

# POLICY BEB

## Board of Education Las Cruces Public Schools

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Related Entries: BEA, BEA-RA, BEDA, BEDA-R  
Responsible Office: Board of Education

### SPECIAL OR EMERGENCY BOARD MEETINGS

#### I. POSITION

To ~~uphold~~ ensure that the Board of Education adheres to all applicable provisions of the state New Mexico Open Meetings Act with regard to special or emergency Board meetings.

#### II. BACKGROUND

The Board finds that representative government depends on an informed electorate where the public is entitled to the greatest amount of information regarding the affairs and the official acts of this Board. As such, the Board of Education recognizes that all Board policy-making discussions and action must take place at properly called public meetings as required by state law.

#### III. POSITION

- A. The Board President or Superintendent may call a special meeting at any time by giving actual notice to each Board member of the time and place of the meeting and the subjects to be considered. If reasonable efforts to give each member actual notice do not succeed, written notice in advance should be given to each member. Public notice of special meetings shall be given as required by the Open Meetings Act and ~~local~~ this policy.
- B. A special meeting of the Board shall be published ~~in a newspaper of general circulation at least once and~~ on the Las Cruces Public Schools web site (www.lcps.net) and posted at the School Administration Building no less than three (3) days (seventy-two hours) prior to the holding of the meeting. ~~Place of meeting, if other than the Board room of the School Administration Building, to be included in the notice.~~
- C. Special meeting notices shall include the exact location and time of the meeting, an agenda containing a list of specific items to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. Except in the case of an emergency, the agenda shall be available to the public at least twenty-four hours prior to the meeting.
- D. The Board of Education shall keep written minutes of all meetings. The minutes shall include at a minimum the date, time, and place of the meetings, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and

votes taken that show how each member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended, or disapproved at the next meeting where a quorum is present.

- E. In the event of unforeseen circumstances that, if not addressed by the Board immediately, will likely result in injury or damage to persons or property or cause substantial financial loss to the School District, the Board President or Superintendent may call an emergency meeting at any time by giving actual notice to each Board member of the time and place of the meeting. In such a situation, there shall be no public notice or agenda requirement as provided by the Open Meetings Act, N.M. Stat. Ann. § 10-15-1(F) (1978), as amended or recodified in the future.
- F. Within five (5) days of acting on an emergency matter, the Board shall report to the state Attorney General's Office the action taken and the circumstances creating the emergency.

#### IV. REVIEW

This policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

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*Board of Education, President*

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*Date Approved*

**History:** Formerly Policy 130; Revised 5.21.13, [Revised 7.8.19](#)

**Legal Reference:** N.M. Stat. Ann. §10-15-1 *et. seq.* (1978)