

The Montessori Elementary & Middle School Governing Council Annual OMA Resolution

WHEREAS, The Montessori Elementary & Middle School Governing Council met in regular session at 1730 Montano Rd. NW, Albuquerque, New Mexico 87107 on August 23rd, 2022, at 4:30 pm as required by law; 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 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 meeting subject to the Open Meetings Act requires The Montessori Elementary & Middle School to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by The Montessori Elementary & Middle School Governing Council that:

- 1. All meetings shall be held at 1730 Montano Rd. NW, Albuquerque, NM 87107 at 4:30 pm or as indicated in the meeting notice.*
- 2. Unless otherwise specified, regular meetings shall be held each month on the fourth Tuesday. The agenda will be available at least seventy two hours prior to the meeting posted on the front doors of The Montessori Elementary & Middle School and the School's website www.tmesnm.com. Notice of any other regular meetings will also be posted on School's website. The notice shall indicate how a copy of the agenda may be obtained.*
- 3. Special meetings may be called by the President or a majority of the Council members upon three 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. The agenda shall be available to the public at least seventy-two hours before any special meeting.*
- 4. 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 Governing Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the President or a majority of the members upon twenty-four hours notice, unless threat of personal injury or property damage requires less notice. 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 Governing Council 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.

5. *Roberts's Rules of Order Newly Revised, 11th Edition, will govern the Governing Council except when in conflict with applicable laws or regulations which then prevail.*
6. *Public Comment: The "Public Participation at TMES/TMMS Council Meetings" Policy and Procedure shall specify how public comment is handled.*
7. *For the purposes of regular meetings described in paragraphs 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the front door of The Montessori Elementary & Middle School and the School's website www.tmesnm.com. Copies of the written notice shall also be mailed 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.*
8. *For the purposes of special meetings and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted on the front door of The Montessori Elementary & Middle School and the School's website www.tmesnm.com. Telephone notice also shall be given 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.*
9. *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 school office at 505.796.0149 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various assessable formats. Please contact the school office at 505.796.0149 if a summary or other type of accessible format is needed.

10. *The Montessori Elementary & Middle School may close a meeting to the public only if the subject matter of such discussion or action is accepted 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 Montessori Elementary & Middle 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 Montessori Elementary & Middle 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 a 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 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) 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 Montessori Elementary & Middle School Governing Council in an open public meeting.

11. Five (5) will be the number of positions on the Governing Council for School Year 2021-2022

The Montessori Elementary & Middle School Officer Positions

SY 2022-2023

President: Edward Gonzales

Vice President: Jordan Reed

Treasurer: Pablo Torres

Secretary: Alan Li

Member:

Passed by The Montessori Elementary & Middle School Governing Council this 24th day of August 2021.

Board President Signature: _____

Date: 8/23/2022