public hearing before the Board of Control, at which time, representatives of the applicant and the existing membership are entitled to appear and testify before the Board of Control concerning the impact of the proposed withdrawal or re-entry on the interscholastic activities of the existing membership.*

*d. Within thirty (30) days following the close of the public hearing, the Board of Control shall issue its decision on the application and shall mail the decision to the applicant. The date of receipt shall be deemed the date stamped on the envelope by the postal service, or the third (3<sup>rd</sup>) day following its mailing.*

*e. Within fifteen (15) days following receipt of the decision of the Board of Control, the Executive Director shall notify the Legislative Commission of the application and the action of the Board of Control. The application must be placed on the agenda of the next regularly scheduled meeting of the Legislative Commission. The Legislative Commission shall mail a notice of the date, time and place of the meeting to the applicant.*

*f. At the time fixed by the Legislative Commission, the applicant and a representative of the Board of Control may appear and present the position of the applicant and the Board of Control in regard to the proposed withdrawal or re-entry.*

*g. Within thirty (30) days following the close of the public hearing, the Legislative Commission shall issue its decision and mail it to the applicant and the Board of Control.*

*h. The decision of the Legislative Commission is final and binding on both the applicant and the Board of Control.*

i. *The office of the Executive Director shall provide administrative, legal and clerical support to the Legislative Commission and Board of Control, and shall reimburse any per diem and travel expenses of the Legislative Commission and Board of Control from an account set up to receive and disburse the fees for such applications.*

*Section 2090 rewritten June 2001;*

## **REGULATION 2095**

### **PROHIBITED CONDUCT BY MEMBER OR AFFILIATE SCHOOL AND DISCIPLINARY ACTION**

#### **General Rules**

##### **2095.001      *General Rule***

*Member and affiliate schools are expected to abide by and uphold all of the NIAA's Regulations. A violation, or repeated violations, of any NIAA Regulation by member or affiliate schools shall be grounds for filing a complaint against the school committing the violation or violations. Any person having knowledge of a violation of any NIAA Regulation by a member of affiliate school may file a complaint with the Executive Director pursuant to NIAA Regulation 2090.010.*

##### **2095.002      *Postponement Of Game, Contest or Meet***

*No member or affiliate school may willfully postpone a game without first securing approval from the principals of both member and/or affiliate schools and following the regulations of the class of which the member or affiliate school belongs regarding postponement.*

##### **2095.003      *Cancellation And Forfeiture Of Game, Contest Or Meet***

*No member or affiliate school may willfully cancel a game, contest or meet, or any games, contests or meets, without the approval of the Executive Director, who shall determine the validity of the request for the cancellation.*

a. *A violation of this Regulation may subject the offending school to suspension from the NIAA.*

*b. Member or affiliate schools withdrawing from the NIAA during season play shall show on their record “no contest” for games played following withdrawal. Before the activity may be reinstated, the Board of Control shall evaluate the reasons for the member or affiliate school’s prior cancellation and establish conditions for reinstatement of the cancelled activity.*

**2095.004 Schools With Which Game, Contest or Meet Prohibited**

*No member or affiliate schools may engage in any game, contest or meet, or tournament, with any school that has been suspended or expelled from the recognized athletic association of that school’s state.*

**Disciplinary Action**

**2095.010 General Rule**

*If disciplinary action is deemed necessary for the enforcement of any NIAA Regulation, such disciplinary action may consist of any of the following, or a combination thereof:*

*a. Warning - is official notice that unethical or unsportsmanlike action has taken place. The action becomes a matter of record with the NIAA and may not occur again or further disciplinary action up to and including suspension may be enforced.*

*b. Probation - a school placed on probation is restricted from participating in any divisional, league or state championship activities. A member or affiliate school placed on probation in a sport may be restricted for a designated period, not to exceed one year. Any repeat offense will result in suspension.*

*c. Suspension - prohibits the participation of member or affiliate schools with any state athletic association affiliated with the National Federation of State High School Associations during the period of the suspension. Suspension may not be invoked for more than one calendar year. Suspension of a coach or other responsible person for a period of not less than one week or more than one year may also be invoked in appropriate situations.*

*d. Fines - member or affiliate schools who have violated NIAA Regulations may be fined in an amount not to exceed \$1000.*

*e. A suspension or fine may be recommended at any level of appeal involving a member school set forth at NIAA Regulations 2090.010 and 2090.024. The Board of Control must approve any suspension or fine before it becomes final.*

*f. In any situation in which penalties or sanctions be imposed against a member or affiliate school, or any student, the Executive Director shall, in his sole discretion, be allowed to impose an appropriate sanction or penalty.*

*Section 2095 added June 2001;*