

**21<sup>st</sup> Century Public Academy**  
**Governance Council Resolution No. 4-20-23-2**  
Open Meetings Act

**Whereas**, the 21<sup>st</sup> Century Public Academy Governance Council met in regular session at 21<sup>st</sup> Century Public Academy on April 20<sup>th</sup>, 2023 at 5:30 pm as per law; and

**Whereas**, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978), sections 10-15-1 to 4) states that except as may be otherwise provided in the Constitution or the provision of the Open Meetings Act, all meeting of a quorum of the member of any board, council, commission, administrative adjudicatory body or other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of 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 actions 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 21<sup>st</sup> Century Public Academy Governance Council to determine annually what constitutes reasonable notice of its public meetings’

**NOW, THEREFORE, BE IT RESOLVED** by the 21<sup>st</sup> Century Public Academy Governance Council that:

1. All meetings shall be held at 21<sup>st</sup> Century Public Academy School at 5:30 pm or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the third Monday of the month. The agenda will be available at least seventy-two hours prior to the meetings from the 21<sup>st</sup> Century Public Academy Administrative Office whose office is in Albuquerque, New Mexico. Notice of any other regular meetings will be given as per the Open Meetings Act. Notice of meetings will be posted at the school and on the website.
3. Special meetings may be called by the President or majority of the members upon three days notice. The notice shall include the 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 that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The 21<sup>st</sup> Century Public Academy Governance Council will avoid emergency meeting wherever possible. Emergency meetings may be called by the chairman or a majority of the members upon seventy two 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.
5. Members of the 21<sup>st</sup> Century Public Academy Governance Council may participate in a meeting of the council by means of a conference telephone or similar communications equipment when it is otherwise difficult or impossible for the member to attend in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time, and member of the public attending the meeting are able to hear any member of the Council who speaks during the meeting.

6. For the purpose of regular meeting described in paragraph 2 of this resolution, notice requirements are met if notice date, time place and agenda is posted in the following locations, 21<sup>st</sup> Century Public Academy's front door, and 21<sup>st</sup> Century Public Academy's website. 21<sup>st</sup> Century Public Academy Governance Council shall also send via surface or electronic mail copies of written notice to those broadcast licensed by the federal Commination Commission and newspapers of general circulation which have made a written request for notice of public hearings.
7. For the purpose of special meetings and emergency meetings describe in paragraphs 3 and 4 of the resolution, notice requirements are net if notice of the date, time place and agenda is provided by posting notice on the front door of 21<sup>st</sup> Century Public Academy School, on the 21<sup>st</sup> Century Public Academy School website and by telephone to newspapers of general circulation in the State that have made a written request for notice of public meetings.
8. In addition to the information specified above, all notices will 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 21<sup>st</sup> Century Public Academy at 505-254-0280 at least one (1) 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 21<sup>st</sup> Century Public Academy at 505-254-0280 if a summary or other type of assessable format is needed.
9. The 21<sup>st</sup> Century Public Academy Governance Council may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.
  - (a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the 21<sup>st</sup> Century Public Academy Governance Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the voice 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 21<sup>st</sup> Century Public Academy Governance Council is 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 with reasonable specificity, 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 in Section 10-15-1(H) of the Open Meetings Ace, any action taken as a result of discussions in a closed meeting shall be made by vote of the 21<sup>st</sup> Century Public Academy Governance Council in an open public meeting.

Duly approved and voted upon by 21<sup>st</sup> Century Public Academy Governance Council on this day of April 20, 2023.

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Secretary