

**LOS LUNAS SCHOOLS
BOARD OF EDUCATION
RESOLUTION #23-004
OPEN MEETINGS NOTICE RESOLUTION**

WHEREAS, The Los Lunas Schools Board of Education met in regular session on August 22, 2023 at 6:00 p.m. and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act 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, including the development of personnel rules, regulations or policies, 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, Section 10-15-1(C) of the Open Meetings Act requires the Los Lunas Schools Board of Education to determine annually what constitutes reasonable notice of its public meetings.

NOW THEREFORE, BE IT RESOLVED by the Los Lunas Schools Board of Education that:

1. All meetings shall be held in the Board Room of the Los Lunas Schools Administration Building, 119 Luna Avenue, Los Lunas, New Mexico at 6:00 p.m. or as otherwise indicated on the meeting notice.
2. Unless otherwise specified, regular meetings shall be held on the second and fourth Tuesday of each month unless advertised otherwise. A proposed agenda will be available at least seventy-two (72) hours prior to the meeting from the office of the Superintendent of Schools, whose office is located in the Los Lunas Schools Administration Building, 119 Luna Avenue, Los Lunas, New Mexico. Notice of any other regular meetings or changes in the dates of the 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 of the Board of Education 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 which demand immediate action to protect the health, safety of persons or property. The Los Lunas Schools Board of Education will avoid emergency meetings whenever possible. For purposes of this resolution, "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 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.

Emergency meetings may be called by the President or a majority of the members upon twenty-four (24) hours' notice, unless the 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 regarding how the public may obtain a copy of the agenda.

5. For the purposes of regular meetings described in paragraph two of this resolution, notice requirements shall be met if notice of the date, time, place and specific items of business to be discussed or transacted at the meeting is posted on the Los Lunas Schools District Web Page, posted outside the district administration board room, at school sites, district departments, and inside the main lobby door of the district administration office. Written notices of meetings shall be sent by first class mail, email or facsimile transmission to a newspaper having general circulation in the school district and to radio stations that have requested such notices.
6. For the purpose of special meetings and emergency meetings described in paragraphs three and four of this resolution, notice requirements shall be met if notice of the date, time, place and subject matter to be discussed is posted on the Los Lunas Schools District Web Page, posted outside the district administration board room, at school sites, district departments, and inside the main lobby door of the district administration office. Written notice of special or emergency meetings shall be sent by email or facsimile transmission to a newspaper having general circulation in the school district and/or radio stations that have requested such notices.
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 office at least one week prior to the meeting or as soon as possible so that appropriate arrangements may be made.
8. The Los Lunas Schools 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 Los Lunas Schools 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 of the Board of Education 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. Where required by Section 10-15-1 (H), final action taken as a result of discussions in a closed meeting shall be made by vote of the Los Lunas Schools Board of Education in an open public meeting.
9. The LLS Board of Education recognizes that, in a small community, Board of Education 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 of Education 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 of Education 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 LLS Board of Education Meeting, which complies with the Open Meetings Act.

Passed by the Los Lunas Schools Board of Education this 22nd day of August 2023.

Tina Garcia, President

Bryan C. Smith, Member

P. David Vickers, Vice President

Eloy G. Giron, Member

Bruce Bennett, Secretary

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