

GALLUP-McKINLEY COUNTY PUBLIC SCHOOLS

BOARD OF EDUCATION  
RESOLUTION 23-24

WHEREAS, the Board of Education for the Gallup-McKinley County Schools met in a regular meeting at the Board Room of Student Support Center, 640 Boardman, Gallup, New Mexico on May 22, 2023, at 1:00 p.m. in accordance with the New Mexico Open Meetings Act; and;

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (N.M. Stat. Ann. Sections 10-15-1 to 4 (2013)) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission 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 action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act required the Board of Education for the Gallup-McKinley County Schools to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education for the Gallup-McKinley County Schools that:

1. Unless otherwise indicated on the meeting notice, regular meetings of the Board of Education for the Gallup-McKinley County Schools shall be held at the Gallup-McKinley County Schools Student Support Center, located at 640 Boardman, Gallup, New Mexico, at 1 p.m. Any county meeting will be announced.

So long as regular meetings are held pursuant to this schedule, no further notice to the public shall be required. However, if a regular meeting is to be held at a different date, location or time, a written notice of such meeting shall be given in advance of the meeting date in accordance with the Open Meetings Act by posting on the School District's website ([www.gmcs.org](http://www.gmcs.org)) and with the posting of physical notices in the Gallup-McKinley County Schools Student Support Center in Gallup, New Mexico. In addition, to supplement notice, but not required for meeting the notice requirement of the Open Meetings Act, the School District shall mail copies of the written notice of the revised meeting date, time or location to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for notice of public meetings. A final agenda for all regular meetings will be available at least seventy-two (72) hours prior to the meeting at the Office the Superintendent, located at the Gallup-McKinley County Schools Student Support Center, located at 640 Boardman, Gallup, New Mexico and on the School District's website at [www.gmcs.org](http://www.gmcs.org).

2. Regular meetings shall be held every third Monday intervals throughout the year. When the third Monday is a legal holiday or school holiday, the meeting will be held on Tuesday. A proposed agenda will be available at least seventy-two (72) hours before the meeting from the Superintendent's Office located in the Student Support Center, 640 Boardman, Gallup, New Mexico and on the School District's website at [www.gmcs.org](http://www.gmcs.org). Notice of any other regular meetings will be given in advance of the meeting date in accordance with the Open Meetings Act. So long as regular meetings are held pursuant to this schedule, no further notice to the public shall be required. However, if a regular meeting is to be held at a different date, location or time, a written notice of such meeting shall be given in advance of the meeting date in accordance with the Open Meetings Act by posting on the School District's website ([www.gmcs.org](http://www.gmcs.org)) and with the posting of physical notices in the Gallup-McKinley County Schools Student Support Center in Gallup, New Mexico. In addition, to supplement notice, but not required for meeting the notice requirement of the Open Meetings Act, the School District shall mail copies of the written notice of the revised meeting date, time or location to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for notice of public meetings. A final agenda for all regular meetings will be available at least seventy-two (72) hours prior to the meeting at the Office the Superintendent, located at the Gallup-McKinley County Schools Student Support Center, located at 640 Boardman, Gallup, New Mexico and on the School District's website at [www.gmcs.org](http://www.gmcs.org).

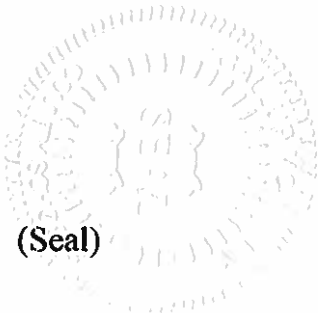
Special meetings may be called by the Board President or a majority of the members of the Board upon at least seventy-two (72) hours written notice to the members of the Board and to the public. For the purposes of giving public notice of special meetings, notice requirements shall be met by posting notice of the date, time, place and agenda on the School District's website ([www.gmcs.org](http://www.gmcs.org)) and with the posting of the notice at the Student Support Center, located at 640 Boardman, Gallup, New Mexico. The public notice shall include a final agenda for the meeting or inform the public that a copy of the final agenda may be obtained at the Office the Superintendent, the Gallup-McKinley County Schools Student Support Center, located at 640 Boardman, Gallup, New Mexico at least seventy-two (72) hours before a special meeting. The agenda will also be available seventy-two (72) hours before the meeting on the School District's website at [www.gmcs.org](http://www.gmcs.org). To supplement notice, but not required for meeting the notice requirement of the Open Meetings Act, the School District will also provide a copy of the meeting notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

3. Emergency meetings will be called only under circumstances which demand immediate action to protect the health, safety and property of citizens or substantial financial loss to the School District. The Board of Education for the Gallup-McKinley County Schools will avoid emergency meetings whenever possible. The Board President or a majority of the members upon twenty-four (24) hours' notice may call emergency meetings, unless threat of personal injury or property damage require less notice. The notice for all emergency meetings shall include a final agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the public body shall report to the Attorney General's office the action taken and the circumstances creating the emergency.
4. For the purpose of regular, special, and emergency meetings; notice requirements for regular and special meetings are met when notice of the date, time, place and general subject matter to be discussed is posted on the School District's website ([www.gmcs.org](http://www.gmcs.org)) and with the posting of notices at the Office the Superintendent, the Gallup-McKinley County Schools Student Support Center, located at 640 Boardman, Gallup, New Mexico. To supplement notice, but not required for meeting the notice requirement of the Open Meetings Act, the School District shall mail and/or e-mail and/or fax copies of the written notice of the meeting. to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for notice of public meetings. The notice shall indicate that a copy of the final agenda may be obtained at the Office the Superintendent, the Gallup-McKinley County Schools Student Support Center, located at 640 Boardman, Gallup, New Mexico at least seventy-two (72) hours before a meeting and on the School District's website ([www.gmcs.org](http://www.gmcs.org)).
5. 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 Superintendent's Office at (505) 721-1000 extension 11189 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 Superintendent's Office at (505) 721-1000 extension 11189 if a summary or type of accessible format is needed."
6. Copies of Board Meeting Notices, Meeting agendas and approved Minutes of meetings shall be available from the Superintendent's Office located in the Student Support Center, 640 Boardman, Gallup, New Mexico. Additionally, approved minutes will be posted on the School District's website, [www.gmcs.org](http://www.gmcs.org) when practicable in reasonable amount-of-time. Copies of draft minutes already prepared and available for the Board's review and approval may be obtained through a request under the Inspection of Public Records Act ("IPR" A), N.M. Stat. Ann. 14-2-1 to -12 (1947, as amended through 2023).
7. The Board of Education of the Gallup-McKinley County Schools desires to allow Board members to participate by means of telephone conference call or other similar communications equipment, including by virtual means when it is otherwise difficult or impossible for the member to attend the meeting in person. As such, in accordance with Section 10-15-1(C) of the Open Meetings Act, a member of the Board may participate in a meeting of the Board of Education by means of telephone conference call or other similar communications equipment, including by virtual means when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone or virtually 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 public body who speaks during the meeting, so long as this practice is allowed by law or rule of the Board.

8. The Board of Education for the Gallup-McKinley County Schools may close a meeting to the public only if the subject matter of such discussion or action is exempted 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 Board of Education taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting; and
  - (b) If the decision to hold a closed meeting is made when the Board of Education is not in open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances and 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; and
  - (c) Except as provided in Section 10-15-1 (H), any action taken as a result of discussions in a closed meeting shall be made by vote of the Board of Education in an open public meeting.
  - (d) 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.

PASSED BY THE BOARD OF EDUCATION FOR THE GALLUP-McKINLEY COUNTY SCHOOLS THIS 22<sup>nd</sup> DAY OF MAY 2023.



(Seal)

A handwritten signature in black ink, appearing to read 'Chris Mortensen', written in a cursive style.

Christopher Mortensen, President

ATTEST

A handwritten signature in black ink, appearing to read 'Michael W. Schaaf', written in a cursive style.

Michael W. Schaaf, Secretary

PUBLISH ONE TIME: