

### 3-1.2-B. Raíces Open Meetings Act Resolution

**Purpose:** *the Governance Board of Raíces del Saber Xinachtli Community School understands that a key responsibility of the Board is to ensure the regulations of the NM Open Meetings Act are carefully adhered to in the conduct of the Governance Board Meetings and official business as a public entity. In pursuit of this responsibility, the following resolution has been approved by the Raíces Governance Board on February 25, 2021, at an official Board meeting.*

#### **Raíces del Saber Xinachtli Community School Governance Board Resolution No. 4- 2021: Annual Notice of Meetings Resolution**

WHEREAS, the Governance Board of Raíces del Saber Xinachtli Community School met in regular session, on February 25, 2021 at 5:15 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 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 Governance Board of Raíces del Saber Xinachtli Community School to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Governance Board of Raíces del Saber Xinachtli Community School (hereafter Raíces) that:

1. All Governance Board meetings shall be held at Raíces, located at 2211 N. Valley Drive, Las Cruces, at 5:15 p.m. or as indicated in the meeting notice (by Zoom during the COVID pandemic).

2. Unless otherwise specified, regular meetings shall be held each month on the 4<sup>th</sup> Thursday of the month. The agenda will be available at least seventy-two hours prior to the meeting from Lucia Carmona, Director of Operations and Community Engagement, and on Raíces website at <https://www.raicesdelsaber.org>.

3. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two hours before the meeting and posted on Raíces website at <https://www.raicesdelsaber.org>.

4. Special meetings may be called by the Governance Board Chair or a majority of the members upon three-days-notice. The notice for a special meeting shall include an agenda for the meeting or information on how to obtain a copy of the agenda. The agenda will be available at least seventy-two hours before the meeting and posted on Raíces website at <https://www.raicesdelsaber.org>.

5. 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 Raíces Governance Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members with twenty-four-hours prior notice unless a 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. Within ten days of taking action on an emergency matter, the Secretary of Raíces Governance Board or Head Administrator will notify the Attorney General's Office.

6. For the purposes of meetings described in Paragraph 3 of this resolution, notice requirements are met if notice of the date, time, place and how to obtain an agenda is placed in newspapers of general circulation in the state and posted in the following locations: on Raíces website at <https://www.raicesdelsaber.org> and at the office of Raíces School once the school is open. Copies of the written notice shall also be mailed 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. For the purposes of special meetings and emergency meetings described in

Paragraphs 4 and 5, notice requirements are met if notice of the date, time, place and way to obtain an agenda is provided by telephone to newspapers of general circulation in the state and posted on the Raíces website, until Raíces moves into permanent facilities and then it will be posted in the Raíces school office. 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.

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 meeting, please contact the Raíces School (contact information on the Raíces website at <https://www.raicesdelsaber.org>) at least one (1) 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 Director of Operations and Community Engagement, Lucia Carmona, if a summary or other type of accessible format is needed.

9. The Raíces Governance Board 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 Meeting Act.

a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of Raíces Governance Board 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 on the motion by each individual member 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 Raíces Governance Board 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 that was taken as a result of discussions in a closed meeting shall be made by voice vote of the Raíces Governance Board in an open public meeting.

Passed by the Raíces Governance Board on this 25<sup>th</sup> day of February, 2021

Signature of Raíces Governance Board Chair, Jane Asche:

Jane Asche

Date: 02/25/2021