

OPEN MEETINGS RESOLUTION  
CAPITAN MUNICIPAL SCHOOL DISTRICT

**WHEREAS**, Capitan Municipal School District Board of Education met in regular session at the Board Room on Monday, July 18, 2022 at 6:00 p.m. as required by law. WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 1015-1 to 10-15-4) 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 the Board of Education held for the purpose of formulating public policy, including the development of personnel policy, rules or regulations, discussing public business or for the purpose 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 Board of Education will determine annually what constitutes reasonable notice of its public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Capitan Municipal School District Board of Education that:

1. All meetings shall be held at the Capitan Municipal School District Board Room or Designated Location at 6:00 p.m. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the 3rd Monday of each month. A proposed agenda will be made available at least seventy-two (72) hours prior to the meeting by the Superintendent, whose office is located at the Capitan Administration Office at 519 Smokey Bear Blvd., Capitan NM 88316. Agenda will also be available on Capitan Municipal Schools website([capitantigers.org](http://capitantigers.org)).
3. Special meetings may be called by the President or a majority of the board 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.
4. Emergency meetings will be called only under unforeseen circumstances which if not addressed immediately by the Board, will likely result in injury or Capitan Municipal Schools damage to person or property or substantial loss to the school district. The Capitan Municipal School District Board of Education will avoid emergency meetings whenever possible. Emergency meetings may be called by the president or a majority of the board 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. Within ten days

of taking action on an emergency matter, the Board 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 purpose of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted at the Administration Office and School Website.
6. For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements will be met by posting notice of the date, time, place and agenda at the Capitan Administration Office, and School Website.
7. In addition to the information specified above, all notices shall include the following language:
  - If you are an individual with a disability who are 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 Superintendent J. Vance Lee at 575.354.8511 at least one week prior to the meeting or as soon as possible.
8. The Capitan School District 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-I(H) of the Open Meetings Act.
  - If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Capitan Municipal School District 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 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.

Adopted by the Capitan Municipal School District Board of Education this 18th day of July 2022.

// James Nesbitt- President

// Dennis Rich- Vice President

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