

NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS

2008/2009 RESOLUTION ESTABLISHING MEETING NOTICE REQUIREMENTS

WHEREAS, any meetings subject to the Open Meetings Act of the State of New Mexico, § 10-15-1, NMSA 1978, *et seq.*, 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, 10-15-1 (D) of the Open Meetings Act requires the Board of Regents to determine 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 the following notice shall be given for its meetings:

1. Unless otherwise specified in the Notice of Meeting, the meetings of the Board of Regents shall be held in the Regents Room (Room 1) of the Educational Services Center on the New Mexico State University main campus in Las Cruces, New Mexico.
2. The Board of Regents shall hold a minimum of five regular meetings each year on such dates, places and times as may be fixed by the Board. Notice of regular meetings will be given at least ten days in advance of the meeting date. The agenda for the meeting will be available not less than twenty-four hours prior to the meeting. The Meeting Notice shall indicate how a copy of the Agenda may be obtained.
3. Special Meetings are normally reserved for matters that require action before the Board's next regular meeting and shall be called by the Chair of the Board, or at the request of two Regents. Notice of Special Meetings will be given three days in advance of the meeting date. The agenda for the meeting will be available not less than twenty-four hours prior to the meeting. The Meeting Notice shall indicate how a copy of the Agenda may be obtained.
4. Emergency Meetings will be called only for unforeseen circumstances that demand immediate attention to protect the health, safety and property of citizens or to protect the university from substantial financial loss. The Board of Regents will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair of the Board, or at the request of two Regents, upon twenty-four hour notice, unless threat of personal injury, property damage or threat of financial loss requires less notice. The Meeting Notice shall include the Agenda for the meeting or information on how the public may obtain a copy of the Agenda.
5. For purposes of the regular meetings described in Paragraph 2 above, notice requirements are met if notice of the date, time and place of the regular meeting is placed at least ten days in advance of the meeting date in newspaper(s) of general circulation in the state; the NMSU student publication; and posted at the Zuhl Library on the Las Cruces Campus of New Mexico State University. In addition, notice of such meetings shall be furnished to those broadcast stations licensed by the Federal Communications

Commission and other newspapers that have made a written request for notice of public meetings. Absent extenuating circumstances, notice of the regular meeting shall also be available on the New Mexico State University Web site at www.nmsu.edu; a failure to post on line shall not invalidate the notice, provided the above requirements were met.

6. For purposes of the special and emergency meetings described in paragraphs 3 and 4 above, notice requirements are met if notice of the date, time and place is provided by telephone or fax delivery at least three days, or 24 hours (if possible), respectively, in advance of the meeting date to newspaper(s) of general circulation in the state; the NMSU student publication; and posted at the Zuhl Library on the Las Cruces Campus of New Mexico State University. In addition, telephone or fax notice shall be furnished to those broadcast stations licensed by the Federal Communications Commission and other newspapers that have made a written request for notice of public meetings. Absent extenuating circumstances, notice of the special or emergency meeting shall also be available on the New Mexico State University Web site at www.nmsu.edu; a failure to post on line shall not invalidate the notice, provided the above requirements were met.

7. In addition to the information specified above, all notices shall include the following language:

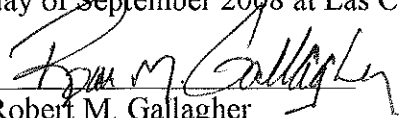
“If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Regents’ Chief of Staff at (505) 646-1727 at least three (3) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Regents’ Chief of Staff at (505) 646-1727 if a summary or other type of accessible format is needed.”


8. The Board of Regents may close a meeting to the public 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).

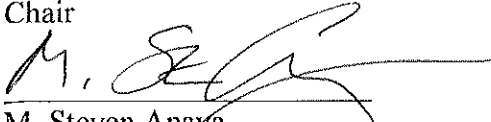
- a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated in the motion to close and the vote of each individual 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.
- b. If a closed meeting is conducted when the 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 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 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.

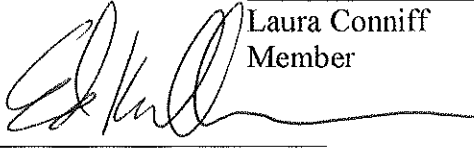
DULY ADOPTED by the Board of Regents of New Mexico State University this 26th day of September 2008 at Las Cruces, New Mexico.


Robert M. Gallagher
Chair


Blake Curtis
Vice Chair


M. Steven Anaya
Secretary-Treasurer


Laura Conniff
Member


Ed Kellum
Member