



South Valley Preparatory School



“Home of the Aztecs”

2551 Karsten Court SE Albuquerque, NM 87102

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Governance Council’s Open Meeting Resolution Act 2024-2025

South Valley Preparatory School Charter School Governing Council RESOLUTION NO. 2024-1

WHEREAS, THE Governing Council of South Valley Preparatory School met in regular session at 2551 Karsten Court SE, Albuquerque NM 87102 at 5:00pm, as required by law on May 29, 2024; 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 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, 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 requires the Governing Council of South Valley Preparatory School to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Governing Council of South Valley Preparatory School that:

1. All meetings shall be held at South Valley Preparatory School, 2551 Karsten Court SE, Albuquerque NM 87102 at 5:00 pm., or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the fourth (4th) Wednesday of each month. The agenda will be available at least seventy-two hours prior to the meeting from the Executive Director or Designee, whose office is located in Albuquerque, New Mexico. The agenda will also be posted on the front door of the administrative building at South Valley Preparatory School and on the school’s website at <http://www.southvalleyprep.org>.
3. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in

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advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two hours before the meeting and posted on the school's website at <http://www.southvalleyprep.org>.

4. Special meetings may be called by the chairperson or by the chairperson upon request of the number of council members that constitute a quorum of the council. Seventy-two hours' notice shall be provided and posted according to paragraph 2. Notice of special meetings will include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda.

5. 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 South Valley Preparatory School Governing Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the President or a majority of the members with twenty-four hours prior 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 South Valley Preparatory School Governing Council will notify the Attorney General's Office.

6. Third party direct notice will be provided by email to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of the School's public meetings.

7. In addition to the information specified above, all notices shall indicate how an individual with a disability who wishes to attend a meeting of the council and who might need special accommodations, can obtain information and/or accommodation for their disability.

8. The South Valley Preparatory School Governing 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 South Valley Preparatory School Governing 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 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.

(b) If a closed meeting is conducted when the South Valley Preparatory School Governing Council 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

(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.

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(d) 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 Governing Council of South Valley Preparatory School Charter School in an open public meeting.

9. Except to the extent otherwise provided by law, any meeting of the council may be attended by any of the council members by means of a conference telephone (or similar communication technology) when it is otherwise difficult or impossible for the member to attend 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 other member of the council who speaks during the meeting. Such attendance shall constitute presence by the council member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the council at such a meeting shall constitute a valid action of the council.

10. Members of the public are permitted to attend and listen to the business of the council at any open public meeting whether regular, special, or emergency. If the council elects to allow for public comment at any open meeting whether regular, special, or emergency, the council has determined that the following rule shall apply to comments made by the public during its public meeting:

- (a) Comments will be limited to three (3) minutes or a period determined by the council.
- (b) Comments will be delivered in a civil manner.
- (c) If the speaker raises an issue that can be addressed by another council policy (e.g., grievance policy), the speaker may be asked to follow the process outlined in such policy.
- (d) A council member's opinion is not necessarily that of the council or of the school staff.
- (e) Any speaker may be liable for public statements made.
- (f) Any other rule consistent with the law that is deemed appropriate under the circumstances.

Passed by the Governing Council of South Valley Preparatory School charter School on this May 29, 2024.

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