

CUBA INDEPENDENT SCHOOL DISTRICT



CUBA INDEPENDENT SCHOOL DISTRICT BOARD OF EDUCATION Open Meetings Resolution 2022-2023

WHEREAS, the Cuba Independent School District Board of Education met in regular session at the Board Room at 50 County Road 13, Cuba, New Mexico on August 17, 2022 at 6:00 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 10-15-4) 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, administrative adjudicatory, body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, including the development of personnel policy, rules or regulations, 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, 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 Cuba Independent School Board of Education to determine annually what constitutes reasonable notice of its public meetings;

NOW, BE IT THEREFORE RESOLVED by the Cuba Independent School District Board of Education that;

1. All meetings shall be held at the Board Room at 50 County Road 13, Cuba, New Mexico, at 6:00 p.m. unless otherwise specified on the notice.
2. Unless otherwise specified, regular meetings shall be held each month on the third Wednesday of the month. A proposed agenda will be made available at least seventy-two (72) hours prior to the meeting by the Superintendent, whose office is located at 50 County Road 13, Cuba, New Mexico. The notice of any other regular meetings will be given ten (10) days in advance of the meeting date. Notice shall include an agenda or indicate how a copy of the agenda may be obtained. Except for emergency matters, the Board shall take action only on items appearing on the agenda.
3. Special Meetings may be called by the President or a majority of the members upon three (3) day's notice. The notice shall include an agenda for the meeting or information on how the members of the public may obtain a copy of the agenda.
4. Emergency Meetings will be called only in an instance of unforeseen circumstances which if not addressed immediately by the Board, will likely result in injury or damage to persons or property or substantial loss to the School District. The Cuba Independent School District Board of Education will avoid emergency meetings whenever possible. Emergency meetings may be called by the President or a majority of the members upon twenty-four (24) hours' notice, unless threat of a personal injury, or property damage require 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 Board shall report to the Attorney General's Office the action taken and the circumstances creating the emergency; provided that the requirement to report to the Attorney General is waived upon the declaration of a state or national emergency.

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5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in the following locations; Cuba Independent School District website @ <http://cuba.k12.nm.us/>, the reception area at the Administration Office, the front office of the Cuba High School, Cuba Middle School, Cuba Elementary School. The agenda will be emailed to Torreon, Ojo Encino, and Counselor Chapter Houses. The Cuba Independent School District Board of Education Secretary shall also mail copies of the written notices 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.
 6. For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements shall be met by posting date, time, place and agenda at Cuba Independent School District website, the reception area at the Administration office, and in the front office of the Cuba High School, Cuba Middle School and the Cuba Elementary School. The agenda will be emailed to the Torreon, Ojo Encino, and Counselor Chapter Houses. The Cuba Independent School District Board of Education Secretary shall also provide an electronic or facsimile 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.
 7. Local news media representative shall be welcome to attend all regular or special meetings of the Board with the exception of executive sessions. In the event that representatives of the news media are unable to attend a regular or special meeting, the Superintendent may provide a periodic summary of Board actions. New Media Services are not allowed to interrupt the meeting by conducting interviews, blocking entryways into the meeting, or creating noise and disruption that prevent the flow of the regular meeting or jeopardize the safety of other participants attending the meeting. The Board and Administration may take reasonable action, including contacting law enforcement, to address misconduct or disruption by any meeting attendee.
 8. In addition to the information specified above, all notice 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 or auxiliary aid or service to attend or participate in the hearing or meeting, please contact Dr. Karen Sanchez-Griego at the Cuba Independent School District Administration office, located at 50 County Road 13, Cuba, New Mexico, at least one week prior to the meeting, or as soon as possible."
 9. The Cuba Independent School District Board of Education 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 Cuba Independent School District Board of Education taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity 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.

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- (b) If the decision to hold a closed meeting is made when the Cuba Independent School District Board of Education 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 the 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) Where required by Section 10-15-1(H) of the Open Meetings Act, action taken as a result of discussion in a closed meeting shall be made by vote of the Cuba Independent School Board of Education in an open public meeting.

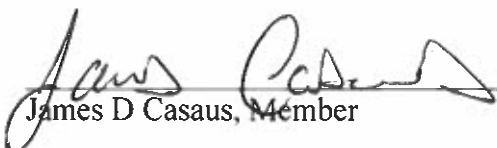
10. The Board of Education recognized that, in a small community, Board members will occasionally attend social events, community functions, school activities or programs, athletic events or meetings of other groups or entities, or be present at local commercial establishments. In the event a quorum of the membership of the Board is present on such occasions, a violation of this resolution and the Open Meetings Act does not occur so long as the Board members do not discuss school business or prospective board actions as described in this resolution. By adoption of this resolution, each member represents and agrees to abide by these limitations and not to engage in such discussions outside the context of a properly called board meeting, which complies with the Open Meetings Act.


Passed by the Cuba Independent School Board of Education this 17th day of August 2022.


Dianna Maestas, President


Taylor Pinto, Vice-President


Vivian Keetso, Secretary


James D Casaus, Member


Elizabeth Martin, Member