

BOARD OF REGENTS
NEW MEXICO HIGHLANDS UNIVERSITY
LAS VEGAS, NEW MEXICO

WHEREAS, the Board of Regents of New Mexico Highlands University met for a regular meeting on January 28, 2022, which was held live at the New Mexico Highlands University ("University") Campus, beginning at 9:00 a.m. and

WHEREAS, any meetings subject to the Open Meetings Act (NMSA 1978, Sections 10-15-1 to-4), 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 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 that:

1. Regular meetings of the Board of Regents (the "Board") will be held at least quarterly. Additional regular meetings may be called by the Chair of the Board (the "Chair") and noticed pursuant to the provisions of this paragraph and paragraph 4. Notice of regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained. The notice for regular meetings shall also contain the following statement: "For disabled access or services call 454-3252 or TDD 454-3003 seven days before the meeting." The agenda for regular meetings will be available from the University Relations Office no less than seventy-two (72) hours prior to the meeting.

2. Special meetings may be called by the Chair upon three (3) days' notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. If a separate agenda is prepared, the agenda shall be available to the public no less than seventy-two (72) hours before any special meeting.

3. Emergency meetings may be called by the Chair under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the University from substantial financial loss. The Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair upon twenty-four (24) 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. 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 circumstance creating the emergency; provided that the requirement to report to the attorney general is waived upon declaration of a stated or national emergency.

4. For the purposes of regular meetings described in paragraph 1, notice requirements are met if notice of the date, time, and place is submitted to the *Las Vegas Daily Optic*, the *Albuquerque Journal*, and the *Santa Fe New Mexican* and posted in the Administration Building and on the University's Board of Regents webpage. Notice by mail, facsimile, or electronic mail will also be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request to the University for notice of public meetings.

5. For the purposes of special meetings and emergency meetings described in paragraphs 2 and 3, respectively, notice requirements shall be met by posting notice of the date, time, and place in the Administration Building on the University campus and on the Board of Regents University webpage. Notice by facsimile machine, electronic mail, or by telephone shall be given to those broadcast stations

licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request to the University for notice of public meetings.

6. The Board may close a meeting to the public if the subject matter of such discussion or action is specified in the Section 10-15-1(H) of the Open Meetings Act, or if the need to close the meeting is allowed or required by other laws which specifically preserve the confidentiality of certain information that is to be considered at the closed meeting. In addition: (1) 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 with reasonable specificity 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; (2) 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 with reasonable specificity, is given to the members and to the general public; (3) 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; (4) Except as provided in Section 10-15-1(H) of the Open Meetings Act, 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.

7. Members of the Board may participate in any meeting of the Board by telephone conference call or other similar communications equipment, when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member 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 Board who speaks during the meeting.

8. A quorum of the Board may also meet periodically in "working sessions." A "working session" is any meeting of a quorum of the Board which does not involve any formal action by the Board. Such sessions may include, but are not limited to: (1) discussions related to the formulation of public policy; (2) discussions of goals and objectives for the University; (3) discussions of internal administrative actions concerning the operations of the Board or the University; and (4) informational discussions between University staff or consultants and the Board.

Working sessions of a quorum of the Board are open meetings and are open to the public. Any person wishing to attend a working session of the Board shall be allowed to attend and listen to the discussions. The notice of a working session will be posted in the same manner as the special meetings rule.

9. This Resolution supersedes any requirements or provisions previously enacted or approved.

Passed by the New Mexico Highlands Board of Regent this 28th day of January 2022.



Frank A. Marchi, Chairman
NMHU Board of Regents