

OPEN MEETINGS ACT POLICY
New Mexico School for the Arts

The New Mexico School for the Arts (the "School"), a state public charter high school, exists for the purpose of providing an excellent artistic and academic education to high school students with exceptional promise in the arts. This Open Meetings Act Policy is adopted for the purpose of enabling the Governing Board (the "Board") of the School to conduct its public business in public.

1. **Open Meetings.** Meetings of the Board at which a quorum of the Board is present which are held for the purpose of formulating public policy, discussing public business or taking action are open to the public. A member of the Board may attend a meeting either in person or by means of a conference telephone or other similar equipment when it is otherwise difficult or impossible for that person to attend the meeting in person, provided that each member participating by telephone can be identified when speaking and all participants are able to hear each other at the same time, and members of the public who attend the meeting are able to hear any member of the Board who speaks during the meeting.

2. **Closed Meetings.** A closed meeting may be held only for one or more of the following purposes ("Closed Meeting Purposes"):
 - (1) Deliberations about the issuance, suspension, renewal or revocation of a license;
 - (2) Discussion of the hiring, promotion, demotion, dismissal, assignment or resignation of a public employee, or the investigation or consideration of complaints or charges against a public employee;
 - (3) Deliberations in connection with an administrative adjudicatory proceeding held by the Board;
 - (4) Discussion of personally identifiable information about an individual student;
 - (5) Discussion of collective bargaining strategy prior to negotiations between the Board and a union representing employees of the School; collective bargaining sessions involving the Board and union; and consultations and impasse resolution procedures at which the Board and union are present;
 - (6) Discussion of a sole source purchase that exceeds \$2,500 or of the contents of competitive sealed proposals during the contract negotiation process;
 - (7) Meeting with the Board's attorney pertaining to threatened or pending litigation in which the Board is or may become a participant; and
 - (8) Discussion of the purchase, acquisition or disposal of real property or water rights.

If a closed meeting convenes as a portion of an open meeting, then the following procedures shall be taken:

- (1) The Board shall approve a motion to close the meeting which states the specific Closed Meeting Purpose(s) and a description of the subject(s) to be discussed;
- (2) A roll call vote on the motion shall be taken and recorded;
- (3) Discussions in the closed meeting are limited to the matters described in the motion;
- (4) Action on matters discussed should be taken in an open meeting after it resumes;

- (5) A statement affirming that the matters discussed in the closed meeting were limited to those matters described in the motion is recorded in the minutes.

If a closed meeting convenes as a separate meeting, then notice of the closed meeting will state the specific Closed Meeting Purpose(s) and a description of the subject(s) to be discussed. A statement affirming that the matters discussed in the closed meeting were limited to those matters described in the notice and agenda for the closed meeting will be entered into the minutes of the next open meeting.

3. Emergency Meetings. An emergency meeting may be held if unforeseen circumstances will likely result in injury or damage to persons or property or substantial financial loss if the Board does not address them immediately.

4. Notice of Meetings. The procedures for providing notice of meetings are set forth below:

- (1) Notice of meetings will state the date, time and location of the meeting and will include an agenda or information on how the public may obtain a copy of the agenda. The agenda will include a list of items to be discussed or acted upon at the meeting and will be available to the public at least 24 hours before the meeting, except in the case of an emergency meeting.
- (2) Notice of meetings will be posted on the School's website in a place and manner that is accessible to the public and also will be sent to all FCC licensed broadcast stations and newspapers of general circulation that have provided a written request for notice of meetings.
- (3) Notice will be posted in advance at least five (5) days prior to a meeting, except in the case of an emergency meeting. Notice of emergency meetings will be provided at least 24 hours in advance of the meeting if possible.

5. Annual Determination of What Constitutes Reasonable Advance Notice. The Board shall determine at least annually in an open meeting the procedures and deadlines that will provide reasonable advance notice and will revise this policy as needed to incorporate the procedures and deadlines approved by the Board.

This Open Meetings Act Policy was adopted by resolution of the Governing Board of the New Mexico School for the Arts, effective as of August 31, 2010.

NEW MEXICO SCHOOL FOR THE ARTS



CATHERINE OPPENHEIMER, Chair
Of the Governing Board

ATTEST



CINDY MONTOYA, Secretary
Of the Governing Board

Legal References:

Sections 10-15-1et seq., NMSA 1978

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Adopted: August 31, 2010