

### 10-4 Recurring Responsibilities of the Board of Regents

10-4-1 Purpose • 10-4-2 Policy • 10-4-3 Administration • 10-4-4 Open Meetings Act •  
10-4-5 Authorization of Officers • 10-4-6 Review of Agreements

1. **Purpose.** The purpose of this policy is to delineate additional recurring responsibilities of the Eastern New Mexico University System (the System) Board of Regents (the Board).
2. **Policy.** Recurring responsibilities of the Board include but are not limited to the following:
  - A. **Authorization of Open Meetings Act.** The Board shall authorize continued adherence to the Open Meetings Act, NMSA 1978, § 10-15-1 et seq. (“Open Meetings Act”), regarding its meetings and all ancillary provisions of the Board as allowed by the state.
  - B. **Authorization of Officers.** The Board shall annually approve select authorizations of both Board and System officers.
  - C. **Review of Agreements.** The Board shall periodically review and amend as necessary the System agreements it establishes including, but not limited to, agreements with its branch community colleges or off-campus instructional centers and with the Eastern New Mexico University Foundation, Inc.

The foregoing purpose and policies are implemented by the following.

#### Procedures

3. **Administration.** The responsibility of the administration of and adherence to these policies lies with the Board.
4. **Open Meetings Act.** All meetings of a quorum of the Board shall follow the provisions of the Open Meetings Act [NMSA 1978, § 10-15]. Summary provisions are provided below, but shall not supersede provisions outlined in the Open Meetings Act.
  - A. **Public Involvement.** Any member of the public may attend an open meeting and listen to deliberations and proceedings of the Board. To be eligible to speak at an open meeting, an individual must contact the office of the chancellor of the System at least three (3) days before the meeting and inform the executive secretary to the Board on what topic he or she wishes to speak and whether he or she represents a group. The length of time granted to presenters is set by the president of the Board. Presentations by members of the public may not include complaints about specific individuals since the Board provides other channels for such complaints.
  - B. **Meeting Notice.** The Board has the right to determine what constitutes reasonable notice for its public meetings. The Board has determined that, for regular open meetings, the Board shall publish notice of the specific date, time, location and agenda of each open meeting in news media sufficient to achieve statewide circulation at least ten (10) days prior to each public meeting. If the president of the Board determines that a special meeting is required, the Board shall publish notice of the specific date, time, location and agenda of each special meeting in news media sufficient to achieve statewide circulation at least three (3) days in advance of the meeting.
  - C. **Emergency Meetings 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 System from substantial financial loss. The Board will avoid emergency

meetings whenever possible, but if an emergency exists, the chair of the Board or a majority of members may call a meeting upon twenty-four hours' notice. The notice for emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

- D. **Closed Meetings.** The Board, upon its own motion, may close a meeting to the public if the subject matter of such discussion or action is included in subsection H of the Open Meetings Act [NMSA 1978, § 10-15-1(H) (1974)] or if the need to close the meeting is required by other laws that specifically preserve the confidentiality of certain information to be considered at the closed meeting.
  - E. **Minutes.** The Board shall keep written minutes of all its meetings. These minutes shall include at a minimum the date, time and place of the meeting; the names of members in attendance and those absent; the substance of the proposals considered and a record of any decisions and votes taken showing how each member voted. All minutes are open to public inspection. Draft minutes shall be prepared within ten (10) working days after the meeting and shall be approved, amended or disapproved at the next meeting in which a quorum is present. Minutes shall not become official until approved by the Board. Minutes for a closed meeting or a closed portion of an open meeting shall state that the matters discussed in the closed meeting were limited to those specified in the motion for closure or in the notice of the separate closed meeting
  - F. **Enforcement.** All provisions of the Open Meetings Act shall be enforced by the attorney general or by the district attorney in the county of jurisdiction. Individuals may also apply to the district courts of the state for enforcement of the Open Meetings Act.
5. **Authorization of Officers.** The Board shall annually renew select authorizations of Board and System officers. This renewal shall include authorization of the following:
- A. Signatory responsibilities and proxies of the Board,
  - B. Signatory responsibilities and proxies and the delegation of authority for these responsibilities and proxies as related to financial and contractual documents involved in daily operation of the System and
  - C. Certificate execution.

Following annual authorization, the chancellor of the System shall report signed bank signature forms to the president of the Board by mail and to the whole Board at the next regular Board meeting. The chancellor of the System shall also submit such forms for review by the Board's Audit and Finance Committee.

6. **Review of Agreements.** The Board shall have the responsibility of periodically reviewing agreements entered into on behalf of the System and of amending such agreements as necessary.
- A. **Branch Community College and Off-Campus Instruction Center Operating Agreements.** Pursuant to the Branch Community Colleges Act [NMSA 1978, § 21-14-1, et seq.] and the Off-Campus Instruction Act [NMSA 1978, § 21-14A-1, et seq.] the System can agree to serve as the parent institution for branch community colleges and off-campus instruction centers. Pursuant to the applicable statute, a Community College Board shall be formed for each branch college or instruction center and shall act in an advisory capacity to the Board. The Board shall enter into

an operating agreement with the Community College Board of each branch college or instruction center. Operating agreements shall be reviewed biennially.

**B. Eastern New Mexico University Foundation, Inc. Agreement.**

The Board shall periodically review and amend its policy on private support (AGP&P, 25-1) and its agreement with the Eastern New Mexico University Foundation, Inc. (AGP&P, 25-2).

Approved by the Board of Regents on November 17, 2005.

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