

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 certain persons to submit a report concerning any association with an out-of-school activity relating to a sanctioned sport 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 each coach, manager or other person associated with a sanctioned sport or spirit squad at a school that is affiliated with or a member of the Association to submit to the Executive Director of the Association an annual report that includes certain information concerning whether the coach, manager or other person also coaches, manages or is otherwise associated with an out-of-school activity related to 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*



1 with a sanctioned sport or spirit squad at a school for not more
2 than 1 year from the date on which the person was found to have
3 violated subsection 1.

4 3. The Nevada Interscholastic Activities Association shall
5 adopt:

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

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

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

17 Sec. 4. 1. On or before July 1 of each year, each coach,
18 manager or other person who is associated with a sanctioned sport
19 or spirit squad shall submit a report to the Executive Director of
20 the Nevada Interscholastic Activities Association that includes
21 information about whether the coach, manager or other person
22 also coaches, manages or is otherwise associated with an out-of-
23 school activity related to the same sanctioned sport or spirit squad
24 at the school. The report must include, for the immediately
25 preceding school year:

26 (a) The name of the person;

27 (b) The number of pupils who:

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

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

34 (c) The number of pupils who:

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

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

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

43 (d) The number of pupils who:



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

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

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

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

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

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

3. 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 or events pursuant to NRS 385B.065.

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

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

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



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

3. *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 or events pursuant to NRS 385B.065.*

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

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

Sec. 7. 1. A pupil who was enrolled in grade 9, 10, 11 or 12 in a school, as defined in NRS 385B.040, at any time between March 12, 2020, and May 19, 2022, 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 if the pupil otherwise meets the eligibility criteria established for the sanctioned sport, spirit squad or activity.

2. As used in this section:

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

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

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

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

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

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

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

