

OPEN MEETINGS RESOLUTION
2017-2018

WHEREAS, Section 10-15-1(D) NMSA 1978 requires the Board of Education of the Belen Consolidated School District, Belen, New Mexico (the "Board"), to determine what notice for a public meeting shall be reasonable, and

WHEREAS, due and proper notice of the regular meeting of the Board on June 14, 2016, at which the adoption of this Resolution is to be considered, has been given in accordance with the Open Meetings Resolution of the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board that reasonable notice to the public of any meetings of the Board shall consist of:

1. As to any Regular Meeting, either:
 - (a) Public announcement at any previous meeting of the date, time, and place it is to be held, or
 - (b) Electronically posting a notice of the date, time, and place on the Belen Consolidated Schools' web page www.beleneagles.org at least seventy-two (72) hours in advance of the meeting, or
 - (c) Distributing notice of the date, time, and place of the meeting to newspapers of general circulation within the school district, at least seventy-two (72) hours in advance of the meeting, or
 - (d) Posting a notice in the Board's office of the date, time, and place at least seventy-two (72) hours in advance of the meeting, or
 - (e) Posting a notice of the date, time, and place in the main hallway of the school district administration building at least seventy-two (72) hours in advance of the meeting, or
 - (f) Posting the schedule of regular meetings of the Board to be held during the year will be posted in the main lobby of the school district's Administrative Building, 520 N. Main, Belen, New Mexico 87002.

All meetings shall be held twice per month on the second and fourth Tuesday of each month (with the exception of November and December) at 6:00 p.m., or as otherwise specified by the Board. The location will be Belen Schools Administrative Office Boardroom, or as otherwise specified by the Board. The notice of regular meetings shall include an agenda which contains a list of specific items of business to be discussed or transacted or information on how the public may obtain a copy of such an agenda which agenda will ordinarily be available at the Board's office and on the Belen

Consolidated Schools' web page. Except in the case of an emergency, the agenda will be available to the public at least seventy-two (72) hours prior to the meeting. Except for emergency matters, the Board will take action only on items that have been officially posted on the final agenda at least thirty-six (36) hours prior to the meeting in compliance with the Open Meetings Act.

2. As to any Special Meeting, either:

(a) Public announcement of the date, time, and place of such meeting at any regular or special meeting held at least three (3) days before the commencement of the special meeting so announced, or

(b) Electronically posting a notice of the date, time, and place on the Belen Consolidated Schools' web page www.beleneagles.org at least three (3) days in advance of the meeting, or

(c) Distributing notice of the date, time, and place of the meeting to local television stations, radio stations and newspapers of general circulation within the school district, at least ten (3) days in advance of the meeting, or

(d) Posting a notice of the date, time, and place in the Board's office at least three (3) days in advance of the meeting, or

(e) Posting a notice of the date, time, and place in the main lobby of the district's administration building at least three (3) days in advance of the meeting.

The notice of special meetings shall include an agenda which contains a list of specific items of business to be discussed or transacted or information on how the public may obtain a copy of such an agenda which will ordinarily be available at the Board's office and on the Belen Consolidated Schools' web page. Except in the case of an emergency, the agenda will be available to the public at least seventy-two (72) hours prior to the meeting. Except for emergency matters, the Board will take action only on items that have been officially posted on the final agenda at least thirty-six (36) hours prior to the meeting in compliance with the Open Meetings Act.

3. As to any Emergency Meeting, either:

(a) Distribution notice of the date, time, and place of the meeting to local television stations, radio stations and newspapers of general circulation, at least thirty-six (36) hours in advance of the meeting, or

(b) Electronically posting a notice on the Belen Consolidated Schools' web page www.beleneagles.org at least thirty-six (36) hours in advance of the meeting.

(c) If thirty-six (36) hours notice is not possible, as much notice as is practical under the circumstances will be given in accordance with paragraphs 3(a) and (b).

The notice of emergency meetings shall include an agenda which contains a list of specific items of business to be discussed or transacted, or information on how the public may obtain a copy of such an agenda.

Emergency meetings are those meetings necessitated by circumstances which require immediate action to protect the health, safety, and welfare of the students and employees of the district, to protect the property of the district or to avoid substantial financial loss to the district. Within ten (10) days of taking action on an emergency matter, the district shall report to the Attorney General's Office the action taken and the circumstances creating the emergency; provided that no report to the Attorney General is required if a state or national emergency has been declared. Emergency meetings may be called by the President of the Board or by a majority of the members of the Board.

4. As to any Closed Meeting, either:

(a) By adoption of a motion in an open meeting by vote of a majority of the quorum there present, which motion shall state with reasonable specificity the subject to be discussed and the authority for such closure and roll call vote of the members present recorded in the minutes of such open meeting, or

(b) If a closed meeting is to be held other than pursuant to motion and vote as set out in subparagraph (a) above, reasonable notice thereof shall be given pursuant to the requirements of Paragraph 2 above dealing with notice of special meetings.

(c) Any notice of a closed meeting as well as any motion adopted for a closed meeting shall, in addition to other requirements herein set forth, include the following:

(i) identification of the specific authority permitting such closed meeting pursuant to Section 10-15-1(H)(1).

(ii) if the meeting is to be closed as a "limited personnel matter" pursuant to Section 10-15-1(H)(2), the notice shall also specifically set forth whether said meeting is for the purposes of discussion of hiring, promotion, demotion, dismissal, assignment, or resignation or of the investigation or consideration of complaints or charges against any individual public employee, provided that the name of the individual shall not be disclosed.

(iii) if the authority for closure of the meeting is pursuant to an "administrative adjudicatory proceeding" pursuant to Section 10-15-1(H)(3), the notice shall include the caption or title of the proceeding.

(iv) if the authority for closure of the meeting is pursuant to Section 10-15-1(H)(4) relating to personally identifiable information about an individual student, the notice will identify that the meeting relates to a matter affecting a student without further personal identification.

(v) if the authority for closure of the meeting is pursuant to the collective bargaining negotiations, pursuant to Section 10-15-1(H)(5), said notice shall identify the contract which is the subject matter of the negotiations and the bargaining unit with whom the district is negotiating.

(vi) if the authority for closure of the meetings concern purchases pursuant to Section 10-15-1(E)(6) or for the purpose of discussion of purchase or acquisition of real property or water rights pursuant to Section 10-15-1(H)(8), the notice shall provide a general description of the purchase contemplated.

(vii) in the event the authority for closure of the meeting is to discuss matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to Section 10-15-1(H)(7), then the caption of the pending litigation shall be disclosed in the notice.

(viii) 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 that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting.

5. The live broadcast of any general, special, or emergency meeting, by means of any television or radio facility which regularly broadcasts in the school district shall be permitted.

6. Participation by a member of the Board in a meeting by conference telephone or other similar equipment is permissible when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each Board 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 Board who speaks during the meeting.

7. The Board may recess and reconvene a meeting to a day subsequent to that stated in the meeting notice if, prior to recessing, the Board specifies the date, time, and place for continuation of the meeting and, immediately following the recessed meeting, posts notice of the date, time, and place for the reconvened meeting on or near the door of the place where the original meeting was held and in the Board of Education office at 520 N. Main, Belen, New Mexico 87002. Only matters appearing on the agenda of the original meeting will be discussed at the reconvened meeting.

8. 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, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Board of Education office at least one 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 Board of Education office (505) 866-1003 if a summary or other type of accessible format is needed.

IT IS FURTHER DETERMINED that substantial compliance with any one or more of the foregoing alternatives which may be applicable is reasonable notice, but this determination shall not be construed to prevent the use of additional means or methods of making known the date, time, and place of holding any public meeting, or other information with reference thereto, as may be directed from time to time by or under the authorization of the Superintendent. Further, this Resolution shall not be construed to require notice in instances where the same is not required by law.

All or part of this Resolution may be amended or modified by the Board from time to time.

If any provision or clause of this Resolution is held invalid, such invalidity shall not affect the other provisions or clauses of this Resolution, which can be given effect without the invalid provisions or clauses, and to this end, the provisions and clauses of this resolution are declared to be severable.

ADOPTED AND APPROVED by the Belen Consolidated Schools Board of Education this 21st day of March, 2017.

President, Board of Education

ATTEST:

Secretary, Board of Education

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