

**Mesa Vista Consolidated School District No. 6**

**RESOLUTION  
RE: OPEN MEETINGS ACT**

**2017 School Year**

**WHEREAS**, the **Mesa Vista Consolidated School Board of Education** met in regular session at the **El Rito Elementary Conference Room** in **El Rito, NM** on **February 28, 2018** at **6:00 p.m.** as provided by law; and

**WHEREAS**, any meetings 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) of the Open Meetings Act requires the **Mesa Vista Consolidated School Board of Education** to determine annually what constitutes reasonable notice of its public meetings.

**NOW, THEREFORE BE IT RESOLVED** by the **Mesa Vista Consolidated School Board of Education** that:

- 1) All meetings shall be held at the Board Room within the School Administration Office (Board Room) at **6:00 p.m.**, or at such alternative site as indicated in the meeting notice.
- 2) Unless otherwise specified, ***Regular Meetings*** shall be held each month on **last Wednesday of each month at 6:00 p.m.** The agenda will be available at least seventy-two (72) hours prior to the meeting from the **Superintendent's Office for the 2017-2018 School Year**, whose office is located in **Ojo Caliente, New Mexico**. **At the beginning of the 2017-2018 School Year** agenda will be available at least seventy-two (72) hours prior to meeting from **Superintendent's Office**, located in **Ojo Caliente, New Mexico**. Notice of any other regular meetings, other than as set forth above, will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
- 3) **Open Meetings Act Amendments**: Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. Except in the case of an emergency, at least seventy-two hours prior to the meeting, the agenda shall be available to the public and posted on the public body's web site. The School Board

shall post the agenda at least seventy-two hours prior to the meeting. Except for emergency matters, a public body shall take action only on items appearing on the agenda. For purposes of this subsection, "emergency" refers to unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body. Within ten days of taking action on an emergency matter, the public body shall report to the New Mexico Attorney General's office the action taken and the circumstances creating the emergency; provided that the requirement to report to the Attorney General is waived upon the declaration of a state or national emergency.

- 4) **Device Accommodations**. See policy B-1800 BEDC Quorum for information regarding **Mesa Vista Consolidated School Board of Education** member distance participation in board meetings.
- 5) **Special Meetings** may be called by the Chairman or a majority of the members upon three (3) days' 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 shall be available to the public at least seventy-two (72) hours before any special meeting.
- 6) **Emergency Meetings** will be called only for unforeseen circumstances, which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The **Mesa Vista Consolidated School Board of Education** 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 require 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.
- 7) For the purpose of Regular Meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state **or** posted in the following locations: **Central Administration Office, El Rito Elementary School, El Rito Post Office, Mesa Vista High School, Ojo Caliente Elementary School, Ojo Caliente Post Office, La Madera Post Office, Vallecitos Post Office, Tres Piedras Post Office and Carson Post Office**. A copy of the Agenda will also be posted on the **school website**. The **Mesa Vista Consolidated School Board of Education Administrative Secretary** shall also mail copies of the written notice to those broadcast stations licensed by the Federal

Communications Commission and newspapers of general circulation, which have made a written request for notice of public meetings. (This includes local radio and TV stations).

- 8) For the purpose of Special Meetings and Emergency Meetings described in paragraph 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state or posted in the following locations: **Central Administration Office, El Rito Elementary School, El Rito Post Office, Mesa Vista High School, Ojo Caliente Elementary School, Ojo Caliente Post Office, La Madera Post Office, Vallecitos Post Office, Tres Piedras Post Office, Carson Post Office, and also the School Website.** Telephone notice also shall be given 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.
- 9) In addition to the information specified above, all notices shall include the following language:
  - a. 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 of meetings, please contact the **Superintendent's Office at the Administration Office** located in Ojo Caliente, NM at least one week prior to the meeting or; as soon as possible. **Superintendent's Office**, is located in **Ojo Caliente, New Mexico**. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the **Superintendent's Office at the Administration Office**, if a summary or other type of accessible format is needed.
- 10) The **Mesa Vista Consolidated School Board of Education** may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meetings requirement under Section 10-15-1(H) of the Open Meetings Act.
  - a. **IF**, any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the **Mesa Vista Consolidated School Board of Education** 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 shall

- be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.
- b. If the decision to hold a closed meeting is made when the **Mesa Vista Consolidated School Board of Education** 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 the 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 that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
  - d. Where required by Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the **Mesa Vista Consolidated School Board of Education** in an open public meeting.
- 11) The Board of Education recognizes that, in a small community, Board members will occasionally attend social events, community functions, school activities or programs, athletic events or meetings of other groups or entities, or be present at local commercial establishments. In the event a quorum of the membership of the Board is present on such occasions, a violation of this resolution and the Open Meetings Act does not occur so long as the board members do not discuss school business or prospective board actions as described in this resolution. By adoption of this resolution, each member represents and agrees to abide by these limitations and not to engage in such discussions outside the context of a duly called board meeting which complies with the Open Meetings Act.

**PASSED AND APPROVED by the MESA VISTA CONSOLIDATED SCHOOL BOARD OF EDUCATION this 28th day of February, 2018.**

**Mesa Vista Consolidated School  
Board of Education**

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**Mr. Marvyn Jaramillo, President**

**ATTEST:**

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**Mr. Moises Pena, Secretary**