



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Jeff Zander**, Interim Superintendent,
Elko County School District,
State of Nevada,

Ethics Complaint
Case No. 21-070C

Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint ("Complaint") on September 14, 2021, regarding the alleged conduct of Subject Jeff Zander ("Zander"). On October 28, 2021, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(2) and (3) and NRS 281A.420(1) and (3).

Zander is a public officer as defined in NRS 281A.160 and NRS 281A.182, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Zander's conduct as a public officer and have associated implications under NRS Chapter 281A ("Ethics Law").

On February 16, 2022, a Review Panel ("Panel") consisting of Vice-Chair Brian Duffrin (Presiding Officer) and Commissioners Barbara Gruenewald, Esq. and Damian R. Sheets, Esq. reviewed the following: (1) Ethics Complaint (2) Order on Jurisdiction and Investigation; (3) Zander's Response to the Complaint; and (4) Executive Director's Recommendation to the Review Panel with a Summary of Investigatory Findings.¹

The Review Panel unanimously finds and concludes that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(2) and (3) and NRS 281A.420(1) and (3). Nevertheless, pursuant to NRS 281A.730, the Review Panel reasonably believes that Zander's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring these allegations to the Commission for further proceedings at this time. The deferral agreement must confirm Zander's acknowledgement of the following:

- Compliance with the Ethics Law for a period of 2 years after approval of the deferral agreement, including:
 1. Zander does not become the subject of another ethics complaint arising from an alleged violation of the Ethics Law during the deferral period for any conduct as a public officer or employee under the Commission's jurisdiction for which the review panel

¹All materials provided to the Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

determines that there is just and sufficient cause for the Commission to render an opinion in the matter.

2. Zander must attend ethics training within 6 months of the Review Panel's approval of the deferral agreement.
 3. Zander will file an Acknowledgement form as required by NRS 281A.500 within 30 days after approval of the deferral agreement.
 4. Zander will encourage the Board of Trustee for the Elko County School District, its new Superintendent, and the district's official legal counsel to participate in Ethics Training.
 5. Zander will acknowledge in the deferral agreement that the requirements of the Ethics Law applied to his contract to provide services, as the interim Superintendent for the Elko County School District.
- The Executive Director's authority to monitor compliance with the deferral agreement.
 - The obligation to comply with the terms of the deferral agreement and consequences associated with noncompliance, including the authority of the Review Panel to refer the Complaint to the Commission for further proceedings, which could include an adjudicatory hearing on the merits.
 - Upon satisfactory compliance with the deferral agreement, the Complaint will be dismissed.

Unless an extension of time is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide a proposed deferral agreement to the Review Panel through its Commission Counsel on or before March 24, 2022, which deadline may be extended by Commission Counsel for good cause. If the Review Panel does not approve the deferral agreement or if the Subject declines to enter into a deferral agreement, the Review Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 17th day of February, 2022.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Brian Duffrin
Brian Duffrin
Vice-Chair/Presiding Officer

By: /s/ Damian R. Sheets
Damian R. Sheets, Esq.
Commissioner

By: /s/ Barbara Gruenewald
Barbar Gruenewald, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via electronic mail addressed as follows:

Ross E. Armstrong, Esq.
Executive Director
Elizabeth J. Bassett, Esq.
Nevada Commission on Ethics
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Email: rarmstrong@ethics.nv.gov

Email: ebassett@ethics.nv.gov

Jeff Zander

Email: [REDACTED]

Dated: 2/17/22



Employee, Nevada Commission on Ethics