



BY-LAWS OF THE PARENT-TEACHER ORGANIZATION FOR BEN FRANKLIN ACADEMY

ARTICLE 1. NAME, PURPOSE, AND MISSION

Section 1.1 Name

The name of the organization will be Ben Franklin Academy's Parent Teacher Organization, hereafter referred to as "BFA PTO" or "PTO."

Section 1.2 Purpose

The BFAPTO will exist to support the educational program of Ben Franklin Academy and promote the overall success of The Academy, a charter school in Douglas County (Colorado) School District (DSCD). The BFAPTO will be managed by the Executive Officer Board, who will represent the charter with input from parents, students, staff and the community at large.

Section 1.3 Mission

The Mission of the BFA PTO is to support the education of the students of Ben Franklin Academy by seeking resources (funds, materials and services) that help to foster the development of our community. The resources will be directed toward educationally focused goals that further the interests of our students, faculty, parents, and community.

Article 2. MEMBERS

Section 2.1 Defining Membership

Every parent and legal guardian of a student enrolled in The Academy or Pre-school families with priority placement in K-8 will be a member of the BFA PTO and have voting privileges. Membership will cease automatically when the student is no longer enrolled at Ben Franklin Academy. The Principal, Academic Director and any teacher and employee of the school may be a member and have voting rights.

Article 3. OFFICERS AND ELECTIONS

Section 3.1 Officers

The Officers for PTO will be a President, Vice President, Secretary, Treasurer, Fundraising Coordinator (2 positions) and a Social Chairperson. Up to two additional

employees of Ben Franklin Academy, appointed by majority vote by the Executive Officer Board from a list of nominees selected by the faculty of The Academy.

- a. **President** – The president will reside over meetings for the PTO and Executive Officer Board, and serve as the primary contact for the Principal, represent the organization at meetings outside the organization, serve as a voting member of all committees and coordinate the work of all the officers and committees serving the organization. The president will also be responsible for communicating with the Principal and Academic Director when special needs arise within the BFA community. The Executive Board of Officers may authorize the president to sign and enter into contracts on behalf of the BFA PTO.
- b. **Vice-President** – The Vice-President assists the president in the administration of all BFA PTO duties. In the absence, resignation or inability of the President to serve, the Vice-President will have the power to perform the duties of the President.
- c. **Treasurer** – The Treasurer will receive all funds on behalf of the BFA PTO, keep an accurate record of receipts and expenses. The Treasurer will pay out funds in accordance with the approval of the Executive Officer Board. He or she will present a financial statement at every meeting and at other times in the year when requested, and make a full report at the end of the year. The treasurer will serve as financial advisor for all fundraisers and fund disbursements. The proposed budget for the BFA PTO will be approved by the Executive Board of Officers.
- d. **Secretary** – The Secretary will attend all PTO meetings and keep records and minutes of all meetings. He or she will maintain files of all minutes, distributing minutes at PTO meetings and to the Douglas County Educational Foundation, as needed. Minutes will be published within 7 days of the meeting on the BFA website. The secretary will take attendance at all meetings, maintain a current list of contact information for Officers and Committee Chairs of the PTO, and keep the yearly calendar of events of the BFA PTO.
- e. **Fund-Raising Coordinators (2)** – The Fund-Raising Coordinators will create an annual plan for fundraising for the entire school year. Annual fundraising plans must be approved by the Executive Officer Board. The coordinators will act as administrators for all fundraising activities. They will also be appointing, organizing and helping to execute any volunteer committees associated with the fundraisers.

- f. **Social Coordinator** – The Social Coordinator acts as an administrator for all Social and Spirit events of the PTO. The Coordinator will seek suggestions from the Ben Franklin community, and seek approval from the Board on all projects and activities planned. The coordinator will appoint a chairperson to head each event, as necessary. The Social Coordinator will establish an event procedure for each event (Advertising, recruiting volunteers and coordinating plans with the School Administration). He or she will also be responsible for reporting the progress of each committee at the PTO Meetings. The Social Coordinator will work closely with the Volunteer Coordinator to ensure all volunteers are properly acknowledged and thanked. In the absence of a Vice President, the Coordinator will fulfill the duties of Vice President.

Section 3.2 Duties and Expectations of Executive Officers Board

The Executive Board of Officers of the BFA PTO will commit to ethical, businesslike, and lawful conduct including the proper use of authority and appropriate decorum when acting as Executive Board members. Accordingly, the Executive Board of Officers will have the following duties:

- Serve the children, faculty, and parents of Ben Franklin Academy in accordance with these by-laws, the BFA School’s by-laws, mission and principles, and the policies of the Douglas County Educational Foundation (DCEF), in an effort to have all decisions made for the best interests of the students and the school.
- Abide by and support majority decisions of the Ben Franklin Academy Board of Directors, work together in a cohesive manner, and facilitate continual improvement to the school’s academics and operations. A member(s) of the Executive Board of Officers will be present at the BFA Board of Directors meeting when PTO events or policies are on the Board’s meeting agenda.
- Work directly with the Principal and Academic Director of Ben Franklin Academy and seek approval for all Calendar events and goals for the year.
- Regularly attend meetings. An Executive Officer shall not miss more than 2 consecutive BFA PTO meetings, nor attend less than 75% of the regularly scheduled meetings in any fiscal period, without Executive Officer approval.
- Follow the Ben Franklin Academy Communication and Conflict Resolution Policy and the Conflict of Interest Policies.

Section 3.3 Elections

Elections for the following school year will be held in April or May. Each family unit will have one vote. Elections can take place at a general meeting, or ballots can be sent home in Thursday folders and returned to office by a set deadline. Ballot count shall be verified by two people, one being an Executive Officer and one a General member. In the event of a tie, the Officer Board will contact the candidates and determine if they would like to share the position. If not, the Board of Officers will determine candidate by majority vote.

Officers are elected for either one or two year terms and may serve no more than two (2) consecutive terms in the same office. The offices of President, Treasurer and the Fund-Raising Coordinators shall be two-year terms. The offices of Secretary, Social Coordinator and Vice President shall be one-year terms.

Section 3.4 Initial Composition and Term

Initially, the President of the PTO will be designated by the Ben Franklin Academy Board of Directors. The President will then choose members to serve on the Executive Board of Officers as listed in Section 3.1. Of the initial members of the Board, four will serve two-year terms, and three will serve one-year terms. After such time, every Officer will be subject to the terms of Election detailed in Section 3.2.

Section 3.5 Resignation and Removal

Any Executive Board of Officers member may resign at any time by giving notice to the President or Secretary. Such resignation will take effect at the time specified by the written notice. Acceptance of such resignation will not be necessary to make it effective.

Section 3.6 Deemed Resignation

An Officer having three (3) or more consecutive absences from the regular meetings of the Executive Board of Officers will be deemed to have resigned as an Officer unless the absences have been approved by the Board of Officers. Officers will be removed in the manner provided by the Colorado Revised Nonprofit Corporation Act.

Section 3.7 Removal of Board of Directors

Any of the Executive Board of Officers may be removed with a petition signed by no fewer than one hundred (100) members of the BFA PTO. Within ten (10) days of the presentment of the petition to the Executive Board of Officers, the Executive Board of Officers shall conduct a meeting of the members of the PTO to vote on the removal of the Officer. If a supermajority of PTO members present at the meeting vote to remove the Officer, that Executive Board of Officers member will be removed.

Section 3.8 Vacancies

Vacancies occurring outside of the general election in the Executive Board of Officers may be filled by the Executive Board of Officers by appointment. Interested candidates shall submit a letter of interest to the Executive Board of Officers. The Executive Board of Officers may interview the candidates to learn more about the candidate. The Executive Board of Officers will then elect a new member. An Executive Board of Officers member elected to fill a vacancy shall be appointed for the unexpired term of the predecessor in office. If appointed from current Executive Board of Officers they may choose to serve the unexpired term of his predecessor or what would consist of said executive's full term. (Not to exceed a 2 year term.)

Section 3.9 Compensation and Expenses

Executive Board of Officers and Committee Chairman shall receive no compensation for their services, except for reimbursement for any expenses incurred for the PTO by any Executive Board of Officers in accordance with the PTO's internal financial policies. No part of the net revenue of the Corporation shall be distributable to the Executive Board of Officers, Committee Chairman, or other private persons.

Section 3.10 Conflict of Interest

In order to avoid conflicts of interest, the Executive Board of Officers of Officers will not enter into a financial contract with Officers. Officers may not be in a financial relationship with the Corporation. Upon taking office, or as they may arise, Directors will disclose any known or potential conflicts of interest in writing to the Board. Officers so disclosing will not vote when a conflict of interest arises, nor shall he/she attempt to influence the decisions of other Directors in voting on the matter.

Article 4. COMMITTEES

Section 4.1 Committee Chairs

Committee Chairs are yearly elected positions, but will be non-voting members of the Board. Committee Chairs must have a child who currently attends Ben Franklin Academy. Coordinators are encouraged to attend all monthly meetings to provide input and feedback to voting members. Coordinators are required to attend at least three monthly PTO meetings each school year, but will submit a report to the President if not in attendance at a meeting.

The following are Coordinator Positions. Up to three (3) individuals may choose to serve as Co-coordinators for any position. Each Chairperson will be responsible for organizing and communicating with the volunteers serving on their committees.

- School Lunch Coordinator (Must be a member of the Executive Officer Board)
- Volunteer Coordinator Chair
- Teacher Appreciation Coordinator Chair
- Room Parent Coordinator Chair
- Spirit Wear Coordinator Chair
- Marketing and Advertising Coordinator Chair

- Hospitality/New Families Coordinator Chair
- Yearbook/School Pictures Coordinator Chair

Section 4.2 Elections

Elections will be held in April or May for the upcoming school year. Each Coordinator Chair is a one-year position. A coordinator may serve up to three consecutive years in one position. The Executive Board of Officers may appoint additional Committee Chairs as needed. The Elections will be conducted in the same manner of the Executive Board of Officers (See Section 3.2).

Section 4.2 Non-Elected Committees

The Executive Board of Officers reserves the right to form committees as needed to fit the yearly calendar needs. These committee positions will be made public through the BFA website and/or PTO communication to parents. An interested party must submit a letter of intent, which will be voted by the majority of members present at the PTO meeting.

Examples of such committees are as follows:

- BoxTop Coordinator
- Uniform Buy Back Coordinator
- Scribbs/KingSoopers/Target Coordinator

Article 5. MEETINGS

Section 5.1 Place of Meetings

The Executive Board of Officers may hold their meetings at any place or places within the State of Colorado, as the Board may determine. All notices of Board meetings shall be given and all such meetings conducted and minutes kept in conformity with the Colorado Open Meetings Act.

Section 5.2 Regular Meetings

The Executive Board of Officers will hold a regular meeting at least once a month when school is in session. The Executive Board of Officers may provide, by resolution, the time and place for the holding of additional regular meetings without other notice than such resolution, and as required by Colorado's Open Meetings laws. All regular meetings of the Board shall be open to all members of the PTO, except for executive sessions. The Executive Board of Officers shall set a schedule of meetings for the upcoming year at the beginning of each school year. The schedule will be publicly posted on the Academy's website.

Section 5.3 Special Meetings

Special meetings of the Executive Board of Officers may be called by or at the request of the President or any two Officers. The person or persons authorized to call special meetings of the Executive Board of Officers may fix any place as the place of holding any special meeting of the Executive Board of Officers called by them.

Section 5.4 Telephone Meetings

One or more Executive Board of Officers member or any committee designated by the Executive Board of Officers may participate in a meeting by means of a conference call or similar communications equipment by which all persons participating in the meeting can hear one another at the same time. Such participation shall constitute presence in person at the meeting. Any such meeting shall comply with the Colorado Open Meetings Act.

Section 5.5 Executive Sessions

The Executive Board of Officers shall have the authority to hold an Executive Session determined by a two-thirds vote of the Executive Board of Officers members. An Executive Session may be held to discuss any subject appropriate under the applicable Open Meetings laws. Only those invited into Executive Session by the Executive Board of Officers may attend. Matters discussed in Executive Session shall be kept confidential by all of those who attend. The Executive Board of Officers shall neither take any action nor enter into any contract during an Executive Session.

Section 5.6 Notice

Notice of any special meeting shall be given at least two (2) days prior to the meeting. An officer waives notice of a regular or special meeting by attending or participating in the meeting unless, at the beginning of the meeting, he objects to the holding of the meeting or the transaction of business at the meeting. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Executive Board of Officers need be specified in the notice or waiver of notice of such meeting.

Section 5.7 Quorum

Half the number of Executive Board of Officers members plus one constitutes a quorum.

Section 5.8 Voting

No action of the Board of Officers will be considered legal or binding unless approved by affirmative vote of a majority of a quorum at a regular or special meeting. The action will be binding and recorded in the official minutes of the PTO.

Section 5.9 Proxies and Alternates

Executive Board of Officers may not vote by proxy. An absentee Officer may not designate an alternate to represent him or her at a PTO meeting.

Section 5.10 Presumption of Assent

A Officer of the corporation who is present at a meeting of the Executive Board of Officers or committee of the Board at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless (i) he objects at the beginning of the meeting to the holding of the meeting or the transaction of business at the meeting; (ii) he contemporaneously request that his dissent be entered in the minutes of the meeting; or (iii) he gives written notice of his

dissent to the presiding officer of the meeting before its adjournment or delivers such dissent by registered mail to the secretary of the PTO immediately after the adjournment of the meeting. The right to dissent as to a specific action taken at the meeting of the PTO or a committee of the Board will not be available to an Executive Board of Officer who voted in favor of the action.

Article 6. FINANCIAL POLICIES

Section 6.1 Role of the DCEF

The Douglas County Educational Foundation (DCEF) will monitor the activities of the PTO to ensure compliance with the DCEF's School Chapter Guidelines. In addition, the DCEF maintains a checking account for PTO funds and maintains records of monetary transactions. PTO funds deposited in the DCEF checking account will be used only for PTO approved expenditures on behalf of Ben Franklin Academy.

Section 6.2 Fundraising

All fundraising activities will be evaluated at the conclusion of the activity. The Executive Board of Officers will decide which fundraising activities shall be undertaken on behalf of the PTO, based on suggestions from the General Membership. Advertising commercial endeavors shall be considered on an individual basis.

At the end of each school year, fundraising activities for that year will be carefully evaluated prior to setting goals and making plans for the upcoming year. The Executive Board of Officers will set goals for the use of funds raised in the following year, based on school improvement plans and identified needs. Fundraising goals and activities will be published to the Ben Franklin Academy community.

The PTO will submit the annual DCEF Fundraising/Fund Giving Plan form when requested by the DCEF. This typically occurs in the Fall.

Section 6.3 Yearly Budget

A tentative budget will be drafted in the fall for each school year and approved by a majority vote of the members present.

Section 6.4 Funding Requests

The Executive Board of Officers will disburse funds based on a majority vote. Requests are only approved if proposed request is pursuant to the goals of the DCEF and the PTO.

School Administrators, Staff, Parents, and Students may submit Funding Request forms. Requests must be made in writing using the PTO Funding Request Form (Appendix 2). Funding Requests will be accepted until the day before the monthly Executive Board of Officers meeting. Electronic submission is acceptable.

Detailed records will be kept from year-to-year documenting approved and denied funding requests.

Section 6.5 Disbursement of Money for Funding Request

If the Funding Request is granted, it will be for a specified amount. Funds will remain in the possession of the PTO until the grantee submits a Chapter Check Request Form (Appendix) for reimbursement or invoice to the Treasurer up to the amount of the grant. The Treasurer will sign the Chapter Check Request Form and submit it to the DCEF for reimbursement. Any granted money not used by the grantee will return to PTO's general funds.

Section 6.6 Committee Budgets

The PTO budget will include a budgeted amount for each approved committee. The PTO Executive Board of Officers must approve excess expenditures.

Section 6.7 Disbursement of Money for Committee Use

Any expense requiring a PTO check must be requested at least two weeks in advance using a Check Request Form. An invoice or receipt must accompany the Check Request Form. Checks are issued by the DCEF on our behalf, so adequate time must be given to process the check (approximately 5 days).

Section 6.8 Handling of Money

Please refer to the following when handling money for committee work:

- All people handling money for PTO sponsored events must be PTO members and committee volunteers.
- All funds will be collected and held by the Treasurer. Committees should keep accurate records of their income and turn in money with a Money Verification Form (Appendix). The Treasurer will verify the totals and notify the committee chairperson of any discrepancies.
- Please notify the Treasurer at least two weeks in advance if your committee needs change/cash for an event. Include in the request a breakdown of the change needed. A cash box will be available.

Section 6.9 Disbursement Authorization

The President will have the authority to authorize and approve the spending of funds up to \$250.00 if a phone or email vote cannot be secured. Funds will be requested by submitting a Chapter Check Request Form (Appendix) to the DCEF or persons may purchase items and submit receipts for reimbursement with a PTO Reimbursement Form (Appendix).

Section 6.10 Check Return Policy

Any person whose check is returned for insufficient funds will be responsible for the amount of the check as well as any and all fees associated with the return. It is up to

the discretion of the Executive Board of Officers whether any more checks will be accepted from said person for the remainder of the school year.

Section 6.11 Receipting for Donations

The PTO Treasurer is responsible for providing receipts for all cash and cash in-kind donations. The receipt can be in the form of a thank-you letter and should include the PTO tax ID.

Section 6.12 Interest on Bank Funds

The DCEF retains all interest earned on chapter funds as a means of recovering administrative expenses related to handling PTO funds and other related activities (e.g., postage, checks, deposits, photocopying, etc.).

Section 6.13 Fiscal Year and Carry Over

The BFA PTO's fiscal year will begin on August 1 and end on July 31. The Executive Board of Officers will turn over a minimum of \$1,000.00 to the next year's Executive Board of Officers.

Section 6.14 Guidelines for Handling Money

Please refer to the following when handling money for committee work:

- All people handling money for PTO sponsored events must be PTO members and committee volunteers.
- All funds will be collected and held by the Treasurer. Committees should keep accurate records of their income and turn in money with a Money Verification Form. The Treasurer will verify the totals and notify the committee chairperson of any discrepancies.
- Please notify the Treasurer at least two weeks in advance if your committee needs change/cash for an event. Include in the request a breakdown of the change needed. A cash box will be available.

Article 9 AMENDMENTS TO BY-LAWS

Section 9.1 Amendments

The Executive Board of Officers will have the authority to make, amend or repeal a particular by-law at any regular or special meeting of the Executive Board. Two-thirds approval of all members present is required to adopt an amendment to the By-laws.

Article 10 MISC.

Section 10.1

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