

Amendment No. 225

Senate Amendment to Senate Bill No. 196	(BDR 34-868)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DAN/EWR



Date: 4/16/2023

S.B. No. 196—Revises provisions relating to interscholastic activities and events.
(BDR 34-868)



SENATE BILL NO. 196—SENATOR HAMMOND

FEBRUARY 23, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to interscholastic activities and events. (BDR 34-868)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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 certain persons from requiring a pupil to participate in certain out-of-school activities as a condition of participating in a sanctioned sport or spirit squad at a school; providing for a system of progressive discipline for certain violations; requiring ~~the principal of certain schools~~ certain persons to submit a report concerning ~~certain persons at a school who earn compensation for~~ any association with an out-of-school activity relating to a sanctioned sport ~~or~~ or spirit squad; requiring certain school employees to notify a pupil and the parent or legal guardian of the pupil of certain rights afforded to the pupil before the pupil participates in a sanctioned sport or other interscholastic activity or event; providing for additional eligibility for certain pupils to participate in certain interscholastic activities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Nevada Interscholastic Activities Association to adopt rules and regulations as is necessary to govern interscholastic activities and events in this State. (NRS 385B.060) Existing regulations: (1) authorize a coach of a school to assist a pupil in voluntarily participating in an activity related to a sanctioned sport that is conducted during a period that is not the season for the sanctioned sport under certain circumstances; and (2) prohibit such participation from being a condition for qualifying for a team or for accepting the pupil as a member of a team during the season for the sanctioned sport. (NAC 385B.370) **Section 3** of this bill codifies that prohibition into law and, if a person is found to have violated this prohibition, authorizes the Executive Director of the Association to prohibit the person from coaching, managing or otherwise being associated with a sanctioned sport or spirit squad at a school for not more than 1 year. Section 3 also requires the Association to adopt regulations prescribing a system of progressive discipline for violations of section 4 or 5 of this bill.

Section 4 of this bill requires ~~the principal of~~ each coach, manager or other person associated with a sanctioned sport or spirit squad at a school that is affiliated with or ~~is~~ a member of the Association to submit to the Executive Director of the Association an annual report that includes certain information concerning ~~each~~ whether the coach, manager or

other person ~~[who is associated with a sanctioned sport or spirit squad at the school and who also earns compensation for coaching, managing]~~ **also coaches, manages or [otherwise being]** ~~is otherwise~~ associated with an out-of-school activity related to ~~[a] the same~~ sanctioned sport or spirit squad at the school.

Section 5 of this bill requires the coach, manager or director of a sanctioned sport or other interscholastic activity or event at a school, before a pupil participates in a sanctioned sport or other interscholastic activity or event and annually thereafter, to notify each participating pupil and his or her parent or legal guardian of certain rights afforded to the pupil while participating in the sanctioned sport or other interscholastic activity or event. **Section 5 requires the Association to prescribe the form and contents of such notification.**

Section 2 of this bill defines the term “out-of-school activity” for the purpose of **sections 3-5. Section 6** of this bill makes a conforming change to indicate the proper placement of **section 2** in the Nevada Revised Statutes.

Existing regulations provide that a pupil is eligible to participate in a sanctioned sport for not more than 8 consecutive semesters and 4 seasons. (NAC 385B.708) On March 12, 2020, the Governor of the State of Nevada issued the Declaration of Emergency for COVID-19. On May 20, 2022, the Governor issued the Proclamation Terminating Declaration of Emergency Related to COVID-19. **Section 7** of this bill provides that a pupil who was enrolled in grade 9, 10, 11 or 12 at any time during the state of emergency is eligible to participate in any sanctioned sport, spirit squad or other interscholastic activity for which the rules governing eligibility are established by the Nevada Interscholastic Activities Association or the board of trustees of a school district for at least 10 consecutive semesters and 5 seasons.

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

Section 1. Chapter 385B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *“Out-of-school activity” means an activity that is not associated with a school, including, without limitation, a club team or athletic camp or program.*

Sec. 3. 1. *A coach, manager or other person associated with a sanctioned sport or spirit squad at a school shall not:*

(a) Condition qualification for a team or acceptance of a pupil as a member of a team for the sanctioned sport or spirit squad on the participation of the pupil in an out-of-school activity; or

(b) Otherwise compel the participation of a pupil in an out-of-school activity.

2. *If a person violates subsection 1, the Executive Director of the Nevada Interscholastic Activities Association may prohibit the person from coaching, managing or otherwise being associated with a sanctioned sport or spirit squad at a school for not more than 1 year from the date on which the person was found to have violated subsection 1.*

3. *The Nevada Interscholastic Activities Association ~~[may]~~ shall adopt ~~[any]~~*

regulations prescribing a system of progressive discipline for violations of section 4 or 5 of this act that ends in the permanent prohibition on a person who has committed such violations being associated with a sanctioned sport or spirit squad at a school.

(b) Any other regulations necessary to carry out the provisions of this section and sections 4 and 5 of this act.

4. *As used in this section, “spirit squad” includes, without limitation, any cheer, student, dance, drill, pom or mascot group of a school that is authorized to participate in interscholastic activities and events pursuant to NRS 385B.065.*

1 Sec. 4. 1. On or before July 1 of each year, ~~the principal of a school~~
2 each coach, manager or other person who is associated with a sanctioned sport or
3 spirit squad shall submit a report to the Executive Director of the Nevada
4 Interscholastic Activities Association that includes information about each
5 whether the coach, manager or other person ~~who is associated with a sanctioned~~
6 ~~sport or spirit squad at the school and who~~ also ~~earns compensation for~~
7 ~~coaching, managing~~ coaches, manages or is ~~otherwise being~~ associated with
8 an out-of-school activity related to the same sanctioned sport or spirit squad at
9 the school. The report must include, ~~for each such person~~ for the immediately
10 preceding school year:

11 (a) The name of the person;

12 (b) ~~The amount of compensation the person received from coaching,~~
13 ~~managing or otherwise being associated with the out-of-school activity;~~

14 ~~(c)~~ (c) The number of pupils who:

15 (1) Are members of a team that participates in a sanctioned sport or spirit
16 squad at the school and is coached or managed by the person, or with whom the
17 person is otherwise associated; and

18 (2) Participate in an out-of-school activity related to the sanctioned sport
19 or spirit squad that is coached or managed by the person, or with whom the
20 person is otherwise associated;

21 ~~(d)~~ (c) The number of pupils who:

22 (1) Tried out for a team that participates in a sanctioned sport or spirit
23 squad at the school and is coached or managed by the person, or with whom the
24 person is otherwise associated;

25 (2) Were not accepted as a member of that team or spirit squad; and

26 (3) Do not participate in an out-of-school activity related to the
27 sanctioned sport or spirit squad that is coached or managed by the person, or
28 with whom the person is otherwise associated;

29 ~~(e)~~ (d) The number of pupils who:

30 (1) Tried out for a team that participates in a sanctioned sport or spirit
31 squad at the school and is coached or managed by the person, or with whom the
32 person is otherwise associated;

33 (2) Were accepted as a member of that team or spirit squad; and

34 (3) Do not participate in an out-of-school activity related to the
35 sanctioned sport or spirit squad that is coached or managed by the person, or
36 with whom the person is otherwise associated;

37 ~~(f)~~ (e) The percentage of pupils on a team that participates in a sanctioned
38 sport or spirit squad at the school that is coached or managed by the person, or
39 with whom the person is otherwise associated, who also participate in an out-of-
40 school activity that is coached or managed by the person, or with whom the
41 person is otherwise associated; and

42 ~~(g)~~ (f) Any other information required by the Nevada Interscholastic
43 Activities Association to ensure compliance with subsection 1 of section 3 of this
44 act.

45 2. If the Nevada Interscholastic Activities Association requires the use of an
46 electronic system for the registration of pupils to participate in a sanctioned sport
47 or spirit squad or coaches, managers or other persons who are associated with a
48 sanctioned sport or spirit squad, the Nevada Interscholastic Activities Association
49 must provide for the submission of the report required pursuant to subsection 1
50 and the provision of notice pursuant to section 5 of this act through the electronic
51 system.

1 3. As used in this section, “spirit squad” includes, without limitation, any
2 cheer, student, dance, drill, pom or mascot group of a school that is authorized to
3 participate in interscholastic activities or events pursuant to NRS 385B.065.

4 **Sec. 5.** 1. *Before a pupil participates in a sanctioned sport or other*
5 *interscholastic activity or event at a school, and annually thereafter, the coach,*
6 *manager or director of the sanctioned sport or other interscholastic activity or*
7 *event shall notify each participating pupil and his or her parent or legal guardian*
8 *of the rights of the pupil while the pupil is participating in the sanctioned sport or*
9 *other interscholastic activity or event, including, where applicable, that a person*
10 *may not:*

11 (a) *Compel the participation of the pupil in an out-of-school activity; and*

12 (b) *Condition qualification for a team or acceptance of the pupil as a*
13 *member of a team that participates in a sanctioned sport or spirit squad at the*
14 *school on participation of the pupil in an out-of-school activity.*

15 2. *The Nevada Interscholastic Activities Association shall prescribe the*
16 *form and contents of the notice required to be provided to a pupil pursuant to*
17 *subsection 1.*

18 3. As used in this section, “spirit squad” includes, without limitation, any
19 cheer, student, dance, drill, pom or mascot group of a school that is authorized to
20 participate in interscholastic activities or events pursuant to NRS 385B.065.

21 **Sec. 6.** NRS 385B.010 is hereby amended to read as follows:

22 385B.010 As used in this chapter, unless the context otherwise requires, the
23 words and terms defined in NRS 385B.015 to 385B.045, inclusive, *and section 2 of*
24 *this act* have the meanings ascribed to them in those sections.

25 **Sec. 7.** 1. A pupil who was enrolled in grade 9, 10, 11 or 12 in a school, as
26 defined in NRS 385B.040, at any time between March 12, 2020, and May 19, 2022,
27 is eligible to participate in any sanctioned sport, spirit squad or other interscholastic
28 activity for which the rules governing eligibility are established by the Nevada
29 Interscholastic Activities Association or the board of trustees of a school district for
30 at least 10 consecutive semesters and 5 seasons if the pupil otherwise meets the
31 eligibility criteria established for the sanctioned sport, spirit squad or activity.

32 2. As used in this section:

33 (a) “Sanctioned sport” has the meaning ascribed to it in NRS 385B.030.

34 (b) “Spirit squad” has the meaning ascribed to it in section 4 of this act.

35 **Sec. 8.** 1. This section becomes effective on passage and approval.

36 2. Section 7 of this act becomes effective on July 1, 2023.

37 3. Sections 1 to 6, inclusive, of this act become effective:

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

41 (b) On January 1, 2024, for all other purposes.