

RESOLUTION AUTHORIZING AND DIRECTING SCHOOL ELECTION PROCEDURES

WHEREAS, the Board of Education of the Gadsden Independent School District No. 16 (“Board” and “District,” respectively), on its own motion, has by its Resolution and Proclamation of Regular School District Election (“Resolution and Proclamation of Election”) adopted this 8th day of November, 2012 ordered that at the election to be held within the District, Doña Ana and Otero Counties, New Mexico, on the 5th day of February, 2013 (“Election”), there shall be submitted to the qualified, registered electors of the District the candidates for positions to be filled on the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE GADSDEN INDEPENDENT SCHOOL DISTRICT NO. 16, CONSTITUTING THE GOVERNING BODY OF SAID DISTRICT IN THE COUNTIES OF DOÑA ANA AND OTERO AND THE STATE OF NEW MEXICO:

Section 1. The Resolution and Proclamation of Election shall be published once in public proclamation form, in full, in English and Spanish, in the *Las Cruces Bulletin*, or the *Las Cruces Sun News*, Las Cruces, New Mexico, being a newspaper having general circulation within the District. The publication shall be made before December 17, 2012, which is fifty (50) days before the date of the Election. In addition, there shall be published a school election notice meeting the requirements of Section 1-22-11 of the School Election Law, NMSA 1978, §§ 1-22-1 through 1-22-19, made once each week for two successive weeks, with the last publication being made within seven (7) days, but not later than two (2) days before the date of the Election. The proper filing officer shall include in said notice the name of each candidate for a position to be filled on the Board and the names of the precinct board members of the District.

Section 2. Pursuant to Section 1-22-4, the Superintendent of Schools of the District (“Superintendent”) shall file the Resolution and Proclamation of Election with the Doña Ana County Clerk as the County Clerk of Record (“County Clerk of Record”), who also shall serve as administrator of the Election, pursuant to Section 1-22-12, and who shall be responsible for publishing the proclamation as described above. The Superintendent shall also obtain from the County Clerk of Record executed copies of the Certificate of Filing of Resolution and Proclamation of Election.

Section 3. Pursuant to Section 1-22-10, the County Clerk of Record shall prepare the ballots for the Election, which shall be printed by the thirtieth (30th) day preceding the Election. The printed ballot shall contain the name of each candidate and the position on the Board for which he or she is a candidate. The ballot shall be printed in a form in substantial compliance with the provisions of Section 1-22-10, and in compliance with the provisions of the federal Voting Rights Act of 1965, as amended. The cost of printing the ballots shall be paid by the District.

Section 4. The names of the candidates for election to the Board shall be submitted to all registered electors on a single ballot, except as provided herein.

Section 5. The voting systems to be used shall use a paper ballot listing the name of each candidate and the position for which he or she is a candidate. The ballot shall be printed in English and Spanish in clear type, in black ink on white material. The County Clerk of Record is requested to provide the required quantity of paper ballots for use in the Election, pursuant to law.

Section 6. Pursuant to the Absent Voter Act, NMSA 1978, §§ 1-6-1 through 1-6-18, the Absent Voter Precinct Act, NMSA 1978, §§ 1-6-19 through 1-6-23, and Section 1-22-19, qualified registered electors may also vote absentee at the office of the Doña Ana County Clerk during regular hours and days of business, from 8:00 a.m. on January 11, 2013, being the twenty-fifth (25th) day preceding the Election, until 5:00 p.m. on February 1, 2013, being the Friday immediately prior to the Election. Absentee voting shall be by paper ballot, pursuant to Sections 1-6-8, 1-6-9, and 1-22-19.

Section 7. Except as otherwise provided herein, the manner of conducting the Election and all other election procedures relating thereto shall be as provided by the School Election Law and the federal Voting Rights Act of 1965, as amended.

Section 8. The Superintendent and the officers of the District shall be and they hereby are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this resolution and the Resolution and Proclamation of Election.

Section 9. All action heretofore taken by the Board, the Superintendent and the officers of the District not inconsistent with the provisions of this resolution and the Resolution and Proclamation of Election directed toward the calling and conducting of the Election shall be, and the same hereby is ratified, approved and confirmed.

Section 10. All acts, motions or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency.

PASSED AND ADOPTED this 8th day of November, 2012.

[District Seal]

President, Board of Education

Attest:

Secretary, Board of Education

STATE OF NEW MEXICO §
 §
COUNTIES OF DOÑA ANA §
AND OTERO §
 §
GADSDEN INDEPENDENT §
SCHOOL DISTRICT NO. 16 §

SECRETARY’S CERTIFICATE

The undersigned duly qualified and acting Secretary of the Board of Education of the Gadsden Independent School District No. 16 (“Board” and “District,” respectively), in Doña Ana and Otero Counties, New Mexico, does hereby certify that the foregoing pages are a true and complete copy of the record of the proceedings of the Board, constituting the governing body of the District, had and taken at a duly called regular meeting of the Board held at Sunland Park Elementary School Cafeteria, Sunland Park, New Mexico on the 8th day of November, 2012, convening at the hour of 4:45 p.m., insofar as they concern the Resolution and Proclamation of Regular School District Election and the Resolution Authorizing and Directing School Election Procedures, copies of each being therein set forth, as recorded in the book of official records of the proceedings of the District, kept in the office of the Superintendent of Schools, and that the meeting therein shown was duly held, the persons therein named were present at the meeting as shown, and the proceedings were duly had and taken as therein shown.

WITNESS my hand and seal of the District, affixed this 8th day of November, 2012.

Secretary, Board of Education

[District Seal]