

NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION
BOARD OF CONTROL MEETING

Wednesday and Thursday, March 5 & 6, 2008
Atlantis Casino Resort
Reno, NV 89509

AGENDA

Item 1. Roll Call

MEMBERS PRESENT:

Rick Borba
Lee Koelliker
Nat Lommori
Larry Mason
Ray Mathis
Sheila Moulton
Dan Phillips
Keith Roman
Bob Sullivan (3/5/08)

MEMBERS ABSENT:

Bob Sullivan (3/6/08)

LIAISONS PRESENT:

Bill Darrow
Bill Garis
Warren Hagman
Ron McNutt
Elmer Porter
Charlie Walsh
Bret Walter

LEGAL COUNSEL:

Paul Anderson

GUESTS:

Don Aschinger, Principal, Mineral County HS
Larry Barnson, President, So. Nevada Wrestling Coaches Association
Jim Coverley, Wrestling Wt. Mgmt. Coordinator
Brad Daum, Athletic Administrator, Churchill County HS
Clark Davidson, Athletic Director, Independence HS
John Dibble, Athletic Director, Rite of Passage
Dr. Dick Edwards, Principal, Laughlin HS
Russell Fecht, Principal, Pershing County HS
Ben Fermon, Athletic Director, Laughlin HS
Jeff Freeman, Director II, WCSD
Bill Frey, Principal, North Tahoe HS
Steve Hansen, Principal, Pahrangat Valley HS
Bill Hoffman, CCSD Legal Counsel
Lawrence Howell, Athletic Administrator, Rite of Passage
Emma Johnson, Student, Green Valley HS
Eric Johnson, Parent, Green Valley HS
Steve Maltase, Athletic Director, Incline HS
Vince Mendiola, Athletic Director, Lowry HS
Sally Nieman, Athletic Director, Bishop Gorman HS
Keith Neville, Athletic Director, Mineral County HS
Dale Norton, Asst. Superintendent Nye County School District
Jerry Ogolin, Principal, Yerington HS
Dale Warmuth, Superintendent, Independence HS
Daron Wildermuth, Athletic Director, Yerington HS

Item 2. Approval of November 29 & 30, 2007 Minutes

ACTION: Motion by Mr. Koelliker to approve the minutes of November 29 & 30, 2007. Motion seconded by Mr. Moulton. Motion passes.

Item 3. Call for Additional Agenda Items

Donnie Nelson requested that Carlin High School's 1A / 2A state cross country qualifying proposal be discussed.

Mr. Mathis requested that the move of girls soccer from winter to fall be discussed.

ACTION: Motion by Mr. Lommori to accept the additional items as presented. Motion seconded by Mr. Sullivan. Motion passes.

Item 4. Approval of March 5 & 6, 2008 Agenda

Mr. Bonine requested that the agenda be adjusted to accommodate individuals who wish to speak to specific items.

ACTION: Motion by Mrs. Moulton to accept a flexible agenda. Motion seconded by Mr. Borba. Motion passes.

Item 5. Lifetime Pass Requests

Requests for all lifetime passes were denied because they were not signed by a school administrator.

Item 6. Current Financial Reports

Jay Beesemyer reviewed the financial reports provided for the Board's review:

- A. NIAA
- B. NASC

Mr. Beesemyer also reviewed the winter gate receipts and expenses with the Board.

ACTION: Motion by Mr. Mason to accept the financial reports as presented. Motion seconded by Mr. Koelliker. Motion passes.

Item 7. Notice of Revision of Regulations

- a. NAC 386.653 – Membership in Association: Private High Schools.

It should be noted that this regulation change would not be implemented until the 2012 realignment. Currently, The Meadows School is opposed to this change as they are already having problems field junior varsity teams.

ACTION: Motion by Mrs. Moulton to approve the change as presented. Motion seconded by Mr. Phillips. Motion passes. (Attachment A)

- b. NAC 386.654 – Membership in Association: Provisional Membership.

ACTION: Motion by Mrs. Moulton to approve the regulation as presented. Motion seconded by Mr. Koelliker. Motion passes. (Attachment B)

- c. NAC 386.667 – Classification and alignment of schools: General requirements; request for pupil or team to participate in another league or region.

It should be noted that this regulation change would not be implemented until the 2012 realignment.

ACTION: Motion by Mr. Phillips to approve the regulation as presented. Motion seconded by Mr. Sullivan. Motion passes. (Attachment C)

d. NAC 386.782 – Residency of pupil: General Requirements.

ACTION: Motion by Mr. Phillips to approve the regulation as presented. Motion seconded by Mr. Koelliker. Motion passes. (Attachment D)

e. NAC 386.787 – Pupil who is approved to attend magnet school that offers sanctioned sport.

ACTION: Motion by Ms. Moulton to table this regulation change until the June 2008 meeting. Motion seconded by Mr. Lommori. Motion passes

f. NAC 386.788 – Pupil who attends magnet school that does not offer sanctioned sport.

It was recommended that this regulation be changed to remove the individual school names and instead use the words "Magnet School and / or career technical school."

ACTION: Motion by Mr. Mason to table this regulation change until the June 2008 meeting. Motion seconded by Mr. Phillips. Motion passes.

Item 8. Executive Session / Disciplinary Action for a coach

Mr. Bonine reviewed the reason for the one game suspension of Mr. Stallworth, Head Football Coach at Hug High School. Coach Stallworth explained the reason for his appeal and the conversation he had with Justin Lawson, writer for the Reno Gazette Journal.

ACTION: Motion by Mr. Lommori that Coach Stallworth not have to serve his one game suspension. Motion seconded by Mr. Roman. Mr. Koelliker requested a letter in writing to Coach Stallworth. Motion passes.

Item 9. Realignment

A. Laughlin High School

Dr. Edwards, Principal and Mr. Fermon, Athletic Director at Laughlin High School, requested that Laughlin be allowed independent status in all 1A specific sports and full status in the 1A/ 2A combined sports of Wrestling and Cross Country.

ACTION: Motion by Mr. Mason to allow Laughlin independent status in all sports except wrestling and cross country. Motion seconded by Mrs. Moulton. Motion passes.

B. Andre Agassi High School

Mr. Darrow, 2A League Liaison, stated that Agassi High School has been on independent status and that their facility currently has room for on-site volleyball and

basketball. Andre Agassi will not compete as an NIAA school in the sport of tennis but will have the minimum number of sports for both boys and girls.

ACTION: Motion by Mr. Koelliker to allow Andre Agassi High School to participate as a member of the class 2A, southern league. Motion seconded by Mrs. Moulton. Motion passes.

C. Yerington High School

Mr. Ogolin, Principal at Yerington High School, requested that Yerington High School be allowed to participate in 2A for football with all other sports participating in the 3A. Mr. Bonine recommended that they become full 3A members.

Mr. Ogolin reviewed enrollment and past win / loss records. Mr. Lommori re-stated his concern for Yerington students having to participate in 3A football.

ACTION: Motion by Mr. Mason that Yerington High School participate in the 3A in all sports. Motion seconded by Mr. Borba. Motion passes (one no vote - Mr. Lommori)

Item 10. Juvenile Detention Schools

Mr. Bonine reviewed the history of this agenda item and the superintendent's meeting he attended in December. Mr. Lommori stated that the participation of Juvenile Detention schools was tabled at the March 6, 2008 Superintendent's meeting. Rite of Passage has stated they will provide paperwork showing they are a private school.

ACTION: Motion by Mr. Lommori to table this item until after the Superintendent's meeting in April. Motion seconded by Mr. Borba. Motion passes. This item will return as an action item in June 2008.

Item 11. Ticket Prices for Post-Season Events

Mr. Bonine made a recommendation that all post-season ticket prices be moved to \$5.00 and \$7.00. Mr. Beesemyer provided a proposed commemorative ticket that is being considered for all post-season events.

ACTION: Motion by Phillips to approve the increase in post-season ticket prices. Motion seconded by Mrs. Moulton. Motion passes.

Item 12. Final Approval from Legislative Counsel Bureau / Previously Approved by NIAA Board of Control

There were no pending regulations at the Legislative Counsel Bureau.

Item 13. Girls Golf – Scoring / Playing Format

Mr. Nelson reviewed the history of girls golf scoring / playing format. Play 6 score 4. Going to 4 brings more opportunities to more girls. Mr. Garis stated this has been discussed at length within CCSD – play 6 score 4.

ACTION: Motion by Mr. Lommori to play 6 and score 4 giving more girls the opportunity to participate and get more girls involved. Motion seconded by Koelliker. Motion passes.

Item 14. Personnel Session:

Mr. Mathis reviewed the comments made by Board members regarding Mr. Bonine's evaluation. Evaluation comments discussed will be put in writing for Mr. Bonine. Board members were asked to notify Mr. Mathis of any directives and / or goals they have for Mr. Bonine for the 2008-2009 school year.

Salary increases for Mr. Bonine were discussed as follows:

ACTION: Motion by Mr. Phillips to increase pay range from 45G to 46G with a three year contract with cost of living raises for years 2 and 3. Motion seconded by Mr. Borba. Motion passes.

Salary increases for Mr. Beesemyer and Mr. Nelson were recommended as follows: pay range 40, step C.

ACTION: Motion by Mr. Lommori to accept the pay raises as presented. Motion seconded by Mr. Mason. Motion passes.

Salary increases for Linda Flora were recommended as follows: to pay range 51G.

ACTION: Motion by Mr. Borba to accept the pay raise as presented. Motion seconded by Mr. Phillips. Motion passes.

Item 15. Class 1A / 2A / 3A / 4A / Private Schools / NADA Reports:

1A – Elmer Porter: Congratulations to winter state champions and thanks to host schools. Janice Alexander from Carlin High School will be the Northern League president while Jeff Newton will be the Southern League president and 1A Liaison.

2A – Bill Darrow: Congratulations to winter state champions and thanks those schools who hosted post-season events. Mr. Darrow was re-elected as 2A Liaison and Southern League President. Russell Fecht was elected as secretary and continuing Northern League President.

3A – Charlie Walsh: Congratulations to winter state champions and thanks those schools who hosted post-season events.

4A South – Bill Garis: Congratulations to the winter state champions and thanks to those schools who hosted post-season events. There is a possible lawsuit pending regarding the move of girls soccer to the fall. If a proposed CCSD bond passes, the CCSD will be opening 11 new high schools over the next 10 years.

4A North – Ron McNutt: Congratulations to winter state champions and to Bill Harrison who was awarded the Athletic Director of the Year award by the Spirit Coaches. The

Silver State Spirit Championships drew entries from 62 schools with more than 900 total participants.

Private Schools – Bret Walter: Rite of Passage intends to apply for private school status. Currently, the private school community is trying to set up regular private school meetings. Mr. Walter may continue as board liaison.

NADA – Warren Hagman: NADA Conference was held during the state basketball tournament. NIAA has offered to pay for LTC classes and certification of board members. LTC Classes are scheduled in conjunction with the next three board meetings. Lynette Davis is currently the NADA President.

Item 16. NIAA Litigation Updates

Mr. Anderson, NIAA Legal Counsel, reviewed litigation as follows: There have been two Level II hearings, both from Clark County School District. Currently there is a Level II hearing scheduled for end of March where the parent is seeking a reverse financial hardship.

Item 17. April 18 & 19, 2008 Legal Meeting, Indianapolis, Indiana

Mr. Bonine made a recommendation that Mr. Dolan be allowed to attend this meeting as a guest of the NIAA. There is concern from the Board of the appearance of impropriety of appearance if the NIAA pays for Mr. Dolan to attend. Mr. Dolan is willing to reimburse the NIAA for cost of airline ticket. Mr. Garis recommended that it might also be beneficial to allow the CCSD legal counsel to also attend this meeting.

Item 18. Part Time Marketing Person / Farmers Insurance

Mr. Bonine reviewed the request by Farmers Insurance to get involved in the schools – this is a time consuming commitment and may require the help of a part time individual.

Item 19. Full Time Employee of the NIAA

Donnie Nelson reviewed the changes that have taken place in the NIAA office over the last ten years. Various recommendations by the Board for this position included:

- That a full time person to be located in a southern Nevada satellite office.
- Strategic Plan be prepared to show how an increase in salaries and office space will be paid.
- Suggested NIAA contact Bridgett Phillips in CCSD for assistance with Farmer's Insurance.
- Possibly look at consultant who would be paid a salary but they would pay their own benefits.
- It was Mr. Lommori's suggestion that we hire a part time person to work with Farmers - they have been generous with us and we need to make sure they are taken care of.
- Mr. Garis suggested Mr. Lommori talk with the Superintendents to get their backing for an increase in staff at the NIAA.
- Need to address the issue of dues so that we do not depend on sponsors for salaries. This item will return as an action item in June.

Item 20. Realignment / Mineral County High School

Mr. Neville made a proposal to move their entire program into the 1A and, if the entire program is not granted the move, he would like for their football team to be granted independent status. This item will return as an action item at the June 2008 meeting.

Item 21. Jackpot Schools / Idaho Association

Mr. Bonine reviewed Jackpot High School's request to participate in the sport of football in the state of Idaho.

Item 22. Evaluation Process – NIAA Staff

Mr. Bonine reviewed the proposed staff evaluation form.

Item 23. Handbook Committee

Mr. Bonine explained the need for a committee to continue reviewing the NIAA Handbook and explained why all individuals on the proposed committee are from the north. It is Mr. Mathis' recommendation that the committee include southern individuals because more the regulations relate to only the south. Recommended individuals were Sally Nieman, Warren Hagman, and Donna Minser.

Item 24. NIAA Office Space

Mr. Bonine reviewed the additional space needed for the NIAA office and staff. Mrs. Moulton suggested that before a decision is made this item be a part of the strategic plan along with a financial break-down / cost-analysis. In addition, Mr. Mathis recommended that a building fund be included as a part of the NIAA strategic plan. This will return to the June 2008 meeting as an action item.

Item 25. Hall of Fame Inductee Approval Process

Mr. Bonine reviewed the Hall of Fame timelines. The NIAA will move the timelines earlier so that Board approval can be done at the December meeting.

Item 26. Findlay Prep Basketball

Mr. Bonine reviewed the history on Findlay Prep and stated that they are on the radar with the NCAA who feels they are a 5th year senior status program.

Schools wishing to play Findlay Prep must make application to Mr. Bonine.

Item 27. Private School Travel / CCSD

Mr. Bonine asked where we stand with this? Does it apply to all private schools or to just Bishop Gorman and the class 4A? Mr. Mathis reviewed the history of this issue. It

is Mr. Mathis' recommendation that this be discussed at the next private school / public school meeting.

Item 28. Sky View Academy:

Mr. Bonine explained that is item is for Board review only.

Item 29. 4A Wrestling Proposal

A proposal for post-season wrestling was presented for the Board's review. Mr. Barnson stated there would be no additional cost to the NIAA but it would extend the wrestling season by one week. The proposal by the Southern Nevada Wrestling Coaches Association to have a 10-person 4A Southern Nevada (Sunrise and Sunset regions combined) state qualifying meet is endorsed by 20 schools and opposed by eight; those in opposition have stated they want a 16-person state bracket.

Mr. Bonine said the Board could do a cost analysis for extending the season and investigate the possibility of a 16-person bracket for the 4A state meet. This analysis should show the cost to each individual school district and the NIAA. Because of the financial costs to each district, Mr. Bonine will review this with the Superintendent's prior to the June 2008 board meeting.

Item 30. Proposed Wrestling Handbook Revision

Mr. Bonine explained the reasons the dress code change for wrestling coaches and stated that this the second year of the regulation change.

Item 31. 4A Region Baseball Format

Mr. Nelson reviewed the history of the 4A region baseball bracket and stated the coaches do not have a different proposal at this time.

Item 32. Volleyball Universal Tie-Breaker

Mr. Adams, Athletic Administrator at Moapa Valley High School, stated that he would withdraw his request to amend the tie-breaker for league / region qualifying.

Item 33. Moving Swimming to Fall Season

It was recommended that this item be tabled until after we have an opportunity to get a legal opinion.

Item 34. Use of "Distance Measuring Devices" in Golf

Distance measuring devices have been approved by U.S.G.A. and most all amateur golf associations around the country. Mr. Nelson recommended that the NIAA do a survey of all schools. The down side of the measuring device is that it is not cheap and would again be used by the students who can afford it. If this change is approved, it will begin with the girls golf season in 2008-2009.

Item 35. State Event Coverage / Board Members

Mr. Bonine has asked that Board Members help with the distribution of state medals and awards at post-season events. It was suggested that post-season information packets state that if a NIAA Board member is in attendance they should be included in medal distribution.

Item 36. NIAA Information Pamphlet

A copy of the Information Pamphlet was reviewed with the Board. It was suggested the NIAA's mission statement be revised so that it is easily remembered.

Item 37. Regulation Changes

The following items will return to the June 2008 meeting as action items:

- A. NAC 386.628 – Board Composition; role; nonvoting membership.
- B. NAC 386.630 – Board Election of members; vacancies in membership; terms of voting members.
- C. NAC 386.667 – Classification and Alignment of schools: General requirements; request for pupil or team to participate in another league or region.
- D. NAC 386.695 – Period of season and first day of practice for sanctioned sport; prohibited and authorized out-of-season activities relating to sanctioned sport.
- E. NAC 386.798 – Waiver of requirements upon application of pupil transferring from public school to another school.

The following items will return as discussion items at the June 2008 meeting;

- F. NAC 386.805 – Academic eligibility: Minimum grade point average.
- G. NAC 386.808 – Academic eligibility: Change in recorded grade for pupil; completion of extra work to improve pupil's grade.

Item 38. 2008-2009 Activities Calendar – Memorial Day Weekend / State Events on Holiday Weekends.

Mr. Nelson reviewed the calendar and possible air travel and hotel reservation problems due to holidays. It was recommended that school districts plan in advance for these events.

Item 39. Drug Testing for Athletes only (Jeff Horn, Green Valley High School)

Mr. Horn shared the random drug testing policy recently implemented at Green Valley High School.

Item 40. 2008-2009 Membership Application

The application was reviewed and changes were recommended. It was also requested that this application be mailed to schools earlier so that they can be completed and returned prior to the end of the school year.

Item 41. Review of State Basketball tournament / NIAA Hall of Fame / NADA Conference

Mr. Bonine reviewed the events that took place during the week of the state basketball tournament.

Item 42. Top Ten Student Athlete Review

Mr. Bonine stated that applications had been mailed and invited Board members to attend this special event.

Item 43. Model Coaches Award Review

Mr. Bonine reviewed this event and stated that applications had been mailed. This award will be presented during the Top Ten Student Athlete Banquet.

Item 44. Appreciation Dinner for Sponsors

Mr. Bonine reviewed this item with the Board and stated that the northern dinner is scheduled for April 8, 2008.

Item 45. National Federation Summer Meeting

Mr. Bonine stated that this meeting will be held in Washington D.C. July 3-7, 2008. The Board President and Vice President are customarily invited to attend this meeting.

Item 46. 2007-2008 NASC Conference

The NASC conference will be held at Canyon Springs High School on April 24-26, 2008.

Item 47. NIAA Strategic Plan

Mr. Bonine reviewed the meeting he attended in Indianapolis, Indiana regarding the national strategic plan and stated that he has started to work on developing a strategic plan for the NIAA.

Item 48. NIAA Drug and Alcohol Policy:

Mr. Bonine reviewed the proposed change to the Drug and Alcohol policy and stated that this would return as an action item at the June meeting.

Item 49. Adelson School

Mr. Bonine and Mr. Mathis reviewed their meeting with Mr. Robert Blackwell of the Adelson School. At the current time post-season events on Saturday are not a problem but could become a problem as Adelson School expands their athletic programs.

Item 50. Board Comments / Suggestions for Future Meetings

There were no additional comments at this time.

Item 51. Public Comments / Suggestions for Future Meetings

There were no additional comments at this time.

Item 52. NIAA Future Meeting Dates

The dates for the next NIAA Board of Control meeting are June 18 & 19, 2008 in Reno, Nevada.

Items 53 through 64

The above items were presented to the Board for their review only.

ADDITIONAL ITEMS

Moving of Southern Soccer from the winter to fall season:

Mr. Johnson, a parent from Green Valley High School, requested that the NIAA and CCSD delay the move of soccer to the fall until the NIAA and CCSD can add an additional field sport in the winter for girls attending CCSD schools.

ACTION: Motion by Mr. Phillips to move to a closed session. Motion seconded by Mr. Borba. Mr. Bonine asked that league liaisons and CCSD legal counselor be asked to stay.

Mr. Anderson gave the following options:

- Have an emergency meeting to determine in what season the 4A Southern Nevada girls soccer season should be.
- If this were to go to court the CCSD and the NIAA could be put in the position of a Title IX audit and be court ordered to add additional girls sports.

Mr. Hoffman, CCSD Legal Counsel made the following recommendations:

- Maintain status quo until CCSD can get another winter sport

It was requested that a Special Meeting be held the last week of March to make a determination on the season for girls soccer.

ATTACHMENT A:

NAC 386.653 Membership in Association: Private high school. (NRS 386.430)

1. Any private high school in this State may apply for membership in the Association by submitting a written request to the Executive Director.

2. *Starting with the 2012 realignment process, Private school membership will be based upon the report of enrollment (multiplied by two), submitted for that school for the first month of the school year immediately preceding the school year in which the Board and the committee consider the classification and alignment of that school.*

~~[2.]~~ 3. Upon receipt of a written request submitted pursuant to subsection 1, the Executive Director shall place the school on independent status for 2 years beginning on the date he receives the written request. A school that is placed on independent status may, during the period in which the school is on independent status, schedule a game, contest or meet with a member or affiliate school for a season for a sanctioned sport. The school may not, during the period in which it is on independent status, participate in any game, contest or meet for a sanctioned sport that is conducted after the regular season for that sanctioned sport.

~~[3.]~~ 4. A school that is placed on independent status shall, if the class into which the school is placed conducts a meeting of the class not later than August 31 of the year after the school is placed on independent status, attend the meeting of the class and submit a request for membership in the Association at that meeting. As soon as practicable after the meeting, the members of the class shall evaluate:

- (a) The facilities of the school; and
- (b) The extent to which the school has complied with:

(1) The schedule of the school for participating in games, contests or meets pursuant to this section; and

(2) The regulations of the Association concerning participation by the school in a sanctioned sport.

~~[4.]~~ 5. As soon as practicable after conducting an evaluation of a school pursuant to subsection 3, the class shall submit to the Board a recommendation to approve or deny the written request of the school for membership in the Association.

~~[5.]~~ 6. If the board approves a written request for membership in the Association pursuant to subsection 4, the Board shall, in accordance with NAC 386.667, place the school in a class and align it in a league for the school year after the Board approves the request.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004)

ATTACHMENT B:

NAC 386.654 Membership in Association: Provisional membership. (NRS 386.430)

1. The Board and the Legislative Commission may, by a majority vote, grant a provisional membership in the Association to a school that receives financial support from this State or any county in this State and only accepts pupils who are wards of a court. A school that is a provisional member of the Association:

- (a) Shall comply with the regulations of the Association; and
- (b) Upon approval by the Board, may participate in any league~~[-, regional or state tournament].~~

2. A pupil enrolled in a school that is a provisional member of the Association may, for 30 days after the school is granted provisional membership, participate in a sanctioned sport without complying with the provisions of NAC 386.776 to 386.832, inclusive, concerning academic eligibility. Upon the expiration of that period, the pupil must comply with those sections before participating in a sanctioned sport

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004)

ATTACHMENT C:

NAC 386.667 Classification and alignment of schools: General requirements; request for pupil or team to participate in another league or region. (NRS 386.430)

1. The Board shall, not later than September 1, 2006, and every 4 years thereafter, appoint a committee to place each school in a class and align that school in a league or region. The committee must consist of the members of the Board who are selected by the Board for that purpose and one or more representatives from each classification of schools who are selected by the Board for that purpose. As soon as practicable after the creation of the committee, the committee shall consider the requirements for the classification of each school pursuant to subsection 3 along with any relevant considerations set forth in subsection 4 and submit to the Board a written recommendation for the classification and alignment of each school. The written recommendation must be submitted on or before the date specified by the Board for that purpose.

2. As soon as practicable after receiving the written recommendation, the Board shall conduct a public hearing to consider the written recommendation. The Board shall provide a notice to each school setting forth the date, time and place of the hearing. The classification and alignment of each school must be determined by a majority vote of the Board. A determination of the Board relating to a written recommendation of the committee is final and binding on each school. The initial classification and alignment of a school approved by the Board pursuant to this section becomes effective on August 1, 2008. A classification and alignment of a school approved after that date and before August 1, 2012, becomes effective on August 1, 2012. Each 4 years thereafter, any classification and alignment made during the 4-year period becomes effective on August 1 at the end of the 4-year period.

3. Except when a different determination is justified based on a consideration set forth in subsection 4, the Board and the committee appointed pursuant to subsection 1 shall, based upon the report of enrollment submitted for the school for the first school month of the school year immediately preceding the school year in which the Board and the committee consider the classification and alignment of a school pursuant to subsection 1, place the school in:

- (a) Class 1A, if not more than 169 pupils are enrolled in the school;
- (b) Class 2A, if not less than 170 but not more than 460 pupils are enrolled in the school;
- (c) Class 3A, if not less than 461 but not more than 1,200 pupils are enrolled in the school; or
- (d) Class 4A, if 1,201 or more pupils are enrolled in the school.

4. In determining the classification and alignment of a school pursuant to this section, the Board and the committee may consider:

- (a) Any geographic factors relating to the school;
- (b) The requirements of the school to travel to an interscholastic activity;
- (c) Any traditional rivalries of the school;
- (d) Any financial factors relating to any interscholastic activities conducted at or by the school; and
- (e) Any competitive factors relating to the school.

(f) Beginning with the 2012 realignment, a minimum 1 boy / 1 girl program per competitive season (i.e. fall, winter, spring).

5. Except as otherwise provided in this section, the Board shall not revise the classification or alignment of a school more than once every 4 years.

6. If, during the 4 years after a school is classified and aligned pursuant to this section, the enrollment of pupils in the school, based on the report of enrollment for the school for a school year, exceeds the maximum number required for its classification pursuant to subsection 3 or falls below the minimum number of pupils required for that classification based on that report of enrollment, the school shall notify the Association of that fact.

7. If a school notifies the Association pursuant to subsection 6 that the number of pupils in the school exceeds the maximum number of pupils required for its classification pursuant to subsection 3, the Board shall:

(a) As soon as practicable after receiving the notice, notify the school that the Board will make a determination of the classification of the school for the next school year pursuant to paragraph (b).

(b) Based upon the report of enrollment for the school for the next school year, determine whether the number of pupils enrolled in the school exceeds the maximum number of pupils required for its

classification. If the Board determines that the number of pupils enrolled in the school exceeds the maximum number required for its classification based on the report of enrollment, the Board shall designate the school for placement into the next highest classification for the next school year and the school year immediately following that school year. If the Board determines that the number of pupils enrolled in the school does not exceed the maximum number required for its classification based on the report of enrollment, the Board shall allow the school to remain in the classification into which it was placed at the time the school submitted the notice to the Association pursuant to subsection 6.

8. If, during the second school year in which a school is designated for placement into a higher classification pursuant to paragraph (b) of subsection 7, the Board determines that, based on the report of enrollment for the second school year, the number of pupils enrolled in the school:

(a) Continues to exceed the maximum number of pupils required for the classification into which it was placed at the time the school submitted the notice to the Association pursuant to subsection 6, the Board shall place the school into the higher classification in which the school was designated for placement pursuant to paragraph (b) of subsection 7.

(b) Does not continue to exceed the maximum number required for the classification into which it was placed at the time the school submitted the notice to the Association pursuant to subsection 6, the Board shall allow the school to remain in that classification.

9. If a school notifies the Association pursuant to subsection 6 that the number of pupils enrolled in the school is less than the minimum number of pupils required for its classification pursuant to subsection 3, the Board shall:

(a) As soon as practicable after receiving the notice, notify the school that the Board will make a determination of the classification of the school for the next school year pursuant to paragraph (b);

(b) Based upon the report of enrollment for the school for the next school year, determine whether the number of pupils enrolled in the school is less than the minimum number of pupils required for its classification. If the Board determines that the number of pupils enrolled in the school is less than the minimum number of pupils required for its classification based on the report of enrollment, the Board shall designate the school for placement into the next lowest classification for the next school year and the school year immediately following that school year. If the Board determines that the number of pupils enrolled in the school is not less than the minimum number of pupils required for its classification based on the report of enrollment, the Board shall allow the school to remain in the classification in which it was placed at the time the school submitted the notice to the Association pursuant to subsection 6.

10. If, during the second school year that a school is designated for placement into a lower classification pursuant to paragraph (b) of subsection 9, the Board determines that, based on the report of enrollment for the second school year, the number of pupils enrolled in the school:

(a) Continues to be less than the minimum number of pupils required for the classification into which it was placed at the time the school submitted the notice to the Association pursuant to subsection 6, the Board shall place the school into the lower classification for which the school was designated for placement pursuant to paragraph (b) of subsection 9.

(b) Does not continue to be less than the minimum number required for the classification into which it was placed at the time the school submitted the notice to the Association pursuant to subsection 6, the Board shall allow the school to remain in that classification.

11. Within each classification established pursuant to this section, the Board:

(a) Shall align at least two leagues within the classification consisting of at least two schools in each of those leagues; and

(b) May align not less than two regions within the classification consisting of at least two leagues in each of those regions.

12. If a school believes that a pupil or team of the school is unable to participate successfully in a sanctioned sport or that it is in the best interests of the pupil or team to participate in the sanctioned sport in a classification that is higher or lower than the classification of the school or in a league or region that is aligned in a classification other than the classification of the school, the school may submit a written request to the Board to allow the pupil or team, based upon the factors set forth in subsection 4, to participate in a classification, league or region other than the classification, league or region in which the school is placed or aligned pursuant to this section. The Board shall include each written request received pursuant to this subsection on the agenda for the next regularly scheduled meeting of the Board, if the Board receives the

written request before the date specified by the Board for the submission of items for that meeting. Each school that submits a written request pursuant to this subsection has the burden of establishing that, if the written request is approved, the participation of the school in another classification will improve the competitive balance among the schools to which the written request applies. Any written request that the Board approves pursuant to this subsection:

(a) Is subject to any term or condition specified by the Board for the written request, including, but not limited, to the year or season in which the placement of a school into another classification pursuant to this section will begin; and

(b) Is a final decision and binding on each school to which the written request applies.

13. As used in this section, "report of enrollment" means a report setting forth the enrollment of a school that is submitted by:

(a) The board of trustees of a school district pursuant to NRS 387.303; or

(b) The principal or other person in charge of a private school pursuant to NRS 394.130.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; eff. 09-18-2007)

ATTACHMENT D:

NAC 386.782 Residency of pupil: General requirements. (NRS 386.430)

1. 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 a parent or legal guardian of the pupil as determined by the school district in which the residence is located.

2. 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 by an order or decree issued by a court of competent jurisdiction establishing that the parent has been awarded primary physical custody of the pupil.

3. 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 school.

(b) Was not enrolled in a *member* school at the time of the divorce or separation, the ~~[pupil must choose which residence will be his primary residence for establishing eligibility to participate in a sanctioned sport. If the pupil chooses a primary residence pursuant to this paragraph, the school that is located within the zone of attendance of the residence is the pupil's home school for the purposes of NAC 386.600 to 386.886, inclusive.]~~ ***pupil's eligibility would be within the zone of attendance of the residence of the pupil's home school for purposes of NAC 386.600-386.886, inclusive.***

4. A pupil who begins ninth grade at a private 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.

5. For the purposes of NAC 386.600 to 386.886, inclusive, the Association will not recognize a temporary guardianship that is granted without the approval of a court pursuant to NRS 159.205 or 159.215.

6. 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 386.782.

(Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; eff. 12/29/05)

