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May 1, 2026

Via U.S Mail and Email

Christina R. Giunchigliani

[REDACTED]
[REDACTED]
[REDACTED]

Re: Open Meeting Law Complaint, OAG File No. 13897-547
Clark County School District Board of Trustees

Dear Ms. Giunchigliani:

The Office of the Attorney General (“OAG”) is in receipt of your complaint (“Complaint”) alleging violations of the Open Meeting Law, NRS Chapter 241, (“OML”) by the Clark County School District Board of Trustees (“Board”) regarding closed gatherings attended by members of the Board in late 2024 and early 2025.¹

The OAG has statutory enforcement powers under the OML and the authority to investigate and prosecute violations of the OML. NRS 241.037; NRS 241.039; NRS 241.040. The OAG’s investigation of the Complaint included a review of the Complaint, the Response on behalf of the Board, and signed declarations from four trustees that were present at all or most of the gatherings at issue. After investigating the Complaint, the OAG determines that the Board did not violate the OML as alleged in the Complaint.

¹ The Complaint included allegations regarding additional earlier gatherings. However, the OAG may only investigate a complaint filed not later than 120 days after the alleged violation. NRS 241.039. As such, the OAG’s investigation was limited to those gatherings occurring within 120 days prior to the date of the Complaint.

FACTUAL BACKGROUND

A quorum of the Board gathered together on October 24, November 14, December 4, and December 12, 2024, and January 8 and January 23, 2025. None of these gatherings were noticed or open to the public as public meetings. Most or all of the gatherings occurred just prior to open public meetings of the Board.

Complainant filed the instant Complaint alleging that the failure to notice these closed gatherings on a public agenda and open them to the public violated the OML. With its response, the Board included signed declarations from Trustees Irene Bustamante Adams, Ramona Esparza-Stoffregan, Isaac Barron and Lisa Satory. Each trustee declared that they had attended four to six of the gatherings at issue and that the discussion topics were limited to addressing items with counsel to the Board pertaining to litigation strategy and/or ongoing union negotiations.

LEGAL ANALYSIS

The Board, as the governing body of a public school district in Nevada, is a “public body” as defined in NRS 241.015(5) and is subject to the OML. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public. NRS 241.020(1). To be considered a “meeting” under the OML, a quorum of the public body must be present and must deliberate or take action on a matter within the body’s jurisdiction, control or advisory power. NRS 241.015(4).

The OML specifically excludes from the definition of a meeting any “gathering or series of gatherings of members of a public body at which a quorum is actually or collectively present . . . to receive information from the attorney employed or retained by the public body regarding potential or existing litigation.” NRS 241.015(4)(c).² In addition, a meeting of the governing body of a local government employer with its management representative or representatives is not subject to any provision of the Nevada Revised Statutes which requires a meeting to be open or public. NRS 288.220. Despite these exceptions, any action taken by a public body must occur during a public meeting. NRS 241.015(1).

The OAG does not possess any evidence that topics were discussed during the gatherings at issue other than those protected by statutory exemptions to the OML. On the contrary, the OAG possesses evidence that discussion was limited to the exempted topics. Further, there is no allegation that any action was taken during

² NRS 241.015(4)(c) was changed during Nevada’s 2025 legislative session to remove the limitation that advice from counsel be regarding litigation. However, the language cited above was the operable language at the time of the gatherings at issue.

any of the gatherings at issue nor does the evidence indicate any such action. Thus, the OAG does not find a violation of the OML.

Placing closed gatherings and the reason for their closure on a public body's agenda increases transparency and public confidence. However, it is not required by the OML. The OAG notes that a "closed session" has a different meaning under the OML and requires public notice, recordings, etc. NRS 241.030. The gatherings at issue here were either statutory exceptions to the definition of a "meeting" or statutorily exempt from the OML entirely.

CONCLUSION

Upon review of your Complaint and available evidence, the OAG has determined that no violation of the OML has occurred. The OAG will close its file regarding this matter.

Sincerely,

AARON D. FORD
Attorney General

By: /s/ Rosalie Bordelove
ROSALIE BORDELOVE
Chief Deputy Attorney General

cc: John M. Okazaki, General Counsel for the Clark County School District