

Amendment No. CA48

First Conference Committee Amendment to Senate Bill No. 221 Second Reprint (BDR 34-1158)

Proposed by: First Conference Committee

Amendment Box:

Resolves Conflicts with: N/A

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Amend the bill as a whole by renumbering sections 1 and 2 as sections 11 and 12 and adding new sections designated sections 1 through 10, following the enacting clause, to read as follows:

“**Section 1.** NRS 386.420 is hereby amended to read as follows:

386.420 The county school district trustees may form a nonprofit association, *to be known as the Nevada Interscholastic Activities Association*, composed of all of the school districts of the State for the purposes of controlling, supervising and regulating all interscholastic athletic events and other interscholastic events in the public schools. This section does not prohibit a public school, which is authorized by the ~~[association]~~ *Association* to do so, from joining an association formed for similar purposes in another state.

Sec. 2. NRS 386.430 is hereby amended to read as follows:

386.430 1. The ~~[association]~~ *Nevada Interscholastic Activities Association* shall adopt rules and regulations in the manner provided for state agencies by chapter 233B of NRS, as may be necessary to carry out the provisions of NRS 386.420 to 386.470, inclusive. The regulations must

AM/KCR

Date: 6/6/2005

S.B. No. 221—Provides for participation of homeschooled children in certain interscholastic activities and events.



include provisions governing the eligibility and participation of homeschooled children in interscholastic activities and events.

2. If the ~~{association}~~ *Nevada Interscholastic Activities Association* intends to adopt, repeal or amend a policy, rule or regulation concerning or affecting homeschooled children, the ~~{association}~~ *Association* shall consult with the Northern Nevada Homeschool Advisory Council and the Southern Nevada Homeschool Advisory Council, or their successor organizations, to provide those Councils with a reasonable opportunity to submit data, opinions or arguments, orally or in writing, concerning the proposal or change. The ~~{association}~~ *Association* shall consider all written and oral submissions respecting the proposal or change before taking final action.

Sec. 3. NRS 386.440 is hereby amended to read as follows:

386.440 The rules and regulations of the ~~{association}~~ *Nevada Interscholastic Activities Association* adopted pursuant to NRS 386.430 ~~{shall}~~ *must* provide for adequate review procedures to determine and review disputes arising in regard to the ~~{association's}~~ *Association's* decisions and activities.

Sec. 4. NRS 386.450 is hereby amended to read as follows:

386.450 The rules and regulations adopted by the ~~{association}~~ *Nevada Interscholastic Activities Association* must provide for the membership of charter schools, private schools and parochial schools which may elect to join the ~~{association.}~~ *Association.*

Sec. 5. NRS 386.460 is hereby amended to read as follows:

386.460 If a charter school, private school or parochial school elects to become a member of the ~~{association,}~~ *Nevada Interscholastic Activities Association*, the school is subject to the same

regulations and requirements and is liable for the same fees and charges as other schools within the ~~[association.]~~ *Association.*

Sec. 6. NRS 386.462 is hereby amended to read as follows:

386.462 1. A homeschooled child must be allowed to participate in interscholastic activities and events in accordance with the regulations adopted by the ~~[association]~~ *Nevada Interscholastic Activities Association* pursuant to NRS 386.430.

2. The provisions of NRS 386.420 to 386.470, inclusive, and the regulations adopted pursuant thereto that apply to pupils enrolled in public schools who participate in interscholastic activities and events apply in the same manner to homeschooled children who participate in interscholastic activities and events, including, without limitation, provisions governing:

- (a) Eligibility and qualifications for participation;
- (b) Fees for participation;
- (c) Insurance;
- (d) Transportation;
- (e) Requirements of physical examination;
- (f) Responsibilities of participants;
- (g) Schedules of events;
- (h) Safety and welfare of participants;
- (i) Eligibility for awards, trophies and medals;
- (j) Conduct of behavior and performance of participants; and
- (k) Disciplinary procedures.

Sec. 7. NRS 386.463 is hereby amended to read as follows:

386.463 No challenge may be brought by the ~~[association,]~~ *Nevada Interscholastic Activities Association*, a school district, a public school or a private school, a parent or guardian of a pupil enrolled in a public school or a private school, a pupil enrolled in a public school or private school, or any other entity or person claiming that an interscholastic activity or event is invalid because homeschooled children are allowed to participate in the interscholastic activity or event.

Sec. 8. NRS 386.464 is hereby amended to read as follows:

386.464 A school district, public school or private school shall not prescribe any regulations, rules, policies, procedures or requirements governing the:

1. Eligibility of homeschooled children to participate in interscholastic activities and events pursuant to NRS 386.420 to 386.470, inclusive; or

2. Participation of homeschooled children in interscholastic activities and events pursuant to NRS 386.420 to 386.470, inclusive,

↳ that are more restrictive than the provisions governing eligibility and participation prescribed by the ~~[association]~~ *Nevada Interscholastic Activities Association* pursuant to NRS 386.430.

Sec. 9. NRS 386.465 is hereby amended to read as follows:

386.465 The rules and regulations of the ~~[association]~~ *Nevada Interscholastic Activities Association* must provide criteria for the approval of requests made by public schools for authorization to join an interscholastic activity association formed in another state.

Sec. 10. NRS 386.470 is hereby amended to read as follows:

386.470 1. Any liability or action against the ~~[association]~~ *Nevada Interscholastic Activities Association* must be determined in the same manner and with the same limitations and conditions as

provided in NRS 41.0305 to 41.039, inclusive. To this extent, the ~~[association]~~ *Association* shall be deemed a political subdivision of the State.

2. Any liability or action against a public school which is a member of an association for interscholastic activities formed in another state must be determined in the same manner and with the same limitations and conditions as provided in NRS 41.0305 to 41.039, inclusive. To this extent, the public school shall be deemed a political subdivision of the State.”.

Amend section 1, page 3, by deleting lines 5 through 28 and inserting:

“5. *In addition to those interscholastic activities and events governed by an association pursuant to NRS 386.420 to 386.470, inclusive, homeschooled children must be allowed to participate in interscholastic activities and events, including sports. A homeschooled child who participates in interscholastic activities and events at a public school pursuant to this subsection must participate within the school district of the child’s residence through the public school which the child is otherwise zoned to attend. Any rules or regulations that apply to pupils enrolled in public schools who participate in interscholastic activities and events, including sports, apply in the same manner to homeschooled children who participate in interscholastic activities and events, including, without limitation, provisions governing:*

(a) Eligibility and qualifications for participation;

(b) Fees for participation;

(c) Insurance;

(d) Transportation;

(e) Requirements of physical examination;

(f) Responsibilities of participants;

(g) Schedules of events;

(h) Safety and welfare of participants;

(i) Eligibility for awards, trophies and medals;

(j) Conduct of behavior and performance of participants; and

(k) Disciplinary procedures.”.

Amend the title of the bill, first line, after “education;” by inserting:

“designating the name of the association for interscholastic activities;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions governing interscholastic activities. (BDR 34-1158)”.

If this amendment is adopted, the Legislative

Counsel's Digest will be changed to read as follows:

Legislative Counsel's Digest:

Existing law does not give a formal name to the association for interscholastic activities. (NRS 386.420-386.470)

This bill designates the association for interscholastic activities as the "Nevada Interscholastic Activities Association."

Existing law allows homeschooled children to participate in interscholastic athletics governed by an interscholastic association in the same manner as pupils of a public school. (NRS 386.420-386.470) The current association formed pursuant to existing law governs only interscholastic athletics for pupils who are of high school age. Existing law also provides for the participation of homeschooled children in certain classes and extracurricular activities, excluding sports, within the school district of the child's residence. (NRS 392.070)

This bill allows homeschooled children to participate in interscholastic activities and events in addition to those that are governed by the association that is currently formed for high school athletics. A homeschooled child must be allowed to participate through the public school that the child is otherwise zoned to attend, and the same rules governing eligibility and participation for public school pupils apply to homeschooled children.