

AIMS@UNM OPEN MEETINGS RESOLUTION –2019-2020 Academic Year

WHEREAS, Section 10-15-1(D) NMSA 1978 requires the Governance Council of the Albuquerque Institute for Mathematics and Science@UNM of Albuquerque, New Mexico (the “Governance Council”), to determine what notice for a public meeting shall be reasonable, and

WHEREAS, due and proper notice of the regular meeting of the Governance Council on August 9, 2018, at which the adoption of this Resolution is to be considered, has been given in accordance with the open meetings resolution of the Governance Council.

NOW, THEREFORE, BE IT RESOLVED by the Governance Council that reasonable notice to the public of any meetings of the Governance Council shall consist of:

1. As to any Regular Meeting, either:

(a) Public announcement at any previous meeting of the date, time, and place it is to be held, and

(b) Electronically posting a notice of the date, time, and place on the AIMS@UNM web page www.aims-unm.org 72 hours in advance of the meeting, and

(c) As to regular meetings held on regularly fixed days at regularly fixed times and places, the maintenance, in the office of the Director, 933 Bradbury SE, Albuquerque, NM. 87106, of a public record, available for inspection by members of the public during business hours, showing the days on which and the times and places at which such meetings are held, also to be posted on the website.

(e) An agenda which contains a list of specific items of business to be discussed or transacted, or information on how the public may obtain a copy of such an agenda which agenda will ordinarily be available on AIMS@UNM website. Except in the case of an emergency, the agenda will be available to the public at least seventy two (72) hours prior to the meeting. Except for emergency matters, the Governance Council will take action only on items appearing on the agenda.

2. As to any Special Meeting, either:

(a) Public announcement of the date, time, and place of such meeting at any regular or special meeting held at least twenty-four (24) hours before the commencement of the special meeting so announced, and

(b) Electronically posting a notice of the date, time, and place on the AIMS@UNM website at www.aims-unm.org at least two (2) calendar days in advance of the meeting, and

(c) The notice of special meetings shall include an agenda which contains a list of specific items of business to be discussed or transacted, or information on how the public may obtain a copy of such an agenda which agenda will ordinarily be available at the AIMS@UNM administrative office and on the AIMS@UNM website. Except in the case of an emergency, the agenda will be available to the public at least twenty-four (24) hours prior to the meeting. Except for emergency matters, the Governance Council will take action only on items appearing on the agenda.

3. As to any Emergency Meeting, either:

(a) Electronically posting a notice on the AIMS@UNM website at www.aims-unm.org at least twenty-four (24) hours in advance of the meeting.

(b) If twenty-four (24) hour notice is not possible, as much notice as is practical under the circumstances will be given in accordance with paragraphs 3(a), (b) and (c).

(c) The notice of emergency meetings shall include an agenda which contains a list of specific items of business to be discussed or transacted, or information on how the public may obtain a copy of such an agenda.

Emergency meetings are defined as those meetings necessitated by unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body. Emergency meetings may be called by the President of the Governance Council or by a majority of the members of the Governance Council. If emergency action is taken, the Governance Council must report that action to the Office of the

Attorney General within ten (10) calendar days unless a state or national emergency has been declared.

4. As to any Closed Meeting, either:

(a) By adoption of a motion in an open meeting by vote of a majority of the quorum there present, which motion shall state with reasonable specificity the subject to be discussed and the authority for such closure and roll call vote of the members present recorded in the minutes of such open meeting, or

(b) If a closed meeting is to be held other than pursuant to motion and vote as set out in subparagraph above, reasonable notice thereof shall be given pursuant to the requirements of Paragraph 2 above dealing with notice of special meetings.

(c) Any notice of a closed meeting as well as any motion adopted for a closed meeting shall, in addition to other requirements herein set forth, include the following:

(i) identification of the specific authority permitting such closed meeting pursuant to Section 10-15-1(H).

(ii) if the meeting is to be closed as a "limited personnel matter" pursuant to Section 10-15-1(H)(2), the notice shall also specifically set forth whether said meeting is for the purposes of discussion of hiring, promotion, demotion, dismissal, assignment, or resignation or of the investigation or consideration of complaints or charges against any individual employee, provided that the name of the individual shall not be disclosed.

(iii) if the authority for closure of the meeting is pursuant to an "administrative adjudicatory proceeding" pursuant to Section 10-15-1(H)(3), the notice shall include the caption or title of the proceeding.

(iv) if the authority for closure of the meeting is pursuant to Section 10-15-1(H)(4) relating to personally identifiable information about an individual student, the notice will identify that the meeting relates to a matter affecting a student without further personal identification.

(v) if the authority for closure of the meeting is pursuant to the collective bargaining negotiations, pursuant to Section 10-15-1(H)(5), said notice shall identify the contract which is the subject matter of the negotiations and the bargaining unit with whom the district is negotiating.

(vi) if the authority for closure of the meetings concern purchases pursuant to Section 10-15-1(E)(6) or for the purpose of discussion of purchase or acquisition of real property or water rights pursuant to Section 10-15-1(H)(8), the notice shall provide a general description of the purchase contemplated.

(vii) in the event the authority for closure of the meeting is to discuss matters subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to Section 10-15-1(H)(7), then the caption of the pending litigation shall be disclosed in the notice.

(viii) 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 that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting.

5. Participation by a member of the Governance Council in a meeting by conference telephone or other similar equipment is permissible when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each Governance Council member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Governance Council who speaks during the meeting.

6. The Governance Council may recess and reconvene a meeting to a day subsequent to that stated in the meeting notice if, prior to recessing, the Governance Council specifies the date, time, and place

for continuation of the meeting and, immediately following the recessed meeting, posts notice of the date, time, and place for the reconvened meeting on or near the door of the place where the original meeting was held, is posted on the website and in the office of the Director at 933 Bradbury SE. Albuquerque, NM 87106. Only matters appearing on the agenda of the original meeting will be discussed at the reconvened meeting.

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 hearing or meeting, please contact the Director at least one week 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 Director if a summary or other type of accessible format is needed.

IT IS FURTHER DETERMINED that substantial compliance with any one or more of the foregoing alternatives which may be applicable is reasonable notice, but this determination shall not be construed to prevent the use of additional means or methods of making known the date, time, and place of holding any public meeting, or other information with reference thereto, as may be directed from time to time by or under the authorization of the Director. Further, this Resolution shall not be construed to require notice in instances where the same is not required by law.

All or part of this Resolution may be amended or modified by the Governance Council from time to time. If any provision or clause of this Resolution is held invalid, such invalidity shall not affect the other provisions or clauses of this Resolution, which can be given effect without the invalid provisions or clauses, and to this end, the provisions and clauses of this resolution are declared to be severable.

DONE this 10th day of October, 2019.
