



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Doug Staton**, Trustee,
Lander County School District,
State of Nevada,

Ethics Complaint
Case No. 21-032C

Subject. /

REVIEW PANEL DETERMINATION
NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics (“Commission”) received this Ethics Complaint (“Complaint”) on June 1, 2021, regarding the alleged conduct of Subject Doug Staton (“Staton”). On July 19, 2021, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(3) and NRS 281A.420(1) and (3).

As a trustee for the Lander County School District (“District”), Staton is a public officer as defined in NRS 281A.160, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Staton’s conduct as a public officer and have associated implications under the Ethics Law. Specifically, the Complaint alleged that Staton misused his public position to gain unwarranted privileges for the benefit of his private interests or for those to whom he had a commitment in a private capacity by participating on an agenda item to approve a negotiated agreement between the Lander County School District and the Lander County Classroom Teachers Association, without a proper disclosure.

On October 20, 2021, a Review Panel consisting of Commissioners Gruenewald (Presiding Officer), Lowry and Yen reviewed the following: (1) Ethics Complaint; (2) Order on Jurisdiction and Investigation; (3) Staton’s Response to the Complaint; (4) Executive Director’s Recommendation to the Review Panel with Summary of Investigatory Findings; and (5) Relevant Evidentiary Exhibits.¹

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts do not support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violation of NRS 281A.400(3). Although Staton executed the negotiated agreement in his official capacity, the evidence does not establish that he or a person to whom he holds a private commitment under NRS 281A.065 were parties to such agreement.

Conversely, pursuant to NRS 281A.730 and NRS 281A.790, the Review Panel determines there is sufficient cause for the Commission to render an opinion on whether Staton violated NRS 281A.420(1) and (3). Nevertheless, pursuant to NRS 281A.730, the Review Panel reasonably believes that Staton’s conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead

¹All materials provided to the Review 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.

of referring these allegations to the Commission for further proceedings at this time. The Deferral Agreement must confirm Staton's acknowledgement of the following:

1. Compliance with the Ethics Law for a specified period of two years from the Review Panel's approval of the deferral agreement without being the subject of another complaint arising from an alleged violation of the Ethics Law and for which a review panel determines there is just and sufficient cause for the Commission to render an opinion in the matter.
2. With sufficient time prior to any agenda item that Staton anticipates the presumption set forth in NRS 281A.420 might apply, he obtains preventative legal advice from the District's official legal counsel to obtain direction on how to make a proper disclosure to inform the public about the effect that his participation would have on his own pecuniary interests and the interests of his spouse, as required by NRS 281A.420(1). Further, the public disclosure must advise the public of the reasons why Staton is entitled to application of the presumption. Alternatively, Staton may obtain direction from the Commission by seeking an advisory opinion prior to his participation on such matters
3. Completion of the virtual training on the Ethics Law available on the Commission's website within 30 days after approval of the deferral agreement.

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 November 15, 2021, 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.

IT IS HEREBY ORDERED:

Dated this 20th day of October, 2021.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner/Presiding Officer

By: /s/ Amanda Yen
Amanda Yen, Esq.
Commissioner

By: /s/ Teresa Lowry
Teresa Lowry, 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 U.S. Certified Mail and electronic mail addressed as follows:

Doug Staton
Trustee
Board of Trustees
Lander County School District
450 E. 6th Street
P.O. Box 1300
Battle Mountain, NV 89820

Email: dstaton@landernv.net

Certified Mail No.: 9171 9690 0935 0037 6364 22

Dated: 10/20/21



Employee, Nevada Commission on Ethics