



ASSOCIATED STUDENTS OF
THE UNIVERSITY OF NEVADA

From: Attorney General Cameron Harris

To: Director of Clubs and Organizations Desamero

Date: February 23rd, 2018

Re: Clubs and Organizations Opinion

Dear Director Desamero,

You have brought to my attention a question about who in the Department of Clubs and Organizations would be eligible to vote on decisions during a Clubs and Orgs Conduct Hearing. Specifically, you cited the Department of Clubs and Orgs Procedures Manual X.C.1.iii.

“If a violation is brought forth to the Commission, the body may or may not implement one or more of the consequences outlined in Section 2, below. The Clubs and Organizations Commission’s recommendation must pass with a supreme majority (two-thirds).”

You have also cited SAS II.202.05.a)

“The Club Commission shall consist of a Director, an Assistant Director, and at least 5 but no more than 8 Club Commissioners.”

It is my understanding that your question is whether the Director and Assistant Director count toward the supreme majority vote of the Commission in the event of a violation being brought forth. In response to your question, I offer the following opinion:

In the event that the Department of Clubs and Organizations needs to review an individual’s character or discuss anything that would violate the Federal Education Rights and Privacy Act, the Commission shall hold a closed meeting. A closed meeting is different than the



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Commission's regular meeting, but this does not change the voting power within the Department. The Department of Clubs and Organizations—like all ASUN Departments—abides by Nevada Open Meeting Law, and such a department is allowed to hold closed meetings pursuant to NRS 241.030. To resolve this issue, I will refer to more statutes from the Department of Clubs and Orgs Procedures Manual to outline the duties of the Director and Assistant Director of the Department of Clubs and Organizations:

TITLE IV. THE DIRECTOR

Chapter B. Section 1 The Director shall be the ex-officio chair of the Commission with no voting rights except for the purpose of breaking a tie

TITLE V. THE ASSISTANT DIRECTOR OF CLUBS AND ORGANIZATIONS

Chapter B. Section 4 The Assistant Director shall have no voting rights and does not count toward the number needed for quorum

As you can see that while the Director and Assistant Director are included as part of the Commission pursuant to SAS II.202.05.a, the Procedures Manual outlines that the Director and the Assistant Director are to have no voting power within the Commission. It is my opinion that the Director and the Assistant Director of Clubs and Organizations shall have no voting power in a Clubs and Orgs Conduct Hearing.

Respectfully,



Attorney General Cameron Harris

Associated Students of the University of Nevada



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