

Advisory Opinion No. 75-8

QUESTION:

Whether a member of the Board is in conflict of interest or not because it is a parent of a child who is eligible for and participates in Division services or not? You note that the Legislature seemed to make some provision for this.

RESPONSE:

Said parent is not in conflict of interest by being on the Board. Section 30.2 of the law clearly states: "At least two members shall have a special interest in the field of...and at least two shall have a special interest in the field of... Obviously the consumer of the services or their parent or guardian has such a special interest. Furthermore, in those aspects where such a person might benefit, the powers of the Board are limited to being "solely advisory" in nature; also, the provisions of Section 24.3 (b) of Chapter 281 of NRS, i. e. , "Whose action or decision effects his economic interests as a member of a significant segment of the public or as a member of an industry, profession or occupation to no greater extent than any other member" would apply here also, and normally allow the parent to take action in all cases except where the proposed program was solely to benefit its child.

November 6, 1975.