

**AMY BIEHL HIGH SCHOOL BOARD OF GOVERNANCE
OPEN MEETINGS ACT RESOLUTION
SY 2025-2026**

A RESOLUTION CONCERNING BOARD OF GOVERNANCE MEETINGS AND PUBLIC NOTICE REQUIRED

WHEREAS, the Board of Governance of Amy Biehl High School met in **Albuquerque, New Mexico**, on the **22rd of July in 2025 at 6:00 pm**; and

WHEREAS, Section 10-15-1 (B) NMSA 1978 provides that “All meetings of a quorum of members of any board, commission administration adjudicatory body or other policy making body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such board, commission or other policymaking body, are declared to the public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act”; and

WHEREAS, Section 10-15-4 NMSA 1978 provides that “No resolution rule, regulation, ordinance or action of any board, commission, committee or other policy making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978”; and

WHEREAS, Section 10-15-4 NMSA 1978 provides that “Any person violating any of the provisions of Section 10-15-1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense”; and,

WHEREAS, Section 10-15-1 (D) requires that “Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or a quorum of the body is in attendance, and any closed meetings shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to such body; and

NOW, THEREFORE BE IT RESOLVED by the **Board of Governance of Amy Biehl High School, Albuquerque, New Mexico** that:

1. The regularly scheduled meetings of the Board of Governance will be held at **6:00 P.M. on the third Tuesday of every month at the Amy Biehl High School 123 4th St., Albuquerque, NM**. In the event the regular meeting falls on a legal holiday, the Board of Governance shall designate an alternate meeting date and/or time to be posted as provided in this resolution. The meetings may be held in person or on Zoom per agreement of the Board.

2. The Board of Governance shall make all reasonable accommodations to eliminate physical and other barriers to public participation.

3. If public comment is allowed during meetings, the Board of Governance must: a) stipulate when/where public comment is allowed, b) ensure appropriate board conduct during public comment period, and c) allow the public to record audio or video unless unreasonable to do so.

During public comment, the Board of Governance may limit discussion on: a) topics outside of board's authority, b) personnel matters, and c) student/family confidentiality issues.

At the opening of a public comment period, the Board chair shall present guidelines for public comments to include, but not limited to: a) limits on time and discourse, b) need for civility, c) referral to existing policy or process, d) speaker liability issues, and e) limits of representation for the public and members of the Board of Governance.

4. Notice shall be given at least **three (3) business days** in advance of any **regular meeting** of a quorum of the members of the Board of Governance held for the purpose of discussing public business or taking any formal action within the authority of the Board of Governance. Notice for all regular meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

5. Special Meetings may be called by the President of the Governance Board. Notice shall be given at least **three (3) business days in advance of any special meeting** of a quorum of the members of the Board of Governance held for the purpose for discussing public business or taking any formal action within the authority of such body.

6. Notice for all regular special meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. The agenda must state items of business with reasonable specificity. Agendas must be published or made available to the public **at least three days in advance**, unless specifically excepted for emergency meetings as per Section 11 below.

7. The notice requirements of Section 1, 2, 3 and 4 of this resolution are complied with if notice of the date, time, location and agenda or information about how the public may obtain a copy of the agenda of any regular or special meeting is posted **on the main entrance at Amy Biehl High School 123 4th St., Albuquerque, NM. The Secretary of the Board of Governance** shall maintain a copy of all such notices which may be filed and archived in the **Business Office of Amy Biehl High School, 123 4th St., Albuquerque, NM.** Notice requirements shall include instructions to the public for requesting reasonable accommodation to address physical and other barriers to public participation as specified under Section 2 above.

8. Notwithstanding any other provisions of Section 1 through 5 of this resolution, the Board of Governance may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

9. If any meeting is closed pursuant to exclusions contained in Section 10-15-1 Subsection H, NMSA 1978, such closed meetings called by the Board of Governance shall not be held until public notice, appropriate under the circumstance, and in compliance with Section 1 through 4 of this resolution, has been given. In addition, such notice shall state the exclusion or exclusions in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.

During closed meetings, discussion shall be limited to the topic stated; no minutes will be recorded. When the board returns to an open meeting following the closed meeting, the Board may vote on the actions to be taken as a result of the closed session and must state that discussion during the closed meeting was limited to the topic stated in the motion or notice for the closed meeting, and note that in the minutes of the open meeting.

Persons not on the Board of Governance may be present during a closed meeting at the discretion of the board, if confidentiality is maintained and favoritism is avoided.

10. If any meeting is closed during an open meeting, such closure shall be approved by a majority **roll call** vote of a quorum of Board of Governance 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 votes of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

11. Notwithstanding any other provision of Section 1 through 8 of this resolution, the Board of Governance of **Amy Biehl High School** may call an **emergency meeting** within **twenty-four (24) hours or, with whatever notice is possible** under the circumstances, a meeting of the Board of Governance to consider or act on any emergency matter which appears to be a clear an immediate danger to the health, welfare or safety of the students, families or staff of Amy Biehl High School or may result in significant financial loss to Amy Biehl High School. The Board of Governance of **Amy Biehl High School** will avoid emergency meetings whenever possible. The notice for all emergency meetings shall include an agenda for the meeting or at least the specific subject matter of the meeting as described in Section 6 of this resolution.

12. As per Section 10-15-1 (B) NMSA 1978, the public is allowed to attend meetings of the Board of Governance, with the only exception being closed meetings called under the authority and for causes established in the Open Meetings Act.

13. The provisions of Section 1 through 10 of this resolution shall also apply to all committees appointed by the Board of Governance in which there may be a quorum or where the committee is authorized to act on behalf of the Board.

PASSED, ADOPTED AND APPROVED this **22nd day of July, 2025**

President of the Board of Governance