

Resolution No. 2018 - 03

**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
ANNUAL OPEN MEETINGS NOTICE RESOLUTION**

WHEREAS, the Open Meetings Act of the State of New Mexico, §10-15-1, NMSA 1978, *et seq.* requires meetings of a quorum of the members of the Board of Regents, held for the purpose of discussing or adopting any proposed resolution, rule, regulation, or other formal action, to be conducted only after reasonable notice to the public; and

WHEREAS, the Open Meetings Act requires the Board of Regents to determine at least annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of New Mexico State University, that compliance with the following requirements shall constitute reasonable notice:

1. **Meeting Notice Content:** Each meeting notice shall indicate the date and time of the relevant meeting as well as the specific location of the Board's meeting, including city and campus (as applicable), building name, and address.
2. **Meeting Notice Method:** Each meeting notice shall be (1) transmitted by telephone, fax, electronic or other means of delivery to newspaper(s) of general circulation in the state, (b) posted at the Zuhl Library on the Las Cruces Campus of New Mexico State University, and (c) posted on the NMSU Regents' website. In addition, each meeting notice shall be transmitted to any licensed broadcast station and any other newspaper that has made request for notification of meetings within the previous 12 months. Requests shall be directed to ucomm@nmsu.edu.
3. **Meeting Notice Timing:** Each meeting notice shall be provided in advance of the meeting, with the amount of advance notice depending upon the type of meeting:
 - a. Notice of regular meetings (scheduled at least quarterly) will be given at least 10 days in advance of the meeting date. The regular meeting agenda shall be posted on the NMSU Regents' website at least 72 hours prior to the meeting.
 - b. Notice of special meetings will be given at least three days in advance of the meeting date. The special meeting agenda shall be posted on the NMSU Regents' website at least 72 hours prior to the meeting.
 - c. Notice of an emergency meeting, called in the case of unforeseen circumstances that demand immediate attention to protect the health, safety and property of citizens, or to protect the university from substantial financial loss, will be given 24 hours in advance, unless threat of personal injury, property damage or threat of financial loss requires less notice. The emergency meeting agenda shall be posted on the NMSU Regents' website at the same time as the notice of emergency meeting.

4. **Report of Emergency Meeting:** Within 10 days of taking action on an emergency matter, the Board of Regents shall report to the Office of the New Mexico Attorney General the action taken and the circumstances creating the emergency, unless there has also been a declaration of a state or national emergency, in which case no report is required.
5. **Meeting Accessibility:** 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 Office of the Regents’ Special Adviser at (575) 646-5997 at least three days prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, may also be provided in various accessible formats. Please contact the Office of the Regents’ Special Adviser at (575) 646-5997 if a summary or other type of accessible format is needed.”

6. **Closed/Executive Session:** The Board of Regents may close a meeting to the public, and meet in executive session, only if the subject matter of such discussion or action falls within one of the exceptions in the Open Meetings Act, § 10-15-1(H).
 - a. If any meeting is proposed to be closed during an open meeting, without prior notice, the closure shall be proposed by motion, stating the specific provision of law authorizing the closed meeting and the subject matter to be discussed. The motion must be approved by a majority of a quorum of the Board in attendance. The vote of each individual member on the motion proposing closure 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 to be conducted when the Board is not already convened in an open meeting, the closed meeting shall not be held until public notice required for a special meeting is posted, stating the specific provision of law authorizing the closed meeting and the subject matter to be discussed.
 - c. Following completion of any closed meeting, the minutes of the public meeting that was closed, or the minutes of the next public 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 the meeting notice for the special meeting.
 - d. Except as provided by Section 10-15-1(H) of the Open Meetings Act and New Mexico case law interpreting same, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board in an open public meeting.

ADOPTED by the Board of Regents of New Mexico State University, the 6th day of March, 2018, at its regular annual meeting held in Las Cruces, New Mexico.



Chair, NMSU Board of Regents