

**OPEN MEETINGS RESOLUTION 2024-R18
FARMINGTON MUNICIPAL SCHOOLS
BOARD OF EDUCATION**

WHEREAS, the Board of Education of the Farmington Municipal Schools met in regular session at the Central Office Board Room on January 9, at 5:15 p.m. as per 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 or other policy-making 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 required the Farmington Board of Education to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Farmington Municipal Schools District No. 5, San Juan County, New Mexico that:

1. Unless otherwise indicated on the meeting notice, all meetings shall be held at Farmington Schools' Central Office Board Room at 3401 E 30th St., and the meetings will begin at 5:15 p.m.
2. Unless otherwise specified, regular meetings shall be held on the second Tuesday of each month. The agenda will be posted on the District's website and available at least seventy-two hours prior to the meeting from the Superintendent's Office, located at 3401 E 30th Street, Farmington, New Mexico. Notice of any other regular meetings 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. Special meetings may be called by the President 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 posted on the District's website and available to the public at least seventy-two hours before any special meeting.
4. Emergency meetings will be called only under 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. The Board of Education will avoid emergency meetings whenever possible. Emergency meetings may be called by the President or a majority of the members upon twenty-four (24) hours notice, unless threat of personal injury, financial loss, 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. Within ten days of taking action on an emergency matter, the public body shall report to the 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.
5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if the Farmington news media (i.e. at least one newspaper of general circulation and one radio station licensed by the Federal Communications Commission within the school district) is notified of the date, time, place and agenda. The Superintendent's Administrative Assistant shall also mail, e-mail or fax 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.

6. For the purpose of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda in the Central Office, 3401 E 30th Street, Farmington. The Superintendent's Administrative Assistant shall also provide notice by telephone, e-mail or fax 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 the Superintendent's Administrative Assistant at Central Office (324-9840 ext. 1522) 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 Superintendent's Administrative Assistant at Central Office (324-9840 ext. 1522) if a summary or other type of accessible format is needed."

8. The 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 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 Board of Education taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure and the vote on closure 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 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 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 a vote of the Board of Education in an open public meeting.

9. The Board recognizes that 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 that complies with the Open Meetings Act.

EFFECTIVE DATE. This resolution shall become effective upon passage and approval.

PASSED by the Board of Education this 9th day of January, 2024.

Board President

Board Vice President

Board Secretary

Board Deputy Secretary

Board Member