

## Resolution No. 2024-01

### REGENTS OF NEW MEXICO STATE UNIVERSITY ANNUAL OPEN MEETINGS NOTICE RESOLUTION

WHEREAS, the Open Meetings Act of the State of New Mexico, NMSA 1978, Sections 10-15-1 to -10-15-4 (2013) requires reasonable notice to the public in advance of conducting 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; and

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

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

1. Meeting Notice Content: NMSU must cause each meeting notice to indicate the meeting date, time, and location, including the city and campus (as applicable), building name, and address, and notice if the meeting will occur electronically.
2. Meeting Notice Method: NMSU will post meeting notices on the [NMSU Regents' webpage located on NMSU.edu](#). In addition, NMSU must transmit each meeting notice to any licensed broadcast station and newspapers of general circulation that have made written requests for notification of meetings within the previous 12 months. NMSU requires each such request to be directed to [ucomm@nmsu.edu](mailto:ucomm@nmsu.edu).
3. Meeting Notice Timing: NMSU must provide advance notice and an agenda for each meeting as follows:
  - a. Regular Meeting Notice - NMSU must provide notice of each regular meeting (scheduled at least quarterly) at least ten days in advance of the meeting date. NMSU must post the regular meeting agenda on the NMSU Regents' website at least 72 hours prior to the meeting.
  - b. Special Meeting Notice - NMSU must provide notice of each special meeting at least 72 hours in advance of the meeting date. NMSU must post the special meeting agenda on the NMSU Regents' website at least 72 hours prior to the meeting.
  - c. Emergency Meeting Notice - NMSU must provide notice of an emergency meeting - called in the case of any unforeseen circumstance that demands immediate attention to protect the health, safety and property of citizens, or to protect the university from substantial financial loss - 24 hours in advance, unless threat of personal injury, property damage or threat of financial loss requires less notice. NMSU must post the emergency meeting agenda on the NMSU Regents' website at the same time that it posts the notice of emergency meeting.

4. Report of Emergency Meeting: No later than 10 days after 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, NMSU must cause all notices of open meetings to 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' 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 at (575) 646-5997 if a summary or other type of accessible format is needed."

6. Closed/Executive Session: The NMSU Regents may close a meeting to the public and meet in executive session only if the subject matter to be discussed is expressly excepted from public disclosure under the Open Meetings Act, Subsection 10-15-1.H.
  - a. If any Regent proposes to close the meeting for executive session during an open meeting a motion for closure is required stating the specific provision of law authorizing the closed meeting and the subject matter to be discussed. The motion for executive session must be approved publicly by a majority vote of the quorum. NMSU must record in the minutes the vote of each individual member on the motion proposing closure. The Board of Regents may discuss in the closed meeting only those subjects specified in the motion.
  - b. If a closed meeting is proposed when the Board is not presently convened in an open meeting, the closed meeting shall not be held until NMSU has posted public notice required for a special meeting, stating the specific provision of law authorizing the closed meeting and the subject matter to be discussed.
  - c. Following completion of any closed meeting, NMSU must cause the minutes of the public meeting that was closed, or the minutes of the next public meeting if the closed meeting was separately scheduled, to 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 may be provided by Subsection 10-15-1.H of the Open Meetings Act, the NMSU Regents are required to cast their votes in an open meeting prior to taking any action on items discussed in a closed meeting.

ADOPTED by the Board of Regents of New Mexico State University, the 11th day of March, 2024, at its regular annual meeting held in Las Cruces, New Mexico.

  
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Ammu Devasthali, Chair, NMSU Board of Regents