

OFFICE OF THE ATTORNEY GENERAL
STATE OF NEVADA

In the Matter of:

WASHOE COUNTY SCHOOL
DISTRICT ZONING ADVISORY
COMMITTEE

A.G. FILE NO.:13897-562

**FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Justin Solimine filed a complaint with the Office of the Attorney General (“OAG”) pursuant to Nevada Revised Statutes (“NRS”) 241.039 alleging violations of the Nevada Open Meeting Law (“OML”) by the Washoe County School District Zoning Advisory Committee (“Committee”) regarding its August 21, September 18, and November 20, 2025, meetings.

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 and attachments, the Response on behalf of the Committee, and the agendas, minutes and recordings for the Committee’s August 21, September 18, and November 20, 2025, meetings. After investigating the Complaint, the OAG finds a technical violation for an omission to agenda item 2.02 for the Committee’s September 18 meeting. The OAG does not find violations of the OML with respect to the other allegations.

FINDINGS OF FACT

1. The Committee held a public meeting on August 21, 2025. The meeting’s public notice agenda included the following item relevant to this complaint:

2.04: Presentation and Discussion regarding proposed enrollment zone adjustments for the 2027-28 School Year potentially impacting the following schools: Bernice Mathews Elementary School, Kate Smith Elementary School, Rita Cannan Elementary School, Agnes Risley Elementary School, Lois Allen Elementary School, Fred W. Traner Middle School, Sparks Middle School, Procter R. Hug High School, and Sparks High School (FOR PRESENTATION AND DISCUSSION ONLY)

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1 2. During Item 2.04, Brett Rodella, the district's long-range school planner,
2 stated "For presentation and discussion only" before presenting on schools that could
3 potentially be affected by the proposed zoning adjustments.

4 3. As part of the presentation, Mr. Rodella twice briefly referenced the boundary
5 affecting Desert Skies Middle School while discussing other schools that could be impacted.
6 The discussion of Item 2.04 then concluded, and no Committee member mentioned Desert
7 Skies Middle School at any point during the discussion.

8 4. The Committee held another public meeting on September 18, 2025. The
9 publicly posted meeting materials included a presentation containing current and projected
10 capacity statistics for Desert Skies Middle School following proposed boundary changes
11 under Options 1, 1A, and 1B, as well as for other schools that could be affected. Although
12 the presentation included capacity data for Desert Skies under all three options, only the
13 map for Option 1B identified Desert Skies as one of the schools affected by the proposed
14 boundary changes.

15 5. The meeting's posted public notice agenda included the following item
16 relevant to this complaint:

17 2.02: Presentation, Discussion, and Possible Action regarding proposed
18 enrollment zone adjustments for the 2027-28 School Year potentially
19 impacting the following schools: Bernice Mathews Elementary School, Kate
20 Smith Elementary School, Rita Cannan Elementary School, Agnes Risley
21 Elementary School, Lois Allen Elementary School, Fred W. Traner Middle
22 School, Sparks Middle School, Procter R. Hug High School, and Sparks High
23 School (FOR POSSIBLE ACTION)

24 6. During the meeting, before discussing Item 2.02, a committee member noted
25 that the item was posted as "for possible action," indicating that the Committee could
26 deliberate and take possible action on the item.

27 7. As Brett Rodella presented Options 1 and 1A of the posted materials, a
28 committee member asked whether he was recommending moving the middle school
29 boundaries under Option 1, noting that the option had not been presented as affecting any

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1 8. middle schools. Mr. Rodella responded in the affirmative and apologized,
2 stating that he "didn't catch that, but this is a part of the process, [he] thinks."

3 9. He further confirmed that Option 1A as originally presented did not change
4 the boundaries for Desert Skies Middle School and explained that the Committee could
5 refer back to Option 1 to review its projected changes. He then elaborated on the effects
6 Option 1 would have on Desert Skies Middle School. The discussion then turned to Option
7 1B, and its effects on Desert Skies Middle School and other schools. At the conclusion of
8 the discussion, the Committee opened public comment on Item 2.02.

9 10. One member of the public spoke. Following public comment, the Committee
10 resumed deliberations, after which a committee member moved to recommend Option 1A
11 to the Board with an addendum to move the Desert Skies Middle School boundary. The
12 motion passed, with all but one Committee member voting in favor.

13 11. The Washoe County School District Board of Trustees ("Board") held a regular
14 public meeting on October 28, 2025. During this meeting, the Board approved Option 1A
15 as recommended by the Committee.

16 12. On November 20, 2025, the Committee held a public meeting. The meeting's
17 posted public notice agenda included the following items relevant to this complaint:

18 2.02: Presentation and Discussion regarding previous Zoning Advisory
19 Committee Recommendations to the Board of Trustees for the 2026-27 School
20 Year enrollment zone for Smithridge Elementary School (FOR
PRESENTATION AND DISCUSSION ONLY)

21 2.03: Presentation, Discussion, and Possible Action regarding proposed
22 elementary school level enrollment zone adjustments for the 2028-29 School
23 Year potentially impacting the following schools: Roger Corbett Elementary
24 School, Smithridge Elementary School, Edwin S. Dodson Elementary School,
25 Hidden Valley Elementary School, Donner Springs Elementary School;
26 possible high school adjustments related only to students currently in the
27 Roger Corbett Elementary School zone, involving Earl Wooster High School
and Damonte Ranch High School; and possible middle school attendance
zone adjustments related only to students currently within the Donner Springs
Elementary School zone, involving Kendyl Depoali Middle School and E. Otis
Vaughn Middle School (FOR POSSIBLE ACTION)

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1 13. When the Committee began its discussion of Agenda Item 2.02, Brett Rodella
2 summarized the options previously presented to the Committee, the Committee's
3 recommendation, and the Board's subsequent unanimous vote regarding the enrollment
4 zone change for Smithridge Elementary. He also discussed news coverage announcing the
5 Committee's recommendation before the Board voted on the matter. Mr. Rodella then
6 stated that the Committee would not reopen the discussion because the Board had already
7 voted and families had made plans for their children's 2026-2027 school year based on that
8 decision.

9 14. Chief Facilities Manager Tammy Zimmerman further explained that the
10 Board voted on the zoning decision the previous spring based on the information presented
11 at that time and that an option involving Depaoli Middle School had been investigated. She
12 added that, since no material changes had occurred, the Committee did not have the
13 authority to reopen the item. Zimmerman then opened the floor to questions from the
14 Committee. No Committee member asked a question; instead, a member thanked the staff
15 for providing an overview of the decision. The Committee opened public comment on Item
16 2.02, during which multiple students and staff spoke. Following public comment, the
17 Committee members were again asked whether they had any additional questions, and
18 none were raised.

19 15. The Committee moved on to Item 2.03, where Brett Rodella presented
20 enrollment zone adjustment options and their projected effects on the schools identified on
21 the agenda, including Dodson Elementary. At the conclusion of the presentation, the
22 Committee opened public comment on Item 2.03. Multiple staff members and students
23 spoke during public comment. After deliberation by the Committee, Member Tyler Rogers
24 moved to recommend Option 4, which would affect Depaoli Middle School, to the Board.
25 The Committee unanimously voted in favor of the recommendation.

26 16. Complainant filed the instant complaint alleging that agenda items 2.04 of
27 the August 21 meeting, 2.02 of the September 18 meeting, and 2.03 of the November 20
28 meeting failed to meet the OML's clear and complete requirement. In addition, the

1 Complaint alleged that the Committee violate the OML by staff's refusal to allow it to
2 reconsider prior decisions under item 2.02 of the November 20 meeting.

3 **LEGAL STANDARDS AND CONCLUSION OF LAW**

4 The Washoe County School District Zoning Advisory Committee is a public body as
5 defined in NRS 241.015(5) and is subject to the OML.

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7 **A. The Committee's August 21, 2025, meeting did not violate the OML's**
8 **clear and complete standard when a school not named on the posted**
9 **agenda was referenced during a presentation.**

10 An agenda for a meeting of a public body must include a "clear and complete statement
11 of the topics to be considered during the meeting." NRS 241.020(3)(d)(1). The "clear and
12 complete statement" requirement of the OML stems from the Legislature's belief that
13 "incomplete and poorly written agendas deprive citizens of their right to take part in
14 government' and interferes with the 'press' ability to report the actions of government."
15 *Sandoval v. Board of Regents of Univ.*, 119 Nev. 148, 154 (2003). The OML "seeks to give
16 the public clear notice of the topics to be discussed at public meetings so that the public can
17 attend a meeting when an issue of interest will be discussed." *Id.* at 155. An agenda item is
18 adequate and reasonable if it appraises the public of the items upon which action is intended
19 to be taken as well as the subject matter of discussion. *Nw. Area Residents Ass'n v. City of*
20 *Las Vegas*, 432 P.3d 191 (Nev. 2018). *See also In re Lander County Board of Commissioners*,
21 OMLO 13897-453 (Jan. 5, 2024); *In re Governor's Advisory Council on Education Relating to*
22 *the Holocaust*, OMLO 13897-485 (May 23, 2024); *In re Nye County Board of Commissioners*,
OMLO 13897-481 (Jul. 3, 2024).

23 It is undisputed that Desert Skies Middle School was not named on the posted agenda
24 for the August 21 meeting. However, Agenda Item 2.04 was limited to presentation and
25 discussion only, and Desert Skies Middle School was referenced only twice during the
26 presentation as a school that could potentially be affected. No Committee member discussed
27 Desert Skies Middle School, and the Committee took no action regarding the school's
28 boundaries. As such, the OAG does not find a violation of the OML.

1 **B. The Committee violated the OML by omitting Desert Skies Middle**
2 **School from the list of schools affected by the zoning change approved**
3 **during the September 18 meeting.**

4 As discussed above, the agenda for a public meeting must include a clear and complete
5 statement of the topics scheduled to be considered. NRS 241.020(3)(d)(1). Item 2.02 of the
6 September 18 agenda included a list of schools to be potentially impacted by action on the
7 agenda item. That list did not include Desert Skies Middle School, but the action taken at
8 the meeting included a zoning change that specifically affected Desert Skies Middle School.
9 An agenda need not necessarily enumerate every school subject to a committee's zoning
10 recommendations. However, because the published agenda item presented what appeared
11 to be a comprehensive list, a member of the public would reasonably conclude that no action
12 would be taken regarding the omitted Desert Skies Middle School. As such, OAG finds a
technical violation of the OML in this respect.

13 It is important to note that the Committee's action was only a recommendation for
14 further action by the School Board. The School Board heard the item at a meeting in October
15 2025 and listed Desert Skies Middle School on its agenda, giving the public an opportunity
16 to provide comment prior to final action. In its response, the Committee acknowledged that
17 Desert Skies' omission from the September 18 agenda was inadvertent and argued that
18 action by the School Board "cured" any violation. Because the action by the school Board
19 was more than 30-days after the violation and was not listed as "for possible corrective
20 action", the OAG finds a technical violation. NRS 241.020(3)(d)(2); 241.0365.

21 **C. The Committee's November 20, 2025, meeting did not violate the OML's**
22 **clear and complete standard.**

23 As discussed above, the agenda for a public meeting must include a clear and complete
24 statement of the topics to be considered. NRS 241.020(3)(d)(1). At the Committee's
25 November 20 meeting, Item 2.03 of the posted agenda expressly provided for "Presentation,
26 Discussion, and Possible Action" regarding proposed elementary school enrollment zone
27 adjustments. The Complaint alleges that the agenda item was too narrow and didn't mention
28 Dodson Elementary School.

1 The OAG finds that the agenda did identify Dodson Elementary School as one of the
2 schools potentially affected and the discussion under the item remained within the noticed
3 subject. Thus, the OAG does not find a violation of the OML.

4 **D. The Committee did not violate the OML by declining to reconsider**
5 **previously approved boundary changes at its November 20 meeting.**

6 The legislative intent of the OML is that actions of public bodies “be taken openly, and
7 that their deliberations be conducted openly.” NRS 241.010(1); *see also McKay v. Board of*
8 *Supervisors*, 102 Nev. 644, 651, 730 P.2d 438, 443 (1986) (“the spirit and policy behind NRS
9 chapter 241 favors open meetings”). The OML requires public bodies to include periods
10 devoted to comments by the general public during their meetings. NRS 241.020(3)(d)(3). Any
11 restrictions on comments by the general public must be reasonable and may restrict the time,
12 place and manner of the comments, but may not restrict comments based upon viewpoint.
13 NRS 241.020(3)(d)(7).

14 Applying these standards, the meeting recording reflects that School District staff did
15 not refuse to present zoning options or prohibit the Committee from discussing whether to
16 reconsider the previously approved boundary recommendation. During Agenda Item 2.02,
17 staff summarized the prior proceedings that led to the School Board's vote, including news
18 coverage of the Committee's recommendation before the Board's final vote. Staff further
19 explained that, because the Board had already acted, families had made plans in reliance on
20 that decision, and no material changes had occurred, the previously approved boundary
21 recommendation was not subject to reconsideration. The Committee provided an opportunity
22 for public comment at the end of Agenda Item 2.02, during which multiple members of the
23 public spoke. The Committee's deliberations regarding the boundary recommendation were
24 conducted openly over the course of multiple public meetings, and the meeting recording
25 reflects that relevant discussion was not suppressed. Therefore, the OAG does not find a
26 violation of the OML.

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1 **SUMMARY**

2 Upon investigating the present Complaint, the OAG makes findings of fact and
3 conclusions of law that the Washoe County School District Zoning Advisory Committee
4 violated the OML as described above. If the Attorney General investigates a potential
5 OML violation and makes findings of fact and conclusions of law that a public body has
6 taken action in violation of the OML, “the public body must include an item on the next
7 agenda posted for a meeting of the public body which acknowledges the findings of fact
8 and conclusions of law.” NRS 241.0395. The public body must treat the opinion of the
9 Attorney General as supporting material for the agenda item in question for the purpose
10 of NRS 241.020. *Id.* Accordingly, the Committee must place an item on its next meeting
11 agenda in which is acknowledges the present Findings of Fact and Conclusions of Law
12 (“Opinion”) resulting from the OAG’s investigation in this matter. The Committee must
13 also include the OAG Opinion in the supporting materials for its next meeting.
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15 Dated: September 30, 2025

16 AARON FORD
17 Attorney General

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19 By: /s/ Rosalie Bordelove
20 ROSALIE BORDELOVE
21 Chief Deputy Attorney General
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CERTIFICATE OF SERVICE

I hereby certify that on the day of September 30, 2026, I served the foregoing
FINDINGS OF FACT AND CONCLUSIONS OF LAW by depositing a copy of the same
in the United States mail, properly addressed, postage prepaid, **CERTIFIED MAIL**
addressed as follows:

Justin Solimine

[REDACTED]

Complainant

Certified Mail No.: [REDACTED] 9618 97

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/s/ Quintina Buck

An employee of the Office of the
Nevada Attorney General