

MEMORANDUM

TO: Board of Trustees

FROM: Matthew Dent
Chair

Josh Nelson
General Counsel

SUBJECT: Review, discuss, and provide direction on redactions for pending public records requests

RELATED STRATEGIC PLAN INITIATIVES: Long Range Principle #7 Governance

RELATED DISTRICT POLICY: Policy and Procedure No. 137/Resolution No. 1801 (Policy for the Provision of Records and Information to the Public)

DATE: February 16, 2023

I. RECOMMENDATION

That the Board of Trustees review, discuss, and provide direction on redactions for pending public records requests.

II. BACKGROUND

As discussed in more detail in the Board Memorandum for Item G.4, the District is in the process of updating Policy and Procedure No. 137/Resolution No. 1801 regarding public records and public information (Policy). While the Board considers a revised Policy, the Board of Trustees has provided interim direction to staff regarding public records. This includes greater transparency regarding decisions to withhold and redact documents. Documents may be withheld for any legally recognizable reason, including the attorney-client and attorney work product privilege.

Going forward, staff will include a standing item for all Board meetings providing an update on any public records requests where the Public Records Officer based on the advice of counsel withheld or redacted records. This is the first of those

standing items, and an opportunity to receive feedback on the format for reporting. Below is the proposed format:

Date of Request	Requestor	Request	Dated Responded	Exemption Applied and Rationale

III. FINANCIAL IMPACT AND BUDGET

No direct impact by this item.

IV. ALTERNATIVES

Below is an alternative to the recommended action:

1. Discontinue or modify the proposed reporting for public records.

V. BUSINESS IMPACT

This item is not a "rule" within the meaning of Nevada Revised Statutes, Chapter 237, and does not require a Business Impact Statement.

VI. ATTACHMENTS

N/A