

**NEW AMERICA SCHOOL - NEW MEXICO  
GOVERNING COUNCIL**

**RESOLUTION NO. 2023-02-09-01**

WHEREAS, the Governing Council of the New America School New Mexico-LC ("Governing Council") met in regular session at 207 S. Main Street, Las Cruces, NM 88001 on February 9, 2023 at 5pm. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, §§10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings 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 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 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 NAS-LC Governing Council to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the NAS-LC Governing Council that:

1. All meetings shall be held at 207 S. Main Street, Las Cruces, NM 88001 on the second Thursdays of each month at 5pm or as indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held at least quarterly. The agenda will be available at least seventy-two (72) hours prior to the meeting at the following website:

*lcnas.org*

Notice of any other regular meetings will be given three (3) 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 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.

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 NAS-LC Governing 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 the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place are posted at the location and website identified in paragraph 2. and, if requested to do so, by broadcasting through a station licensed by the Federal Communications Commission and/or publishing in a newspaper of general circulation.

6. For the purposes 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 posting in the location and on the website described in paragraph 2. 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.

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, 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 Margarita Porter, 575-527-9085, mporter@lcnas.org 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 Ms. Porter at the phone number or email address above if a summary or other type of accessible format is needed.

8. The NAS-LC Governing 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 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 NAS-LC Governing 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 NAS-LC Governing 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 10-15-1(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 NAS-LC Governing Council in an open public meeting.

Passed by the unanimous vote of the NAS-LC Governing Council this 12<sup>th</sup> day of October, 2023.

  
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President - NAS-LC Governing Council

  
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Secretary - NAS-LC Governing Council