

CRAIG A. NEWBY
First Assistant Attorney General

AARON D. FORD
Attorney General

LESLIE NINO PIRO
General Counsel

CHRISTINE JONES BRADY
Assistant Attorney General



HEIDI PARRY STERN
Solicitor General

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

1 State of Nevada Way, Suite
100 Las Vegas, Nevada 89119

March 31, 2026

Via U.S. Mail
Steven Cohen



Re: Open Meeting Law Complaint, OAG File No. 13897-553
Clark County School District Board of Trustees

Dear Mr. Cohen,

The Office of the Attorney General (“OAG”) has reviewed your Complaint (“Complaint”) alleging violations of the Open Meeting Law (“OML”) by the Clark County School District Board of Trustees (“CCSD”) regarding their July 1, 2025, meeting.

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 included a review of the Complaint, the Response on behalf of the Board and the agenda, for the Board’s July 1, 2025, meeting. After investigating the Complaint, the OAG determines that the Board did not violate the OML as alleged in the Complaint.

FACTUAL BACKGROUND

The Board held a special meeting/retreat on July 1, 2025, at 8:00 a.m., in its Boardroom at Southwest Career and Technical Academy, located at 7050 West Shelbourne Avenue, Las Vegas, Nevada 89113. The agenda was properly posted in compliance with the OML and included clear instructions for accessing the meeting and submitting public comment. As required under NRS 241.020, public comment was scheduled for each agenda item.

Mr. Cohen filed an OML complaint alleging that a “walking quorum” was present at the special meeting/retreat and that action items were not posted timely. CCSD responded on August 19, 2025, by asserting that the meeting was properly noticed and conducted as a formal public meeting. The record demonstrates that notice of the meeting was posted on June 23, 2025, at the CCSD Administrative Center, on the CCSD website, and on the Nevada Public Notice Website, and on the BoardDocs platform. An additional posting occurred on June 24, 2025, at the Edward A. Greer Education Center. The agenda provided opportunities for public comment, after each agenda item.

LEGAL ANALYSIS

1. Notice of the Meeting Was Proper and Compliant with the OML

The July 1, 2025, meeting satisfied all statutory requirements under NRS Chapter 241 for notice and public access. Under NRS 241.020(1), all meetings of public bodies must be open and public, and written notice specifying the time, place, and location must be provided at least three working days in advance. In this case, CCSD posted the agenda and supporting materials on multiple statutorily recognized platforms, including the Administrative Center, Boardroom, the Nevada Public Notice Website, and the CCSD website. Notice was posted eight days prior to the meeting, exceeding the minimum statutory requirement.

The meeting was conducted in a publicly accessible venue and provided for public comment for each agenda item, offering the public a meaningful opportunity to attend and participate. In *Sandoval v. Board of Regents*, 119 Nev. 388, 67 P.3d 902 (2003), the Nevada Supreme Court addressed whether a public body violated the OML by discussing matters not contained in a posted agenda. The Court emphasized that adherence to the agenda and proper notice are critical to statutory compliance, illustrating that posting the agenda and providing opportunities for public comment

satisfies the requirements of NRS Chapter 241. In this case, CCSD fully complied with notice and agenda requirements, ensuring public transparency

2. No Walking Quorum or Serial Meeting Occurred

The complaint alleges that a “walking quorum” was present at the special meeting/retreat. NRS 241.015(4) defines a “meeting” as any gathering of members of a public body where a quorum is present to deliberate or take action on matters within the body’s supervision, control, jurisdiction, or advisory power. While the term “walking quorum” is not statutorily defined, Nevada law recognizes it as a series of communications or gatherings among members that collectively involve a quorum and circumvent the OML. A walking or serial quorum arises when less than a quorum gathers multiple times but collectively forms a majority that deliberates or acts outside a noticed public meeting.

Mr. Cohen’s allegation regarding a “walking quorum” may reference concerns about serial meetings, which are prohibited under NRS 241.015(4)(a)(2). However, this provision applies to “any series of gatherings of members of a public body” where less than a quorum is present at individual gatherings but collectively constitute a quorum, held “with the specific intent to avoid the provisions of this chapter.” This prohibition is inapplicable here because the July 1, 2025, meeting was a single, properly noticed public meeting; no series of private gatherings occurred; there was no intent to circumvent the OML; and the meeting was conducted in full compliance with all notice and public access requirements.

In *Dewey v. Redevelopment Agency*, 119 Nev. 87 (2003), the Nevada Supreme Court confirmed that the OML is triggered only when a quorum is engaged in deliberation or decision-making. Informal discussions or meetings among less than a quorum do not constitute a violation unless they effectively result in collective deliberation or decision-making outside a public meeting. The evidence in this case shows that no separate or informal gatherings occurred with the intent to evade the OML. The July 1, 2025, meeting was a single, properly noticed public meeting with a quorum present, and therefore the allegation of a walking quorum is unsupported.

3. Use of the Term “Retreat” Does Not Affect Compliance

The meeting has been described colloquially as a “retreat” for convenience. Nevada law does not assign any legal significance to such descriptors, and the OML applies equally to all gatherings of public bodies regardless of title. While the term

Steven Cohen

Page 4

“retreat” might suggest that different procedural rules apply, the use of informal terminology does not change statutory obligations or create an OML violation.

Sandoval v. Board of Regents, 119 Nev. 388, 67 P.3d 902 (2003), reinforces that the substance of the meeting and adherence to agenda and notice requirements, rather than the label applied to the gathering, determine compliance with the OML. In this case, CCSD provided adequate notice, made the meeting accessible to the public, and offered opportunities for public comment. Accordingly, the characterization of the meeting as a retreat has no bearing on statutory compliance.

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 the file regarding this matter.

Sincerely,
AARON D. FORD
Attorney General

By: /s/ Stephanie Itkin-Goodman
STEPHANIE ITKIN-GOODMAN
Deputy Attorney General

cc: Theodore Parker, III, Counsel for Clark County School District Board of Trustees