

AB-72: Education Advisory Committee  
on the Safety and Well-Being of  
Public School Staff

## Open Meeting Laws

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**NEVADA**  
Department of  
Education

# Robert's Rules of Order

- Conducting an online meeting using **ROBERT'S RULES OF ORDER**

involves the following steps:

1. **Call to Order:** The chairperson starts the meeting.
2. **Roll Call:** Attendance is recorded.
3. **Public Comment 1:** Comment on any agendized items.
4. **Approval of Minutes:** Previous meeting minutes are reviewed and approved.
5. **Reports:** Officers and committees present their reports.
6. **Unfinished Business:** Address any old business carried over.
7. **New Business:** Introduce and discuss new items.
8. **Motions:** Members propose, discuss, and vote on motions.
9. **Public Comment 2:** Comment on any topic pertaining to this committee.
10. **Adjournment:** The meeting is formally concluded.



# Open Meeting Laws

- **OPEN MEETING LAWS (OML)** in Nevada, governed primarily by the Nevada Open Meeting Law (NRS Chapter 241), ensure transparency and public access to the governmental decision-making process.
  - These laws ensure that governmental operations are conducted transparently, allowing citizens to stay informed and engaged with public affairs.

# Open Meeting Laws - *Definitions*

- NRS 241.015(3(a)(1) and (2) define “**MEETING**” as:
  - (1) The gathering of members of a public body at which a quorum is present, whether in person or by means of electronic communication, to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.
  - (2) Any series of gatherings of members of a public body at which:
    - (I) Less than a quorum, whether in person or by means of electronic communication, is present at any individual gathering;
    - (II) The members of the public body attending one or more of the gatherings collectively constitute a quorum; and
    - (III) The series of gatherings was held with the specific intent to avoid the provisions of this chapter.

# Open Meeting Laws - *Definitions*

- The Office of the Attorney General defined “**GATHERING**” to mean to bring together, collect, or accumulate and to place in readiness.
  - Accordingly, a “**GATHERING**” of members of a public body within the conception of an open meeting would include any method of collecting or accumulating the deliberations, or decisions of a quorum of these members.
  - Any gathering of the members of this committee, (6 or less members), even informally, to discuss any matter over which this public body has jurisdiction must comply with OML.

# Open Meeting Laws - *Definitions*

- A “**QUORUM**” of a public body is defined in NRS 241.015(5) as “a simple majority of the membership of a public body or another proportion established by law.”
- Under NRS 241.015(1), “**ACTION**” means:
  - “(a) a decision made by a majority of the members present, whether in person or by means of electronic communication, during a meeting of a public body;
  - (b) If a public body has a member who is not an elected official, an affirmative vote taken by a majority of the members present, whether in person or by means of electronic communication, during a meeting of the public body.

# Open Meeting Laws - *Definitions*

- **“PRESENT”** NRS 241.010(2) states “[I]f any member of a public body is present by means of teleconference or videoconference at any meeting of the public body, the public body shall ensure that all the members of the public body and the members of the public who are present at the meeting can hear or observe and participate in the meeting.”
  - A member of a public body may be present through video conference or teleconference, but not through social media, such as a chat room, or email.
  - The public must be able to view and/or hear the public body and be able to participate in the public meeting.

# Open Meeting Laws - Notices

- **PUBLIC COMMENT:**

- First, a public body may comply by agendizing one public comment period before any action items are heard by the public body and later it must hear another period of public comment before adjournment.
- The second alternative also involves multiple periods of public comment which must be heard after discussion of each agenda action item, but before the public body takes action on the item.
- Finally, regardless of which alternative is selected, the public body must allow the public some time, before adjournment, to comment on any matter within the public body's jurisdiction, control, or advisory power.
  - This would include items not specifically included on the agenda as an action item.



# Open Meeting Laws - Notices

- **PUBLIC COMMENT:** *(cont.)*

- Discussion of public comment is specifically allowed under NRS 241.020(2)(d)(3).
- No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda.

- **AGENDA:**

- Deviating from the agenda by commencing a meeting prior to its noticed meeting time violates the spirit and intent of the OML and nullifies the purpose of the notice requirements set forth in NRS 241.020(2).



# Open Meeting Laws - Notices

- **FIRST AMENDMENT RIGHTS:**

- There are no First Amendment rights to remain in a public meeting.
- “Citizens are not entitled to exercise their First Amendment rights whenever and wherever they wish.” *Kindt v. Santa Monica Rent Control Bd.*, 67 F.3d 266, 269 (9th Cir. 1995).

- **AUDIO AND/OR VIDEO RECORDINGS:**

- Under NRS 241.035(3), members of the public may be allowed to record on audio tape or any other means of sound or video reproduction if it is a public meeting and the recording in no way interferes with the conduct of the meeting.

# Open Meeting Laws - Notices

- **EXCLUDING DISRUPTIVE PEOPLE:**

- If a person willfully disrupts a meeting, to the extent that its orderly conduct is made impractical, the person may be removed from the meeting. NRS 241.030(4)(a).