



www.nevahomeschoolnetwork.com

P.O. Box 1212, Carson City, Nevada 89702

Attention Homeschool Families and Friends,

Last Monday, Sept. 9th NHN received word that homeschoolers would no longer be allowed to play for a specific private school in Las Vegas. While speaking with the principal, it became clear this was a decision forced upon him. After some research and many phone calls, it appears that the NIAA (Nevada Interscholastic Athletic Association) is colluding with private schools to ban homeschoolers from playing at private schools.

History:

In 2003, NV law was changed to allow homeschoolers to participate in extracurricular activities in the public school including sports. The law is silent, purposefully so, on the issue of homeschoolers playing for private schools. That allows each individual private school to decide if they want to allow a homeschool student to participate (public school must allow an eligible student to participate). Large private schools like Bishop Gorman have enough players to cull from their own student body but it is the small private schools that have historically been open to homeschoolers playing sports on their teams.

In 2005, SB221 was before the Assembly to clarify that homeschoolers could participate in sports at ALL grade levels, not just the NIAA governed grades 9 - 12. The bill eventually passed and was signed into law. Then Assemblyman Joe Hardy asked for exact language to be read from the Assembly floor that states the intent of the bill.

"The intent of SB221 is to allow, for all grade levels, any homeschooled child to try out and participate in interscholastic activities and events, including sports, in the public school he is zoned for, or to try out and participate in interscholastic activities and events, including sports, at a private school if the private school has a policy allowing participation. No league, association, or other governing authority may prevent a private school from having homeschooled children participate, or force a private school to accept homeschool participation, and the same rules that apply to children in the public or private school also apply to the homeschooled child."

Approximately 2 years ago, there was an issue with a different private school saying that homeschoolers could no longer play for their school. After looking into it more at the time, it was determined this was due to a "gentleman's handshake", an agreement amongst private schools, to not allow homeschool students to play and the school in question was being strong armed into honoring the "agreement". NHN made some phone calls at the time and eventually the determination came back that homeschoolers were welcome. Today, homeschoolers happily play for that school.

The Laws:

Nevada Revised Statutes (applicable statutes included at end of this letter) clearly state that:

1. Public schools may not restrict the eligibility or participation of homeschooled student any more than an enrolled public school student.
2. A school or organization shall not discriminate against homeschooled child.
3. The NIAA may not restrict the eligibility or participation of a homeschooled student any more than an enrolled public or PRIVATE school student.

What went wrong?

While NHN has not attended recent NIAA meetings, nor the private school meetings, we have the NIAA meeting minutes that clearly show there has been a ***"statewide philosophical agreement amongst all private schools to ban homeschoolers from sports"***, please see

the [NIAA meeting Minutes for June 19th and 20th](#) section 26 speaks about a statewide philosophical agreement.

"Liaison Walter thanked the Board for allowing him to serve nine years as the Private School liaison and vowed to still be involved as an active athletic director (Faith Lutheran High School). Mr. Walter expressed a concern with Calvary Chapel allowing home school students to compete, something that goes against a statewide private school philosophical agreement. Mr. Walter discussed the positive changes being made to the Private School Compliance Form"

That alone is some inflammatory news but there is more! After speaking with various coaches and athletic directors in Las Vegas, it is evident that some private schools are clearly against homeschoolers being allowed to play for ANY private school, and have bullied other private schools into agreeing with this decision. One private school even suggested they would forfeit their own games against any team where homeschoolers were being played. Imagine the pressure on the private school holding out and allowing homeschoolers to play on their team. **Regrettably, the last private school holding out caved to the pressure this week and denied homeschool students the right to play on their school's team.**

Approximately 8 homeschool students play various sports at this school. One family has been involved with the basketball team for 3 years! Their son is a senior and is will not be able to play his senior year!! One family is a coach for that school, and his kids aren't going to be allowed to play after all the time and effort he has put into it.

But this "statewide philosophical ban" doesn't just affect those 8 kids. It affects any homeschooler who is or desires to play sports for a private school. This is clearly discrimination against homeschoolers.

What Can you do?

1. [Contact NHN](#) if your student (a homeschooler) has ever played/or is currently playing for a private school in NV. We need your stories.
2. [Contact NHN](#) if your homeschooled student has been denied the opportunity to try-out or play for a private school in NV.
3. [Contact NHN](#) if your homeschooled child would be interested in playing sports for a local private school in the future. We need to hear from you too in order to show that many students now and in the future will be affected by this "agreement" to disallow homeschool on private school teams.
4. Email the [NIAA Board Members](#) (and cc your [Assemblyperson and State Senator](#)) to let them know your thoughts! If there is a concern about homeschoolers playing sports with private school teams they should:
 - a) include homeschoolers in the talks;
 - b) make decisions that are in accordance with the law, including the Open Meeting Law;
 - c) make policies that are not blanket bans, but rather address the specific concerns, and
 - d) Most importantly, ask them to NOT ban homeschoolers from playing on private school teams in policy, action, or endorsement.

And lastly, if you live in the Reno area, plan to attend the next [NIAA Board Meeting](#) to be held Oct. 7th and 8th at the Peppermill. You can prepare a 2 minute speech to succinctly express your position on the discrimination by some private schools against homeschool student athletes.

In conclusion:

At the moment NHN is looking into our legal options. Further, Kelley Radow and I will be attending the NIAA Board Meeting, working to protect your rights! **We do need your financial assistance in this matter...** if you can [donate to NHN](#) it would help us meet travel and lodging expenses to the NIAA meeting (click on "Donate" button on lower right side of our home page). Our financial reserve is quite low after meeting expenses during the just concluded NV Legislative Session. **Your generosity for the sake of all Nevada homeschool children would be greatly appreciated!** We'll keep you updated and please feel free to contact me or any of the NHN Officers if you have more information and/or questions.

Thanks!

[Elissa Wahl](#)

[NHN Vice-Chair](#)

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Applicable Nevada Revised Statutes:

[NRS 392.070 sub 6](#) says,

6. If a homeschooled child participates in interscholastic activities and events pursuant to subsection 5:

(a) No challenge may be brought by the 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 a private school, or any other entity or person claiming that an interscholastic activity or event is invalid because the homeschooled child is allowed to participate.

(b) Neither the school district nor a public school may prescribe any regulations, rules, policies, procedures or requirements governing the eligibility or participation of the homeschooled child that are more restrictive than the provisions governing the eligibility and participation of pupils enrolled in public schools.

[NRS 392.700 sub 10](#) says

10. A school or organization shall not discriminate in any manner against a child who is or was homeschooled.

NRS 386.463 Limitation on challenges based upon participation by homeschooled children. No challenge may be brought by the 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.

NRS 386.464 Limitation on adoption of regulations and rules by school districts and schools concerning eligibility and participation of homeschooled children. 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 Nevada Interscholastic Activities Association pursuant to [NRS 386.430](#).

(Added to NRS by [2003, 2959](#); A [2005, 2825](#))

NRS 386.430 Adoption of rules and regulations in manner provided by Nevada Administrative Procedure Act; safety standards for spirit squads; qualifications for coaches of spirit squads; consultation with Homeschool Advisory Councils required under certain circumstances.

1. The 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 include provisions governing the eligibility and participation of homeschooled children in interscholastic activities and events. In addition to the regulations governing eligibility, a homeschooled child who wishes to participate must have on file with the school district in which the child resides a current notice of intent of a homeschooled child to participate in programs and activities pursuant to [NRS 392.705](#).

2. The Nevada Interscholastic Activities Association shall adopt regulations setting forth:

(a) The standards of safety for each event, competition or other activity engaged in by a spirit squad of a school that is a member of the Nevada Interscholastic Activities Association, which must substantially comply with the spirit rules of the National Federation of State High School Associations, or its successor organization; and

(b) The qualifications required for a person to become a coach of a spirit squad.

3. If the Nevada Interscholastic Activities Association intends to adopt, repeal or amend a policy, rule or regulation concerning or affecting homeschooled children, the 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 shall consider all written and oral submissions respecting the proposal or change before taking final action.

4. As used in this section, "spirit squad" means any team or other group of persons that is formed for the purpose of:

(a) Leading cheers or rallies to encourage support for a team that participates in a sport that is sanctioned by the Nevada Interscholastic Activities Association; or

(b) Participating in a competition against another team or other group of persons to determine the ability of each team or group of persons to engage in an activity specified in paragraph (a).

(Added to NRS by 1973, 316; A [2003, 2959](#); [2005, 2824](#); [2007, 1513](#), [3029](#))