

ASSEMBLY BILL NO. 184—ASSEMBLYMEMBER ANDERSON

PREFILED FEBRUARY 3, 2025

Referred to Committee on Education

SUMMARY—Revises provisions relating to interscholastic activities. (BDR 34-186)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to interscholastic activities; prohibiting the Nevada Interscholastic Activities Association from retaliating against a school or person for certain activities; prohibiting athletic recruitment; revising provisions governing certain hearings and appeals conducted by the Association; revising provisions governing the eligibility of pupils who transfer schools to participate and practice in a sanctioned sport or other interscholastic activity or event; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Nevada Interscholastic Activities Association controls,
2 supervises and regulates all interscholastic athletic events and other interscholastic
3 events in public schools and governs, among other matters, the eligibility and
4 participation of certain pupils in interscholastic activities and events. (NRS
5 385B.050, 385B.060, 385B.130) **Section 2** of this bill prohibits the Association
6 from taking certain adverse action against a school or person who advocates for or
7 against a policy in certain circumstances. **Sections 7 and 9** of this bill prohibit the
8 Association and any school district or school from considering or authorizing the
9 consideration of the zone of attendance in which a pupil resides in determining
10 whether the pupil is eligible to participate in an interscholastic activity or event.

11 **Section 3** of this bill: (1) prohibits athletic recruitment; (2) requires the
12 Association to investigate and, under certain circumstances, hold a hearing on a
13 complaint alleging a violation of that prohibition; and (3) sets forth the penalties for
14 such a violation, including providing that a pupil who enrolls in a school because of
15 athletic recruitment is ineligible to participate and practice in a sanctioned sport at
16 the school. **Sections 7 and 8** of this bill make conforming changes to clarify that
17 certain automatic eligibility for a sanctioned sport does not apply to a pupil who
18 enrolled in or transferred to a school because of athletic recruitment.



19 Under existing regulations, any pupil who transfers to another school is
20 presumed ineligible to participate in any sanctioned sport at the school to which the
21 pupil transfers for 180 school days and a pupil may rebut that presumption to
22 become immediately eligible to participate in certain circumstances. (NAC
23 385B.716) However, existing law provides that a pupil who is the child of a
24 military family and transferring schools pursuant to the Interstate Compact on
25 Educational Opportunity for military children, which is an interstate compact that
26 establishes a framework to facilitate the transfer of children in military families
27 between schools, is immediately eligible to participate and practice in any
28 sanctioned sport or other interscholastic activity or event at the school to which the
29 pupil transfers. (NRS 385B.130, 388F.010) **Section 7** additionally provides that,
30 regardless of his or her zone of attendance, a pupil is immediately eligible to
31 participate and practice in any sanctioned sport or other interscholastic activity or
32 event at the school to which the pupil transfers if he or she: (1) transfers to a school
33 that uses a lottery system to determine which pupils may enroll; or (2) transfers
34 before enrolling in grade 10. **Section 9** of this bill makes a conforming change to
35 prohibit schools from adopting regulations, rules, policies, procedures or
36 requirements that are more restrictive than those prescribed by the Association
37 pursuant to **section 7**.

38 **Section 4** of this bill authorizes a pupil who transfers schools for certain
39 reasons and seeks to be immediately eligible to participate in any sanctioned sport
40 or interscholastic activity or event to submit a request for a waiver to the
41 Association. **Section 4** additionally: (1) prescribes certain requirements governing
42 the supporting documentation for such a request; and (2) requires the Association to
43 provide for procedures for reviewing such a request.

44 Existing law authorizes a pupil or school that is aggrieved by a final decision or
45 order made pursuant to a regulation adopted by the Association to appeal such a
46 decision to a hearing officer appointed by the Executive Director of the
47 Association. Existing law additionally sets forth certain procedural requirements for
48 filing such an appeal. (NRS 385B.100) **Section 6** of this bill: (1) sets forth the time
49 period within which such a hearing must be conducted; (2) authorizes a pupil or
50 school to appeal a decision or order made by the hearing officer to the State Board
51 of Education; and (3) authorizes the Association to grant an appeal without
52 appointing a hearing officer in certain circumstances. **Section 5** of this bill provides
53 that, in addition to a decision of the Association or a designee of the Association
54 that is authorized to make final decisions on disputes on behalf of the Association, a
55 decision of the State Board on an appeal filed pursuant to **section 6** must not be
56 stayed by a court pending final judgment on the matter.

57 **Section 10** of this bill requires the Association to amend its rules and
58 regulations as necessary to conform with the provisions of **sections 1-9** of this bill
59 before June 30, 2026.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 385B of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *The Nevada Interscholastic Activities Association*
4 *shall not penalize, retaliate against or otherwise take any adverse*
5 *action against a school or person for advocating for or against any*
6 *policy including, without limitation, by communicating with a*
7 *member of the Legislative Branch, as defined in NRS 218H.090,*



1 *testifying before a legislative committee or communicating data,*
2 *views or arguments on a policy to a public body, as defined in*
3 *NRS 241.015.*

4 **Sec. 3. 1.** *A school or any person or organization*
5 *associated with a school, including, without limitation,*
6 *administration, staff, coaches, pupils, parents or clubs for*
7 *supporters, shall not engage in athletic recruitment. Any violation*
8 *of this subsection by a person or organization associated with a*
9 *school shall be deemed to be a violation by the school.*

10 2. *A pupil shall not transfer to or otherwise enroll in a school*
11 *as the result of athletic recruitment. A pupil who violates this*
12 *section is ineligible to participate in and practice in a sanctioned*
13 *sport at that school.*

14 3. *Any person who believes that a violation of this section has*
15 *occurred may file a complaint with the Nevada Interscholastic*
16 *Activities Association. The Nevada Interscholastic Activities*
17 *Association shall investigate such a complaint. If the Nevada*
18 *Interscholastic Activities Association determines, after an*
19 *investigation, that the complaint is not meritless, the Nevada*
20 *Interscholastic Activities Association shall hold a hearing on the*
21 *complaint in accordance with procedures established by*
22 *regulation of the Nevada Interscholastic Activities Association.*

23 4. *For the purposes of subsection 3 and any hearing held*
24 *pursuant thereto, any evidence that a pupil has moved to a*
25 *residence owned, leased or provided by or otherwise associated*
26 *with a person or organization associated with a school is prima*
27 *facie evidence that the school has engaged in athletic recruitment.*

28 5. *If, after conducting a hearing pursuant to subsection 3, the*
29 *Nevada Interscholastic Activities Association determines that a*
30 *school has engaged in athletic recruitment, the Nevada*
31 *Interscholastic Activities Association shall impose the following*
32 *penalties:*

33 (a) *For the first violation, the school must be placed on*
34 *probation and any coach or member of his or her staff who was*
35 *involved in the athletic recruitment must be suspended for not less*
36 *than 10 games;*

37 (b) *For the second violation, any coach or member of his or*
38 *her staff who was involved in the athletic recruitment must be*
39 *suspended for not less than 1 school year; and*

40 (c) *For the third violation, any coach or member of his or her*
41 *staff who was involved in the athletic recruitment must be*
42 *dismissed from his or her position on the athletic staff and*
43 *suspended from coaching at any school for not less than 2*
44 *calendar years.*

45 6. *As used in this section:*



1 (a) "Athletic recruitment" means any effort to persuade,
2 pressure, urge or entice a pupil to enroll in or transfer to a school
3 for athletic purposes, including, without limitation:

4 (1) Communicating through social media, mail, brochures
5 or other media directed towards the pupil that compares schools or
6 athletic programs or teams or describes the athletic assets of the
7 school with which the sender is affiliated; and

8 (2) Initiating or engaging in persuasive interviews or
9 communications with the pupil.

10 (b) "Social media" means any electronic service or account or
11 electronic content including, without limitation, videos,
12 photographs, blogs, video blogs, podcasts, instant and text
13 messages, live chat, mobile applications, online services or
14 Internet website profiles.

15 **Sec. 4. 1.** A pupil who transfers from a school to another
16 school is immediately eligible to participate and practice in any
17 sanctioned sport or other interscholastic activity or event at the
18 school to which the pupil transfers if the pupil, or a parent or legal
19 guardian of the pupil, submits to the Nevada Interscholastic
20 Activities Association a request for a waiver of any period of
21 ineligibility based on transferring schools, the Nevada
22 Interscholastic Activities Association approves the request
23 pursuant to this section and the pupil is otherwise eligible to
24 participate and practice in the sanctioned sport or other
25 interscholastic activity or event.

26 2. The Nevada Interscholastic Activities Association shall
27 approve a request submitted pursuant to subsection 1 if the pupil,
28 or the parent or legal guardian of the pupil, establishes by a
29 preponderance of the evidence that the pupil transferred to the
30 school because:

31 (a) Of the order or decree of a court of competent jurisdiction
32 that directly or indirectly results in the pupil transferring schools,
33 including, without limitation, any order issued pursuant to chapter
34 432B of NRS.

35 (b) The pupil was a victim of assault or bullying at the school
36 in which he or she was previously enrolled and the assault or
37 bullying was likely to continue if the pupil had remained enrolled
38 at the school, as established by evidence submitted pursuant to
39 subsection 3.

40 (c) The pupil was enrolled in an academic program or a
41 Junior Reserve Officers' Training Corp Program that was
42 discontinued by the school in which he or she was previously
43 enrolled.

44 (d) The pupil was a member of a team that participates in a
45 sanctioned sport that was diminished or eliminated due to



1 *budgetary or administrative decisions for the school from which*
2 *the pupil is transferring.*

3 *(e) The pupil is in the custody of an agency which provides*
4 *child welfare services, as defined in NRS 432B.030, and changes*
5 *residences as a result of a change related to his or her placement.*

6 *(f) The pupil is a homeless pupil, as determined by a school*
7 *pursuant to NRS 388.208, and has changed residences.*

8 *(g) The parent or legal guardian was discharged or released*
9 *from the uniformed service under conditions other than*
10 *dishonorable and the pupil is returning to the school in which the*
11 *pupil was previously enrolled or is transferring to a school in a*
12 *school district in which the pupil's parent or legal guardian*
13 *resides.*

14 *(h) The pupil was required by the board of trustees of a school*
15 *district to transfer, and the decision of the board of trustees was*
16 *not disciplinary.*

17 *(i) The transfer is in the best interest of the pupil because of a*
18 *mental health or emotional condition, as documented by a letter*
19 *from:*

20 *(1) The school counselor at the school in which the pupil is*
21 *enrolled; and*

22 *(2) A physician licensed pursuant to chapter 630 or 633 of*
23 *NRS or a licensed psychologist.*

24 *(j) The immediate family of the pupil is experiencing financial*
25 *hardship, as verified by documentation of the financial status of*
26 *the parent or legal guardian of the pupil.*

27 *(k) Any other circumstance that:*

28 *(1) Is beyond the normal control of a pupil or a parent or*
29 *legal guardian of the pupil; and*

30 *(2) Is not related to participation by the pupil in a*
31 *sanctioned sport or other interscholastic activity or event or the*
32 *result of athletic recruitment, as defined in section 3 of this act.*

33 *3. A request made pursuant to paragraph (b) of subsection 2*
34 *must be accompanied by evidence of the assault or bullying of*
35 *which the pupil who is the subject of the request was a victim.*
36 *Such evidence may include, without limitation:*

37 *(a) Documentation produced by the school where the pupil*
38 *was previously enrolled, the school district in which that school*
39 *was located or law enforcement; and*

40 *(b) The testimony of witnesses or law enforcement.*

41 *4. The rules and regulations of the Nevada Interscholastic*
42 *Activities Association adopted pursuant to NRS 385B.060 must*
43 *provide for adequate review procedures to review and determine*
44 *whether to approve requests submitted pursuant to subsection 1.*
45 *The review procedures must include, without limitation:*



1 (a) *The review of a request submitted pursuant to subsection 1*
2 *by the Executive Director, or such staff of the Nevada*
3 *Interscholastic Activities Association as the Executive Director*
4 *may designate and the approval of such a request, without a*
5 *hearing before a hearing officer pursuant to NRS 385B.100, if the*
6 *request and documentation submitted with the request establish by*
7 *a preponderance of the evidence that the pupil is eligible for the*
8 *waiver pursuant to subsection 2.*

9 (b) *Upon the filing of a written appeal with the Executive*
10 *Director pursuant to NRS 385B.100, the review by a hearing*
11 *officer appointed pursuant to NRS 385B.100 of a decision denying*
12 *a request submitted pursuant to subsection 1 and the conduct of a*
13 *hearing before that hearing officer not later than 60 days after the*
14 *date on which the Nevada Interscholastic Activities Association*
15 *received the request pursuant to subsection 1.*

16 5. *As used in this section, "homeless pupil" means a*
17 *homeless child or youth, as defined in 42 U.S.C. § 11434a(2).*

18 **Sec. 5.** NRS 385B.090 is hereby amended to read as follows:

19 385B.090 1. The rules and regulations of the Nevada
20 Interscholastic Activities Association adopted pursuant to NRS
21 385B.060 must provide for adequate review procedures to determine
22 and review disputes arising in regard to the Association's decisions
23 and activities.

24 2. A decision of the Nevada Interscholastic Activities
25 Association, ~~for~~ a decision of a person designated by the
26 Association to review and make final decisions on disputes on
27 behalf of the Association pursuant to the rules and regulations
28 adopted pursuant to NRS 385B.060 *or a decision of the State Board*
29 *on a matter which is appealed to the State Board pursuant to NRS*
30 *385B.100* must not be stayed by a court pending the court's final
31 judgment on the matter.

32 **Sec. 6.** NRS 385B.100 is hereby amended to read as follows:

33 385B.100 1. Any pupil or school that is aggrieved by a final
34 decision or order made pursuant to a regulation adopted by the
35 Nevada Interscholastic Activities Association by:

36 (a) An administrator of a school district who is responsible for
37 interpreting and enforcing the regulations adopted by the Nevada
38 Interscholastic Activities Association;

39 (b) A panel of principals chosen from schools located in a
40 school district; or

41 (c) The Executive Director,

42 ↪ may file a written appeal with the Executive Director. ~~The~~
43 *Except as otherwise provided in subsection 5, the Executive*
44 *Director shall appoint a hearing officer to review the decision or*
45 *order that is the subject of the appeal. Except as otherwise provided*



1 *in section 4 of this act, the hearing officer shall conduct a hearing*
2 *not later than 30 days after the appeal has been filed with the*
3 *Executive Director.*

4 2. A hearing officer appointed pursuant to subsection 1 shall
5 issue a decision or order in writing and shall cause a copy of the
6 decision or order to be served on each party to the appeal or counsel
7 for the party. The decision or order must include a summary of the
8 appeal that includes:

9 (a) A statement of the relevant facts;

10 (b) A statement of the issues presented and the opposing
11 arguments of the parties;

12 (c) An analysis of the arguments; and

13 (d) The conclusion of the hearing officer.

14 3. Not later than 10 days after the issuance of the decision or
15 order of the hearing officer, the Executive Director shall cause a
16 copy of the summary required by subsection 2 to be posted on the
17 Internet website of the Nevada Interscholastic Activities
18 Association. The summary must be redacted as necessary to prevent
19 the identification of any person involved in the appeal who is less
20 than 18 years of age, which information is confidential. The
21 redacted summary is a public record and must be open to public
22 inspection as provided in NRS 239.010.

23 4. *Any pupil or school that is aggrieved by a decision or order*
24 *issued pursuant to subsection 2 by a hearing officer may appeal to*
25 *the State Board within 30 days after the decision or order is*
26 *issued. The State Board may affirm, modify or reverse the decision*
27 *or order of the hearing officer.*

28 5. As used in this section, "Executive Director" means the
29 Executive Director of the Nevada Interscholastic Activities
30 Association.

31 **Sec. 7.** NRS 385B.130 is hereby amended to read as follows:

32 385B.130 1. Any rules and regulations adopted by the
33 Nevada Interscholastic Activities Association governing the
34 eligibility of a pupil who transfers from one school to another school
35 to participate in an interscholastic activity or event must apply
36 equally to public schools and to private schools that are members of
37 the Association.

38 2. *The Nevada Interscholastic Activities Association shall not*
39 *consider or authorize the consideration of the zone of attendance*
40 *in which a pupil resides in determining whether the pupil is*
41 *eligible to participate in an interscholastic activity or event at the*
42 *school to which the pupil is transferring.*

43 3. Notwithstanding any provision of law to the contrary ~~{ }~~ and
44 *except as otherwise provided in subsection 4*, a pupil ~~{who is a~~
45 ~~child of a military family and transferred schools pursuant to the~~



1 ~~provisions of chapter 388F of NRS~~ is immediately eligible to
2 participate and practice in any sanctioned sport or other
3 interscholastic activity or event at the school to which the pupil
4 transfers ~~[]~~, *regardless of the zone of attendance in which the*
5 *pupils resides, if the pupil:*

6 *(a) Is a child of a military family and transferred schools*
7 *pursuant to the provisions of chapter 388F of NRS;*

8 *(b) Transfers to a school that uses a lottery system to*
9 *determine which pupils may enroll; or*

10 *(c) Transfers to a school before his or her enrollment in grade*
11 *10.*

12 *4. The provisions of subsection 3 do not apply to a pupil who*
13 *transfers to a school as the result of athletic recruitment in*
14 *violation of section 3 of this act.*

15 **Sec. 8.** NRS 385B.140 is hereby amended to read as follows:

16 385B.140 ~~[A]~~ *Except as otherwise provided in section 3 of*
17 *this act, a pupil who enrolls in grade 9 at:*

18 1. A public school and who resides within the zone of
19 attendance of the public school at the time of enrollment is
20 immediately eligible to participate and practice in a sanctioned sport
21 at the public school, regardless of whether the pupil:

22 (a) Resided in a different zone of attendance before the pupil's
23 enrollment in grade 9; or

24 (b) Attended a school other than a public school before the
25 pupil's enrollment in grade 9.

26 2. A private school is immediately eligible to participate and
27 practice in a sanctioned sport at the private school, regardless of
28 whether the pupil attended a school other than a private school
29 before the pupil's enrollment in grade 9.

30 **Sec. 9.** NRS 385B.170 is hereby amended to read as follows:

31 385B.170 1. A school district, public school or private school
32 shall not prescribe any regulations, rules, policies, procedures or
33 requirements governing the:

34 ~~[H]~~ (a) Eligibility of homeschooled children, *children who*
35 *transfer to a school that uses a lottery system to determine which*
36 *pupils may enroll, children who transferred schools before*
37 *enrolling in grade 10* or children of a military family who
38 transferred schools pursuant to the provisions of chapter 388F of
39 NRS to participate in interscholastic activities and events pursuant
40 to this chapter; or

41 ~~[Z]~~ (b) Participation of homeschooled children, *children who*
42 *transfer to a school that uses a lottery system to determine which*
43 *pupils may enroll, children who transferred schools before*
44 *enrolling in grade 10* or children of a military family who



1 transferred schools pursuant to the provisions of chapter 388F of
2 NRS in interscholastic activities and events pursuant to this chapter,
3 that are more restrictive than the provisions governing eligibility
4 and participation prescribed by the Nevada Interscholastic Activities
5 Association pursuant to NRS 385B.060 and 385B.130.

6 *2. A school district, public school or private school shall not*
7 *consider the zone of attendance in which a pupil resides in*
8 *determining whether the pupil who transfers from one school to*
9 *another school is eligible to participate in interscholastic activities*
10 *or events pursuant to this chapter.*

11 **Sec. 10.** The Nevada Interscholastic Activities Association
12 shall, on or before June 30, 2026, amend its rules and regulations as
13 necessary to conform with the provisions of sections 1 to 9,
14 inclusive, of this act.

15 **Sec. 11.** 1. This section becomes effective upon passage and
16 approval.

17 2. Sections 1 to 10, inclusive, of this act become effective:

18 (a) Upon passage and approval for the purpose of adopting any
19 regulations and performing any other preparatory administrative
20 tasks that are necessary to carry out the provisions of this act; and

21 (b) On July 1, 2026, for all other purposes.



