

NEW MEXICO SCHOOL FOR THE ARTS
HIGH SCHOOL

OPEN MEETINGS ACT RESOLUTION TO DETERMINE REASONABLE NOTICE AND
TO AUTHORIZE CONFERENCE TELEPHONE

WHEREAS, the New Mexico School for the Arts High School (the "School") Governing Council (the "Council") met in regular session on February 13, 2019 at 3:00 pm as required by law; and

WHEREAS, Section 10-15-1(B) NMSA 1978 of the Open Meetings Act states that, except as may be otherwise provided in the Constitution of the provisions of the Open Meeting Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public State of New Mexico agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meeting subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) NMSA 1978 requires the Council to determine annually what constitutes reasonable notice of its public meetings; and

WHEREAS, Section 10-15-1C NMSA 1978, a member of the Council may participate in a meeting of the Council by means of conference telephone or other similar communication equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Council who speaks during the meeting; and

WHEREAS, the Council desires to allow Council Members to participate in a manner consistent with Section 10-15-1C NMSA 1978.

NOW, THEREFORE BE IT RESOLVED by the Council that:

1. All meetings shall be held at a site to be determined in Santa Fe, New Mexico beginning at 3:00 p.m. or as indicated in the meeting notice. When necessary, the Council will end the meeting with an executive session.
2. Unless otherwise specified, regular meetings shall be held each month generally during the second week of the month. The agenda will be posted at least seventy-two (72) hours prior to the meeting at the Administrative Office of the High School at 275 East Alameda, Santa Fe, New Mexico and on the High School website at: <http://www.nmschoolforthearts.org/>. Notice of any other regular meetings will be given ten days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the Chairman or a majority of the members upon a three day notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda will be posted at least seventy-two (72) hours prior to the meeting at the at the Administrative Office of the High School at 275 East Alameda, Santa Fe, New Mexico and on the High School website at: <http://www.nmschoolforthearts.org/>.

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4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hours notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.
5. For purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and how to obtain an agenda is posted in a visible area at the Administrative Office of the High School at 275 East Alameda, Santa Fe, New Mexico and on the High School website at: <http://www.nmschoolforthearts.org/>. Copies of the written notice shall be mailed, emailed or faxed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Agendas shall be posted at the Administrative Office of the Charter School at 275 East Alameda, Santa Fe, New Mexico and on the Charter School website at: <http://www.nmschoolforthearts.org/> at least seventy-two (72) hours before the meeting.
6. For the purpose of special meetings and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and how to obtain an agenda is posted in a visible area at the Administrative Office of the High School at 275 East Alameda, Santa Fe, New Mexico and on the High School website at: <http://www.nmschoolforthearts.org/>. Copies of the written notice shall be mailed, emailed or faxed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Agendas shall be posted at the Administrative Office of the High School at 275 East Alameda, Santa Fe, New Mexico and on the High School website at: <http://www.nmschoolforthearts.org/> at least seventy-two (72) hours before the meeting.
7. In addition to the information specified above, all notices shall include the following language:


“If you are an individual with a disability who is in need of a reader, amplified, qualified State of New Mexico sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Charter’s Administrative Offices at 505-310-4194 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Charter’s Administrative Offices at 505-310-4194 if a summary or other type of accessible format is needed.”
8. The Council may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meeting Act.

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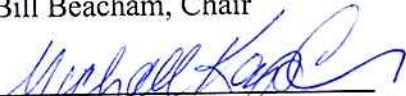
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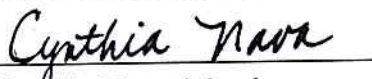
- a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
 - b. If a closed meeting is conducted when the Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.
 - c. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
 - d. Except as provided in Section 10-15-1C NMSA 1978 of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Council in an open public meeting.
9. When it is otherwise difficult or impossible for a Council Member to attend a meeting in person, the Council authorizes the Council Member to participate in the meeting by means of telephone conference call or other similar communications equipment. The Administration shall assure that any equipment acquired for this purpose meets the conditions of Section 10-15-1C NMSA 1978 relating to the ability to identify participants and for Members of the Council and the Public to hear the proceedings.

Passed by the New Mexico School for the Arts High School Governing Council this 13th day of February, 2019.



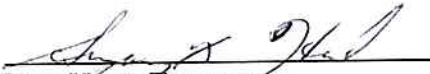
Bill Beacham, Chair

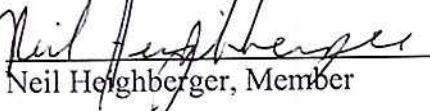

Dr. Michael Kaplan, Vice Chair


Cynthia Nava, Member



Paula Tackett, Secretary


Greg Hunt, Treasurer


Neil Hefghberger, Member

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