

New Mexico Commission for the Blind

State Rehabilitation Council

Open Meetings Resolution

February 11, 2019

WHEREAS, the Open Meetings Act, section 10-15-1 NMSA 1978, 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, the Open Meetings Act requires the State Rehabilitation Council to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the State Rehabilitation Council, gathered in regular meeting this 11th day of February, 2019, that:

1. All meetings shall be held as indicated in the meeting notice, except that meetings may be canceled due to a lack of a quorum, due to inclement weather, or for other appropriate reasons.
2. Regular meetings: notice of regular meetings shall be given at least 10 days in advance of the meeting.
3. Special meetings: notice shall be given at least 3 days in advance of any special meeting.
4. Emergency meetings: emergency meetings may be called by the chair or a majority of the members upon at least twenty-four hours' notice, unless threat of personal injury or property damage requires less notice. 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 Commission for the Blind from substantial financial loss.
5. For purposes of regular meetings described in paragraph (2) of this resolution, notice requirements are met if notice of the date, time, place, and how to obtain a copy of the agenda is published in a newspaper of general circulation and placed on the Commission for the Blind web page, [www.cfb.state.nm.us](http://www.cfb.state.nm.us). Notice shall also be placed on Newline for the Blind. 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. The meeting agenda shall be made available and posted on the Commission web page at least 3 days (72 hours) prior to the meeting.

6. For purposes of special meetings described in paragraph (3) of this resolution, notice shall be posted at the Commission for the Blind administrative office in Santa Fe, posted in the Albuquerque field office, placed on Newsline for the Blind, posted on the Commission web page, and 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. The meeting agenda shall be made available and posted on the Commission web page at least 3 days (72 hours) prior to the meeting.

7. For purposes of emergency meetings described in paragraph (4) of this resolution, notice requirements are met if notice of the date, time, place, and a copy of the agenda is made reasonably available under the circumstances, which may include posting at the Commission for the Blind administrative office in Santa Fe, posting at the Albuquerque field office, placement on Newsline for the Blind, posting on the web page of the Commission for the Blind, and placement using other appropriate methods. 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.

8. All notices shall include information on how persons with disabilities may request a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service as may be required by the Americans with Disabilities Act (ADA).

9. A member of the State Rehabilitation Council may attend by conference telephone or other similar communications equipment, including internet-based technologies. However, such attendance is allowed only when it is otherwise difficult or impossible for the member to attend. Such attendance is allowed at the discretion of the chair. In addition, each member thus participating must be identified when speaking, all participants must be able to hear each other at the same time, and the public must be able to hear any member who speaks during the meeting.

10. To further provide the public with notice of meetings, the council shall post a meeting calendar on the Commission's web page that provides the dates, times, and locations of scheduled council meetings.

11. Should technical problems occur that prevent placement of notice on entities such as Newsline for the Blind or the Commission's web page, the State Rehabilitation Council shall engage in activities to provide additional notice through other available and appropriate methods, such as through email distribution and posting on social media.

12. The State Rehabilitation 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 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 State Rehabilitation 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. The vote of each 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.

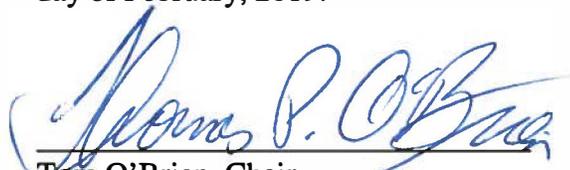
(b) if a closed meeting is to be conducted when the State Rehabilitation Council is not in an open meeting, the closed meeting shall not be held until appropriate public notice is given.

(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) except as provided by the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote in an open public meeting.

13. Prior to the adoption of any substantive policies or procedures governing the provision of vocational rehabilitation services under the state plan, including making any substantive amendments to policies and procedures, the Commission for the Blind will conduct public meetings throughout the state to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures. The public meetings will be advertised in a newspaper of general circulation, posted to the commission web page, and distributed as may otherwise be appropriate. The public meetings may include regular or special meetings of the State Rehabilitation Council, town forums or other public meetings organized by the commission, or combinations thereof. They must approve the actual adoption of the substantive policies or procedures at a regular or special meeting.

Passed by the State Rehabilitation Council of the New Mexico Commission for the Blind this 11th day of February, 2019.

A handwritten signature in blue ink, appearing to read "Tom O'Brien", is written over a horizontal line.

Tom O'Brien, Chair  
State Rehabilitation Council