

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE No. R139-24**

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

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

This regulation is necessary to clarify the meaning of the terms “waiver” and “school” for the purpose of certain provisions in NAC relating to interscholastic athletics.

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

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

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

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

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

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

Elko County School District
850 Elm Street
Elko, NV 89801

This regulation was reviewed by the NIAA Board of Control in June, 2024, at its Summer Board Meeting. On or about May 3, 2024, the Executive Director issued a Notice of Intent to Act Upon a Regulation pursuant to NRS 233B.0603, which incorporated in the proposed amendments all discussions held at the above-described Board of Control meetings, as well as comments from LCB staff attorneys. That Notice is attached as Exhibit “1.” This regulation was reviewed by the NIAA Board of Control at a workshop and board meeting held on June 5, 2024, which included the opportunity for public comment concerning the

proposed amendment. There were no public comments at the workshop. Comments were also solicited from member schools of the NIAA and other persons having an interest in the governance of interscholastic high school activities in the state. The summary of those comments can be found in the NIAA Board of Control Meeting Minutes accessible to the public on their website: (<https://niaa.com/board/boardofcontrol>).

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

4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information is provided to the agency conducting the hearing:**
 - (a) **Name;**
 - (b) **Telephone number;**
 - (c) **Business address;**
 - (d) **Business telephone number;**
 - (e) **Electronic mail address; and**
 - (f) **Name of entity or organization represented.**

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

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

No businesses are affected by these regulations. Comments were solicited from member schools of the NIAA and other persons having an interest in the governance of interscholastic high school activities in the state, as well as members of the public. There were no public comment regarding impact to small businesses. The summary of those comments can be found in the NIAA Board of Control Meeting Minutes accessible to the public on their website: (<https://niaa.com/board/boardofcontrol>).

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

The regulation was adopted on September 24, 2024 without changing any part of the proposed regulation because no request for any changes was made at the workshop or hearing.

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

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

(a) Both adverse and beneficial effects:

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

(b) Both immediate and long-term effects:

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

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

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

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

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

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

N/A

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

N/A

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

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As stated above, there are no economic effects with respect to the amendments on any business in the State of Nevada. These amendments apply to the governance of high school athletics and activities in the State of Nevada and generally do no impact private business.

Dated this 25th day of November, 2024.

NEVADA INTERSCHOLASTIC
ACTIVITIES ASSOCIATION

By: 

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Legal Counsel

EXHIBIT 1

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EXHIBIT 1

Donnie Nelson, RAA, Executive Director
Jay Beesemyer, Associate Director
Bartt Davis, Assistant Director
Lori Lotts, RAA, Assistant Director



Tia Wunder, Administrative Assistant
Paul Anderson, Legal Counsel
Brady Raggio, G.M. of Sports Properties

Nevada Interscholastic Activities Association
1188 Victorian Plaza Circle · Sparks, Nevada 89431 · (775) 453-1012

NOTICE OF WORKSHOP/PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATIONS [NRS 233B.061]

The Board of Control of the Nevada Interscholastic Activities Association (“NIAA”) is proposing for possible amendment, repeal or other action, certain regulations pertaining to Chapter 385B of the Nevada Administrative Code. A workshop/public hearing has been set for 1:00 p.m., June 5, 2024, at the Silver Legacy Resort (407 North Virginia Street, Reno, Nevada 89501). The purpose of the workshop/public hearing is to solicit comments from interested persons on the general topics that may be addressed in the proposed regulations, including the repeal of certain regulations:

1. Proposed new regulation regarding the definition of residential affidavit;
2. Proposed new regulation regarding the definition of team;
3. Proposed new regulation regarding the definition of waiver;
4. Proposed new regulation regarding a one-time transfer;
5. Proposed new regulation regarding prohibited participation of pupil;
6. Regulation regarding the definition of school: NAC 385B.042;
7. Regulation regarding the definition of transfer: NAC 385B.052;
8. Regulations regarding the scheduling or conducting state tournaments: NAC 385B.630 through NAC 385B.632, inclusive;
9. Regulation regarding the registration of pupils: NAC 385B.702;
10. Regulation regarding additional requirements for eligibility: NAC 385B.704;
11. Regulations regarding the maximum allowable participation: NAC 385B.708
12. Regulation regarding residency of a pupil: NAC 385B.712;
13. Regulation regarding the presumption of ineligibility: NAC 385.716;
14. Regulation regarding school that have the same zone of attendance: NAC 385B.720;
15. Regulation regarding magnet, vocational or tech schools: NAC 385B.722;

16. Regulation regarding option-zoned schools and rezoning: NAC 385B.728;
17. Regulation regarding homeschooled students: NAC 385.B.734;
18. Regulation regarding rezoning of schools: NAC 385B.736;
19. Regulation regarding eligibility at levels other than varsity: NAC 385B.744.

These regulations will result in no economic effect to the NIAA.

These regulations do not overlap or duplicate any regulations of any other State of Nevada or local agencies.

These regulations will not result in the establishment of a new fee or increase to any fee.

A copy of all materials relating to these proposals may be obtained by contacting NIAA Administrative Assistant Tia Wunder, at twunder@niaa.com or by phone at (775) 453-1012, no later than 3:00 p.m. on May 31, 2024. A reasonable fee for copying may be charged.

This Notice of Workshop/Hearing to Solicit Comments on Proposed Regulation has been sent to all persons on the NIAA's mailing list for administrative regulations and posted at the following locations:

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

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

Clark County School District
2832 E. Flamingo
Las Vegas, Nevada 89121

Elko County School District
850 Elm Street
Elko, Nevada 89703

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

NIAA Website: www.niaa.com

Nevada State Government notice website: <https://notice.nv.gov>

Date of Notice: May 3, 2024