

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

Revised February 13, 2019

ARTICLE 1. NAME, MISSION, AND OBJECTIVES

Section 1.1 Name

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

Section 1.2 Mission

The Mission of the BFA PTO is to seek resources to strengthen, enhance, and encourage the educational and social experience at Ben Franklin Academy. The resources primarily will be directed toward educationally-focused goals. The BFA PTO exists to promote the overall success of Ben Franklin Academy, a charter school in Douglas County (Colorado) School District (DSCD). The BFA PTO will be managed by the Executive Officers, who will represent the charter with input from parents, students, staff, and the community at large.

Section 1.3 Objectives

- Seek resources (funds, materials, and services) that help foster educational goals and the school community.
- Cultivate a strong sense of community and school spirit.
- Support the school by encouraging a strong volunteer network and a related technical tracking system.
- Communicate BFA PTO information to parents, students, and staff.

Article 2. MEMBERS

Every parent and legal guardian of a student enrolled in Ben Franklin Academy K-8 are members of the BFA PTO. BFA Pre-school families are welcome to attend BFA PTO meetings. Membership ceases automatically when the parent or guardian no longer has a student enrolled at Ben Franklin Academy. The Principal, Assistant Principals, administration, faculty, and staff of BFA are welcome to participate in the BFA PTO.

Article 3. EXECUTIVE OFFICERS AND ELECTIONS

Section 3.1 Executive Officers

The Executive Officers for the BFA PTO are a President, Vice-President, Treasurer, Secretary, Social Coordinator, Fundraising Coordinator, and Room-Parent Coordinator. These seven (7) Executive Officers are the voting members for requests made to the PTO.

- a. **President** – The President presides over meetings for the BFA PTO and Executive Officers. The President serves as the primary contact for the Principal, represents BFA PTO at meetings outside of the BFA PTO, serves as a voting member of all BFA PTO committees and coordinates the work of all the Executive Officers and committees serving the organization. The President is also responsible for communicating with the Principal, Assistant Principals and the BFA Board. The President is responsible for confirming that the BFA PTO annual taxes are properly prepared and filed. The President is responsible for all filings with the Colorado Secretary of State. The President must approve any contract for the BFA PTO entered into by an Executive Officer. The President may be subject to a background check.
- b. **Vice President** – The Vice President assists the President and the PTO Board 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. The Vice President is responsible for designing and implementing the PTO's volunteer appreciation program. The Vice President is the point person for implementation of the BFA directory.
- c. **Treasurer** –The Treasurer should have a background in accounting, finance or a similar discipline. The Treasurer receives all funds on behalf of the PTO as well as keeps an accurate record of receipts and expenses. The Treasurer will pay out funds in a timely manner and in accordance with the approval of the Executive Officers Board. In addition, he/she will prepare financial statements and serve as the financial advisor for all fundraisers and fund disbursements. The Treasurer will work with the Executive Officers to prepare a budget and ensure it is distributed to all Executive Officers in a timely manner. The Treasurer will also ensure annual taxes are filed on time, including contacting a CPA, as needed. In the event of a financial audit, the Treasurer will serve as the primary contact.
- d. **Secretary** – The Secretary keeps records and minutes of all meetings. The Secretary maintains files of all minutes, agendas and voting records. The Secretary is also responsible for the maintenance of the vote list. The Secretary will make the minutes and vote list available to be published on the BFA web page within seven (7) days of the meeting. The Secretary will take attendance at all meetings, as well as maintain a

current list of contact information for Executive Officers and Committee Chairs of the BFA PTO. The Secretary is responsible for ensuring that the Communication and Conflict Resolution Policy and Conflict of Interest Policy are completed by all Executive Officers and Chairs of the BFA PTO. The Secretary manages the election process each year and ensures that any background checks are completed, if needed.

- e. **Social Coordinator** – The Social Coordinator oversees and manages the Social Events of the PTO including: Harvest Festival, Ben Franklin’s Birthday, Sweetheart Ball, Spring Social and Field Day. The Social Coordinator is responsible for working closely with all parties involved in the event, including the event manager. They also schedule dates, in collaboration with the PTO Board, for all PTO Social Events prior to the school year.
- f. **Fundraising Coordinator** – The Fundraising Coordinator is the administrator for all K-8th grade fundraising chair positions of the BFA PTO. The Fundraising Coordinator plans, organizes, promotes, implements, and evaluates all campaigns and activities related to the goal of raising money for BFA and its students. The Fundraising Coordinator maintains the annual plan for fundraising for the entire school. The Fundraising Coordinator will establish an event procedure for each event. The Fundraising Coordinator will also develop, appoint, organize, and help execute any volunteer committees associated with any K-8th fundraisers. The Fundraising Coordinator oversees and provides supervision and guidance to fundraising committees as they complete their necessary tasks.
- g. **Room Parent Coordinator** – The Room Parent Coordinator is the administrator for all room parent activities. The Room Parent Coordinator will update and submit the training manual each year and train all the BFA room parents. She/he will recruit and support all BFA room parents for grades K-5. The Room Parent Coordinator is responsible for ensuring consistency in all classrooms with regard to classroom parties, activities and general communication to classroom parents. The Room Parent Coordinator is responsible for ensuring that each child in the school has a field day t-shirt size recorded.

Section 3.2 Duties and Expectations of Executive Officers

The Executive 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 Officers.

Accordingly, the Executive Officers will have the following duties:

- Work with the parents, students, and staff of Ben Franklin Academy in accordance with these by-laws, Ben Franklin Academy's by-laws, BFA's mission and principles, and the policies of the school administration, in an effort to have all decisions made for the best interests of the students and the school.
- Work with the BFA Board of Directors in a cohesive manner, and facilitate continual improvement to the school's academics and operations. A member(s) of the Executive Officers will be present at BFA Board of Directors meeting if requested by the BFA Board of Directors. Alternately, a monthly report regarding the BFA PTO may be submitted to the President of the BFA Board of Directors.
- Work with the Principal and Assistant Principals of Ben Franklin Academy regarding calendar items, events, and goals for the year.
- Regularly attend BFA PTO meetings. An Executive Officer shall not miss more than three (3) BFA PTO meetings, without approval of the President or Vice-President.
- Staff BFA PTO tables at school events at least twice per year.
- Follow the Ben Franklin Academy Communication and Conflict Resolution Policy and the Conflict of Interest Policies. Upon election, these policies must be signed and dated in a timely fashion.

Section 3.3 Elections

BFA PTO elections can begin as early as January. The positions of Vice President, Secretary, Fundraising Coordinator, and Social Coordinator will be elected in even years. The positions of President, Treasurer, and Room Parent Coordinator will be elected in odd years. Each family unit will have one vote. Elections will take place online. The President, Vice President, or Secretary can receive nominations. Upon receiving a nomination, the President, Vice President, and Secretary will share the nomination with the Executive Officers within seventy-two hours (72). The Secretary contacts the nominee and determine if the nominee will accept the nomination. If the nominee accepts the nomination, the Secretary will inform the Executive Officers and post the candidate's information on the BFA PTO election website page. If the nominee does not accept the nomination, the Secretary will inform the Executive Officers. The ballot count shall be verified by the President, Vice President, and Secretary and two PTO members. In the event of a tie, the Secretary will inform the Executive Officers. After informing

the Executive Officers, the Secretary will contact the candidates and determine if the candidates would like to share the position. Only specific Executive Officer positions may be shared. If the candidates do not wish to share the position, or if there are more than two candidates in the tie, the Executive Officers will determine the winner by majority vote.

- Executive Officers are elected for a two-year (2) term and may serve no more than two (2) consecutive terms in the same office.
- To hold the position of President, a nominee must currently serve on the BFA PTO as an Executive Officer, Elected Committee Chair, or Appointed Committee Manager. Additionally, the nominee must be actively involved in the PTO, including regular attendance at monthly BFA PTO meetings.
- The positions of President and Treasurer may not be shared.
- With the exception of the President and Treasurer, two (2) people may share an Executive Officer position. At the beginning of the school year those two (2) people must inform the Executive Officers as to which person will be voting for the first year of the term with the alternative person voting for the second year of the term.
- Terms begin on July 1st and end on June 30th of the following year. Training for the position may begin immediately upon election.

Section 3.4 Resignation and Removal

Any Executive Officer may resign at any time by giving notice to the President, Vice- 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 3.5 Deemed Resignation

An Executive Officer having three (3) or more absences from the BFA PTO meetings will be deemed to have resigned as an Executive Officer unless the absences have been approved by the President or Vice-President. An Executive Officer having three (3) or more absences from the special meetings or executive sessions of the Executive Officers will be deemed to have resigned as an Executive Officer unless the absences have been approved by the President or Vice-President. Executive Officers will be removed in the manner provided by the Colorado Revised Nonprofit Corporation Act. C.R.S. §§ 7-121-101, *et sec.*

Section 3.6 Removal of Executive Officers

Any of the Executive Officers may be removed with a petition signed by no fewer than sixty percent (60%) of the families and staff. Within ten (10) days of the presentment of the petition

to the Executive Officers, the Executive Officers shall conduct a meeting of the members of the BFA PTO to vote on the removal of the Executive Officer. If sixty percent (60%) of the BFA PTO members present at the meeting vote to remove the Executive Officer, that Executive Officer will be removed.

Section 3.7 Vacancies

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

Section 3.8 Compensation and Expenses

Executive Officers, Coordinators, Committee Chairs, and Committee Managers shall receive no compensation for their services, except for reimbursement for any expenses incurred for the BFA PTO by any Executive Officers in accordance with the BFA PTO's internal financial policies. No part of the net revenue of the PTO shall be distributable to the Executive Officers, Coordinators, Committee Chairs, Committee Managers, or other private persons. With the exception of de minimus amounts, Executive Officers, Coordinators, Committee Chairs, Committee Managers may not receive compensation for recommendations.

Section 3.9 Conflict of Interest

Executive Officers and their families may not be in a financial relationship with BFA or any of its related entities. Thus, no staff, administration, or faculty may be an Executive Officer. Upon taking office, or as they may arise, Executive Officers will disclose any known or potential conflicts of interest in writing to the other Executive Officers. Executive Officers disclosing such a potential conflict of interest will not vote when the issue arises, nor shall the Executive Officer attempt to influence the decisions of other Executive Officers in voting on the matter.

Article 4. COMMITTEES

Section 4.1 Elected Committee Chairs

Elected Committee Chairs are yearly elected positions, but are non-voting members of the BFA PTO. Committee Chairs shall not miss more than three (3) BFA PTO meetings without Executive Officer approval. Committee Chairs are requested to provide input and feedback to the Executive Officers during vote discussion. In the absence of a monthly BFA PTO meeting, the Committee Chairs may submit a report to the President. Executive Officers may not hold an elected Committee Chair position in addition to an Executive Officer position.

Up to two (2) individuals may choose to serve as Co-Chairs for any Committee Chair position. Each Committee Chair will be responsible for organizing and communicating with the volunteers serving on their committees. The following are Committee Chair Positions:

- Birthday Committee Chair
- Box Top Committee Chair
- Restaurant/Spirit Night Committee Chair
- Teacher Appreciation Committee Chair
- Uniform Buy Back Committee Chair
- Virtues Awareness Committee Chair
- Yearbook/School Pictures Committee Chair

Section 4.2 Elections

Elections will begin in January for the upcoming school year. Each Elected Committee Chair is a one-year (1) position. The Elections will be conducted in the same manner as the Executive Officers (See Section 3.3). Vacancies will be handled in the same manner as the Executive Officers (See Section 3.7.)

Section 4.3 Appointed Committee Managers

The Executive Officers reserve the right to form committees as needed to fit the needs of the BFA PTO. These Appointed Committee Manager positions can be made public through the BFA website and/or BFA PTO communication to parents. An interested party may submit a nomination form to the President, Vice-President, or Secretary. All nominees must complete the candidate questionnaire. The Executive Officers will vote upon the nominations during an executive session or special meeting. Appointments will be held in May for the upcoming school year. In the event of a tie, candidates will be asked if they would like to share the position. If the candidates do not wish to share the position, or if there are more than two candidates in the tie, the Executive Officers will determine the winner by majority vote.

Committee Managers are non-voting members of the BFA PTO. Committee Managers shall not miss more than three (3) BFA PTO meetings without Executive Officer approval.

Committee Managers are requested to provide input and feedback to the Executive Officers during vote discussion. In the absence of a monthly BFA PTO meeting, the Committee Managers may submit a report to the President.

Each Committee Manager is a one-year position. Up to two (2) individuals may choose to serve as Co-Managers for any position...

The following are Committee Manager Positions:

- Baking Committee Manager

- Benefit Bash Assistant Committee Manager
- Benefit Bash Auction Item Storage Committee Manager
- Benefit Bash Procurement Committee Manager
- Ben's Brigade Committee Manager
- Bulletin Board Committee Manager
- Harvest Festival Committee Manager
- Marketing Committee Manager
- Online Store Committee Manager
- SCRIP Committee Manager
- Social Media Committee Manager
- Spirit Rock Committee Manager
- Spirit Wear Committee Manager
- Sponsor Committee Manager
- Spring Social Committee Manager
- Sweetheart Ball Committee Manager
- Web Page Committee Manager
- Welcoming Committee Manager

Section 4.4 Duties and Expectations

Committee Chairs and Committee Managers are expected to follow the BFA PTO Communication and Conflict Resolution Policy and the Conflict of Interest Policies. Upon election or appointment, these policies must be signed and dated within two weeks after the start of school. Committee Chairs and Committee Managers shall not miss more than three (3) BFA PTO meetings without Executive Officer approval. Missing more than three (3) BFA PTO meetings may disqualify that individual from holding a position in the BFA PTO the following year. In the absence of a monthly BFA PTO meeting, the Committee Chairs and Committee Managers must submit a report to the President. Committee Chairs and Committee Managers must staff the BFA PTO tables at school events at least twice per year.

Article 5. MEETINGS

Section 5.1 Place of Meetings

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

Section 5.2 Regular Meetings

The Executive Officers will hold a regular meeting at least once a month when school is in session. The Executive Officers may provide, by resolution, the time and place for the holding of

additional regular meetings without other notice than such resolution. All regular meetings of the Executive Officers will be open to all members of the BFA PTO, except for executive sessions and special meetings. The Executive Officers will set a schedule of meetings for the upcoming year at the beginning of each school year. The schedule will be publicly posted on BFA's website.

Section 5.3 Telephone Meetings

One or more Executive Officers, Committee Chairs, or Committee Managers 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 will constitute presence in-person at the meeting.

Section 5.4 Special Meetings

Special meetings of the Executive Officers may be called by or at the request of the President or any two Executive Officers. The person or persons calling the special meeting of the Executive Officers may fix any place as the location of any special meeting of the Executive Officers.

Section 5.5 Executive Sessions

The Executive Officers shall have the authority to hold an Executive Session determined by a majority of the Executive Officers members. Only those invited into Executive Session by the Executive Officers may attend. Matters discussed in Executive Session will be kept confidential by all of those who attend. The Executive Officers will not enter into contract during an Executive Session.

Section 5.6 Notice

Notice of any special meeting shall be given at least three (3) days prior to the special meeting. An Executive Officer waives notice of a special meeting by attending or participating in the meeting unless, at the beginning of the meeting, the Executive Officer 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 the special meeting of the Executive Officers need be specified in the notice or waiver of notice of such meeting.

Section 5.7 Quorum

Quorum consists of four voting Executive Officers.

Section 5.8 Voting

No action of the Executive Officers will be considered legal or binding unless approved by affirmative vote of a majority of a quorum at a meeting or via phone, email, or text. The action will be binding and recorded in the official minutes of the BFA PTO. If the vote takes place via phone, email, or text prior to a BFA PTO meeting, the vote will be recorded on the vote list and announced at the next BFA PTO meeting. Once a motion is set in place via phone, electronic mail,

or text, each Executive Officer will have forty-eight (48) hours to respond with his/her vote. If a response is not received within forty-eight (48) hours, that Executive Officer is considered an absentee vote. Votes taking place between monthly meetings must be approved by the President. The vote lists will be posted on the BFA website. Votes with monetary amounts attached are automatically approved for ten percent (10%) above the approved amount of the vote.

Section 5.9 Proxies and Alternates

Executive Officers may not vote by proxy. An absentee Executive Officer may not designate an alternate to represent the officer at a BFA PTO meeting.

Section 5.10 Presumption of Assent

An Executive Officer who disagrees with a vote may make a written explanation of his/her dissent. The dissent will be recorded with the minutes.

Article 6. FINANCIAL POLICIES

Section 6.1 Fundraising

The BFA Board of Directors Fundraising Committee will decide which fundraising activities shall be undertaken on behalf of the BFA PTO, based on the Fundraising Request Form. The Fundraising Committee consist of two (2) Executive Officers, two (2) BFA Board of Directors Members, and one (1) Administrative Staff Member. Advertising commercial endeavors shall be considered on an individual basis.

Fundraising activities for upcoming school year will be carefully evaluated prior to setting goals and making plans for the upcoming year.

Section 6.2 Yearly Budget

A tentative BFA PTO budget will be drafted prior to the school year. The BFA PTO budget will be approved by a majority vote of the Executive Officers before school starts.

Section 6.3 Committee Budgets

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

Section 6.4 Funding Requests

The Executive Officers will disburse funds based on a majority vote. Requests are only approved if the proposed request is pursuant to the goals of the school and the BFA PTO. Parents, students, and staff may submit a Request Form or Fundraising Request Form. Requests must be made in writing using the Fundraising Request Form or Request Forms. Electronic submission is acceptable.

All funding requests are approved by the Principal prior to an Executive Officer vote.

Section 6.5 Disbursement of Money for Funding Request

If the Funding Request is granted, it will be for a specified amount. Votes with monetary amounts attached are automatically approved for ten percent (10%) above the approved amount of the vote. Funds will remain in the possession of the BFA PTO until the grantee submits the appropriate form, such as a Reimbursement Form for reimbursement, check request, invoice, or signed contract to the Treasurer. Once the appropriate form has been submitted, the Treasurer will disperse the funds in a timely fashion. Any approved funds not used will be returned to BFA PTO's general funds.

Section 6.6 Disbursement of Money for Committee Use

Any expense requiring a BFA PTO check must be requested at least two weeks in advance. An invoice or receipt must accompany the appropriate form.

Section 6.7 Handling of Money

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

- All people handling money for BFA PTO sponsored events must be either BFA PTO Executive Officers or appointed by an Executive Officer for a specific event.
- All funds will be collected and held by the Treasurer. Committees should keep accurate records of their income and turn in money with an Event Evaluation and Tracking Form. The Treasurer will verify the totals and notify the committee chairperson of any discrepancies.
- Please notify the Treasurer at least ten (10) days in advance if your committee needs change/cash for an event. Please include in the request a breakdown of the change needed.

Section 6.8 Disbursement Authorization

The President, Vice-President, Treasurer, and Fundraising Coordinator have the authority to authorize and approve the spending of funds up to \$500.00 via debit card as needs arise.

Funds can be requested by the Request Form, or persons may purchase items and submit receipts for reimbursement and/or recording purposes with a Reimbursement Form and original receipt.

Section 6.9 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. An Insufficient Funds Letter will be sent to the person. It is up to the discretion of the Executive Officers whether any more checks will be accepted from that person for the remainder of the school year.

Section 6.10 Receipting for Donations

The BFA 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 BFA PTO tax ID. The BFA PTO Treasurer and Fundraising Coordinator will work together to ensure thank-you letters and receipts are issued to all donors to all major fundraisers.

Section 6.11 Bank Account

The Executive Officers named on the bank account will be the President, Vice-President, Treasurer, and Fundraising Coordinator. The positions of President, Vice-President, Treasurer, Fundraising Coordinator, and shall hold debit/credit cards for the account. Debit/Credit cards should be issued in a timely fashion.

Section 6.12 Fiscal Year and Carry Over

The BFA PTO's fiscal year will begin on July 1 and end on June 30. The Executive Officers should plan to turn over enough money to fund the budget for the upcoming year, as well as a reserve of a minimum of five thousand dollars (\$5,000.00) to the next year's Executive Officers.

Section 6.13 Insurance

The Executive Officers should consider purchasing an insurance policy annually.

Section 6.14 Bi-Annual Financial Review

The Treasurer will arrange a financial review by a third-party at the end of the Treasurer's first year in office.

Article 7 AMENDMENTS TO BY-LAWS

The Executive Officers will have the authority to make, amend, or repeal a particular by-law at any regular or special meeting of the Executive Officers. A majority plus one of the Executive Officers is required to adopt an amendment to the by-laws.

Article 8 POLICIES

Section 8.1 General Policies

The BFA PTO will have yearly policies in place that will be voted in by the Executive Officers. These policies may or may not carry over to the following school year. These policies reflect

best practices of the organization. (*See* “The BFA PTO Leadership Handbook.”)

Section 8.2 Schoolwide Fundraising and Sponsorships

The BFA PTO has specific policies regarding schoolwide fundraising and sponsorship. (*See* “BFA PTO Sponsorship Guidelines.”)