

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

LCB FILE NO. R141-24I

**The following document is the initial draft regulation
proposed by the agency submitted on 06/20/2024**

NAC 385B.XXX One-time Transfer of Eligibility.

- 1. Except as otherwise provided in subsection 2, or as provided by school district or school policy, a pupil who is enrolling for the first time in a school, or is transferring from one school to another school, may be granted a waiver of ineligibility pursuant to NAC 385B.716.**
- 2. A pupil specified in subsection 1 may be granted a waiver of ineligibility pursuant to subsection 1 not more than once.**
- 3. If a pupil is granted a waiver of ineligibility pursuant to subsection 1 and, after the waiver of ineligibility is granted, transfers to another school, including a school within his or her zone of attendance, the pupil is ineligible for 180 school days in any sanctioned sport which the pupil's name appeared on a roster of the Association for the previous 180 school days.**

NAC 385B.712 Residency of pupil: General requirements. (NRS 385B.060)

1. Except as otherwise provided in this section, to be eligible to participate in a sanctioned sport, a pupil must attend the school that is located in the zone of attendance of the residence of the pupil and his or her parent or legal guardian. When a pupil initially enrolls in a school, one residence of the pupil must be identified as the residence of the pupil within the zone of attendance of the school regardless of the number of homes in which the pupil may actually reside and that school is the pupil's school of residence for the purposes of determining eligibility to participate in a sanctioned sport.

2. A pupil enrolled in a school based on an affidavit of residency is not eligible to participate in any sanctioned sport at the school for 180 school days beginning on the date on which the pupil first attends the school.

3. A pupil whose parents are divorced or separated is eligible to participate in a sanctioned sport at the school that is located within the zone of attendance of the residence of the parent having primary physical custody of the pupil as determined pursuant to subsection 1.

4. If the primary physical custody of a pupil whose parents are divorced or separated is jointly shared at the separate residences of the parents and if the pupil:

(a) Was enrolled in a member school at the time of the divorce or separation, the pupil remains eligible to participate in a sanctioned sport at that member school.

(b) Was not enrolled in a member school at the time of the divorce or separation, the school in which the pupil initially enrolls in ninth grade in accordance with subsection 1 is the pupil's school of residence for the purposes of eligibility to participate in a sanctioned sport.

5. A pupil who begins ninth grade at a *charter*, private, *magnet*, *vocational or technical* school that serves all pupils who are located within the zone of attendance of the residence of a parent or legal guardian of the pupil is eligible to participate in a sanctioned sport at the **private** school.

6. For the purposes of this chapter, the Association will not recognize a temporary guardianship that is granted without the approval of a court pursuant to NRS 159A.205 or 159A.215.

7. A pupil is not eligible to participate in a sanctioned sport at a school that is located within the zone of attendance of the legal guardian of the pupil unless the legal guardian has complied with subsection 3 of NAC 385B.718.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R050-05, 12-29-2005; R207-08 & R147-10, 5-5-2011; R130-17, 1-30-2019) — (Substituted in revision for NAC 386.782)

~~— NAC 385B.720 Pupil who transfers to another school within same zone of attendance or after change in zone of attendance. (NRS 385B.060)~~

~~— 1. Except as otherwise provided in subsection 2, an eligible pupil who attends a school for at least 180 school days and transfers from a school to another school within the zone of attendance is ineligible to participate in any sanctioned sport in which the pupil's name appeared on a roster of the Association for 180 school days after the date of the transfer. If the pupil transfers within the first 180 school days, he or she is ineligible:~~

~~— (a) For the remainder of the school year in which he or she transfers; and~~

~~— (b) For 180 school days after the date of the transfer.~~

~~— 2. A pupil who resides with a parent or legal guardian, or who is emancipated, and resides in an area that is affected by a change in the zone of attendance of a school, may transfer from a school to another school, regardless of whether the change in the zone of attendance was initiated to establish the zone of attendance for a new school or to carry out the rezoning of an existing school.~~

~~— 3. A pupil specified in subsection 2 may transfer from a school to another school pursuant to that subsection:~~

~~— (a) Not more than once; and~~

~~— (b) Only if the transfer is completed on or before the beginning of the school year in which the change in the zone of attendance occurred.~~

~~— (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R144-07, 1-30-2008) — (Substituted in revision for NAC 386.786)~~

~~NAC 385B.722 Pupil who is approved to attend magnet school or vocational or technical school that offers sanctioned sport. (NRS 385B.060)~~

~~1. A pupil who does not reside within the zone of attendance of a magnet school or a vocational or technical school that is located within a school, and who obtains a waiver to attend the program of the magnet school or vocational or technical school, is eligible to participate in any sanctioned sport at the school.~~

~~2. To establish eligibility pursuant to subsection 1, the pupil must:~~

~~(a) Comply with the requirements of the magnet school or vocational or technical school for filing an application;~~

~~(b) Comply with the requirements to participate in the program of the magnet school or vocational or technical school;~~

~~(c) Enroll in the courses required for pupils participating in the program of the magnet school or vocational or technical school; and~~

~~(d) Maintain eligibility to complete the program of the magnet school or vocational or technical school.~~

~~3. During the period in which the pupil is enrolled in the magnet school or vocational or technical school, the pupil may participate only in a sanctioned sport that is offered by the school in which the magnet school or vocational or technical school is located.~~

~~4. A pupil who is approved to enroll in a magnet school or a vocational or technical school and fails to comply with the requirements of subsection 2, or who does not complete the program of the magnet school or vocational or technical school, becomes immediately ineligible to participate in a sanctioned sport at the school in which the magnet school or vocational or technical school is located for 180 school days.~~

~~5. A pupil who is accepted into the program of a magnet school or a vocational or technical school and who, after acceptance into the program, chooses to return to his or her 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 sanctioned sport in which the pupil's name appeared on a roster of the Association during the period he or she attended the magnet school or vocational or technical school.~~

~~(Added to NAC by Nev. Interscholastic Activities Ass'n by R206 03, eff. 11 2 2004; A by R207 08, 5 5 2011) (Substituted in revision for NAC 386.787)~~

NAC 385B.734 Homeschooled children. (NRS 385B.060, 385B.150)

1. To be eligible to participate in a sanctioned sport, a parent or legal guardian of a homeschooled child must submit to the school district in which the homeschooled child resides a written notice of intent to provide instruction for the homeschooled child at home. A parent or legal guardian of a homeschooled child who submits such a notice shall be deemed to be the teacher of the homeschooled child for all matters relating to participation by the homeschooled child in a sanctioned sport.

2. To be eligible to participate in a sanctioned sport, a parent or legal guardian of a homeschooled child must submit evidence satisfactory to the Executive Director that the homeschooled child has complied with the requirements for academic eligibility adopted by the school district in which he or she resides pursuant to [NAC 385B.756](#). The evidence must be submitted to the person designated by the school pursuant to paragraph (c) of subsection 4.

~~—3. A homeschooled child who withdraws from a school where he or she is enrolled:
—(a) Remains eligible to participate in a sanctioned sport at that school if eligible to participate in that sanctioned sport at the time of withdrawal from the school; or
—(b) If not eligible to participate in a sanctioned sport at the time of withdrawal from the school, must establish eligibility to participate in that sanctioned sport by complying with the requirements for academic eligibility specified in subsection 2.~~

—4. 3. If a homeschooled child resides within the zone of attendance of a school and notifies the school that he or she wishes to participate in a sanctioned sport at that school, the school shall provide to the parent or legal guardian of the homeschooled child:

(a) A statement setting forth the requirements for academic eligibility to participate in a sanctioned sport specified in subsection 2;

(b) All schedules and requirements of the school relating to eligibility for participation in a sanctioned sport at the school; and

(c) The name and telephone number of a person in the athletic department of the school with whom the homeschooled child or a parent or legal guardian of the homeschooled child may communicate relating to the academic eligibility of the homeschooled child to participate in the sanctioned sport.

~~—5. 4. A homeschooled child may participate in a sanctioned sport at a private school upon approval by the private school. The private school may charge and collect a fee for authorizing the participation of the pupil in the sanctioned sport. The fee must be uniform with respect to homeschooled children. The private school shall report any such fee to the Association. A homeschooled child who participates in a sanctioned sport pursuant to this section is subject to the provisions of this chapter governing transfers.~~

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R050-05, 12-29-2005) — (Substituted in revision for NAC 386.793)

NAC 385B.736 Siblings Pupils enrolled in high school and assigned to public school pursuant to zoning regulations of school district. (NRS 385B.060)

1. The provisions of this section apply to a family that has more than one child who:

(a) Is enrolled in a high school in this State; and

(b) In accordance with the regulations of a school district relating to zoning, is assigned by the school district to a *public* school.

2. The oldest child of a family specified in subsection 1 is eligible to participate in a sanctioned sport only at the school to which that child is assigned by the school district.

3. Each younger child who is enrolled in a high school in this State at the time the regulations specified in paragraph (b) of subsection 1 are adopted by the school district and who qualifies for a variance in his or her zone of attendance pursuant to those regulations is eligible to participate in a sanctioned sport at the school within his or her zone of attendance or the school attended by the oldest child. ~~If the younger child transfers to another school after making the initial choice of a school, he or she is ineligible to participate in a sanctioned sport for 180 school days.~~

4. The provisions of subsection 3 apply to any member of a family who is approved for a variance specified in that subsection during any period in which another child of the family attends the school that is located within the zone of attendance of the family. If a member of the family chooses to attend his or her school of residence or if a member of the family does not attend the school of residence, the family must comply with the requirements for eligibility that are applicable to any other pupil enrolled in the school.

5. A pupil who resides with a parent or legal guardian, or who is emancipated, and resides in an area that is affected by a change in the zone of attendance of a school, may transfer from a school to another school, regardless of whether the change in the zone of attendance was initiated to establish the zone of attendance for a new school or to carry out the rezoning of an existing school.

6. A pupil may transfer from a school to another school pursuant to this regulation:

(a) Not more than once; and

(b) Only if the transfer is completed on or before the beginning of the school year in which the change in the zone of attendance occurred.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004) — (Substituted in revision for NAC 386.794)

NAC 385B.744 Waiver ~~of requirements upon application of pupil transferring to another school.~~ of Residency requirements (NRS 385B.060, 385B.090)

~~1. A pupil who attends a school and wishes to transfer to another school may apply to the Association for a waiver from the requirements for eligibility at least 90 days before the date established by the Association for the season for which the pupil wishes to participate. The pupil must submit the application on a form approved by the Association. A pupil who does not reside within the zone of attendance of a school may apply to the Association for a waiver from the requirements of NAC 385B.712, subsection 1 and~~ **1. The Association may approve the application if the pupil complies with the regulations of his or her school district relating to the issuance of a variance in the zone of attendance of the pupil. If the Association approves the application, the pupil is eligible to participate in a sanctioned sport at any level other than varsity. A pupil may not apply more than once for a waiver pursuant to this section.**

2. A pupil whose application for a waiver pursuant to subsection 1 is denied may appeal that decision in accordance with the provisions of NAC 385B.900 to 385B.924, inclusive.

~~3. If a pupil is granted a waiver pursuant to subsection 1 and, after the waiver is granted, transfers to another school, including a school within his or her zone of attendance, the pupil is ineligible to participate in a sanctioned sport for 180 school days. A pupil whose request for a subsequent transfer is denied may not appeal that decision.~~

~~4. A waiver that is granted pursuant to subsection 1 becomes effective at the beginning of the next semester.~~

~~5. If any pupil or a parent or legal guardian of a pupil submits an application for a waiver pursuant to subsection 1 that includes any false information, the pupil becomes ineligible to participate in a sanctioned sport for 2 school years after the Association determines that the application includes false information.~~

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; A by R207-08, 5-5-2011; R040-11, 12-30-2011) — (Substituted in revision for NAC 386.798)