WHEREAS, the Education Trust Board met in regular session on this 4th day of November, 2026 at 9:30 AM; and

WHEREAS, Section 10-15-1(B) of the New Mexico Open Meetings Act (Section 10-15-1 et seq., NMSA 1978 as amended) 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 or other policymaking body of any state or local public agency, held 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, Subsection D of Section 10-15-1 NMSA 1978, a provision of the Open Meetings Act requires the Education Trust Board (ETB) to determine annually what constitutes reasonable notice of its public meetings:

NOW, THEREFORE, BE IT RESOLVED that:

1. All meetings shall be held as indicated on the meeting notice. The notice shall indicate how a copy of the agenda may be obtained. The agenda shall be available to the public at least seventy-two (72) hours in advance of a meeting. Items on which the Board may take action may be added to the agenda up to seventy-two (72) hours prior to the meeting.

2. Regular meetings are expected to be held quarterly on the dates indicated on the attached Schedule A.

3. Special meetings may be called by the chair or a majority of the members upon three (3) days' notice. Notice shall contain an agenda or indicate how a copy of the agenda may be obtained.

4. Emergency meetings will be called only under circumstances which demand

immediate action to protect health, safety and property or to protect the public body from substantial financial loss. Emergency meetings may be called upon twenty-four (24) hours' notice, unless the threat of personal injury, property damage or financial loss requires less notice. The notice for all emergency meetings shall include an agenda or information on how the public may obtain a copy of the agenda. Within ten (10) days of taking action on an emergency matter, the Board shall report to the Office of the Attorney General the action taken and the circumstances creating the emergency.

5. For purposes of the meetings described in paragraph 2 of this Resolution, the announcement of all 2027 regular quarterly meetings indicated on the attached Schedule A shall be placed on the ETB website and shall be emailed 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.

6. For purposes of the meetings described in paragraph 3 of this Resolution, notice of a special meeting shall be posted on the ETB website and may be communicated by telephone or email to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

7. For purposes of emergency meetings described in paragraph 4 of this Resolution, notice requirements are met if the meeting date, time, place and agenda are posted on the ETB website and telephonic or written notice of the date, time, place and agenda of the meeting or an indication of how a copy of the agenda may be obtained is provided to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings.

8. Members of the Education Trust Board may participate in a Board meeting remotely by means of a conference telephone, video conference, live stream or other similar technologies when it is otherwise difficult or impossible for the member to attend in person, provided that each member participating remotely can be identified 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 member of the board who speaks during the meeting. In addition, conditions necessitating the declaration of a public health emergency may make unrestricted in-person meetings “difficult or impossible” for purposes of

the Open Meetings Act. As such, during the pendency of any public health emergency, the Board may conduct its meetings virtually by means of a conference telephone, video conference, live stream or other similar technologies, provided the public is afforded some form of access to the meeting to substitute for the access it would have had during any normally scheduled public meeting subject to the Open Meetings Act.

9. In addition to the information specified above, all notices shall include the following language:

> If you are an individual with a disability who needs 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 New Mexico Education Trust Board at (505) 476-3860 as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the New Mexico Education Trust Board at (505) 476-3860 if a summary or other type of accessible format is needed.

10. The Education Trust Board may close a meeting to the public only if the subject matter of such discussion or action is exempted 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 Board 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 vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

(b) If the decision to hold a closed meeting is made when the Board 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 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 Board in an open public meeting.

Passed by The Education Trust Board on November 4, 2026.

By 

Gary L. Gordon, Chair
Education Trust Board

SCHEDULE A
EDUCATION TRUST BOARD

2027 MEETING SCHEDULE

The Education Trust Board (ETB) shall convene its regular quarterly meetings beginning at 9:00 AM as indicated on the meeting notice at the location indicated on the meeting notice, on the following dates in 2027 and are subject to change:

February 3, 2027

May 5, 2027

August 4, 2027

November 3, 2027