



# **CACTUS WREN COOPERATIVE PRESCHOOL, INC**

BY-LAWS  
2020-2021

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# Cactus Wren Cooperative Preschool, Inc. By-Laws Manual

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**ARTICLE I. NAME:**

The name of this corporation hereafter shall be referred to as Cactus Wren Cooperative Preschool, Inc.

**ARTICLE II. PURPOSE:**

The purpose of these By-laws is to be the one rule, which defines and governs the general purposes and structure of the corporation.

**Section 1:**

The school is a non-profit, non-discriminating cooperative preschool for preschool children age three, until eligible for kindergarten. The school is organized and administered by parents working cooperatively with teachers in order to fill the need for such a school in Sierra Vista and the surrounding communities of Cochise County. The school is licensed by the State of Arizona and has two purposes:

- \* to further the social, physical, emotional, and intellectual growth of the preschool child by providing him or her with regular association with other children his or her own age, under the guidance of trained teachers.
- \* to educate parents concerning the needs and growth of children and techniques of working with children through participation in the classroom and/or other cooperative required events.

**Section 2:**

The Cactus Wren Cooperative Preschool, Inc. shall be non-political, shall not support any political party or candidate for public office and shall take no position in matters of government policy other than those relevant to its purpose.

**Section 3:**

The Cactus Wren Cooperative Preschool, Inc. admits students of any race, color, national, ethnic origin, and special needs to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national, or ethnic origin, or special needs in administration of its educational policies, admission policies, or other school-administered programs.

**ARTICLE III. ADDRESS:**

The official address of the Cactus Wren Cooperative Preschool, Inc. shall be that designated by the Governing Board. It will serve the cities of Sierra Vista, Fort Huachuca, and Huachuca City as well as the surrounding areas of Cochise County.

**ARTICLE IV. MEANING AND DISSOLUTION:**

This corporation is organized exclusively for educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code of 1954.

Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from

federal income tax under Section (c)(3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Revenue Law) or (b) by some corporation contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law).

The property of this organization is irrevocably dedicated to educational purpose. No part of the net earnings of this organization shall ever inure to or for the benefit of or be distributed to its members, trustees, officers, or other private persons, except that the organization shall be empowered to make payments and distributions in furtherance of the exempt purposes for which it was formed.

Upon the winding up and dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to a nonprofit fund, foundation, or organization which is organized and operated exclusively for charitable, educational, or religious and/or scientific purposes and which has established its tax exempt status under Section 501 (c) (3) of the Internal Revenue Code.

#### **ARTICLE V. AMENDMENTS TO BYLAWS AND SCHOOL POLICIES:**

These by-laws shall be reviewed every year, by the Governing Board. These by-laws may be amended by a majority vote of the members at a membership meeting or at a special meeting called for this purpose or under absentee voting procedures. Changes in policies (ref: orientation manual) may be made by the Governing Board if they inform the membership in writing, provide for dissension, and post the changes at the school.

#### **ARTICLE VI. MEMBERSHIP:**

Parent members are each father and/or mother, sponsoring adult, or guardian, whose child is enrolled in and attending the school for the school year (August-May) or any part thereof, or whose child is registered for the upcoming school year. Parent membership shall continue until May 30 of that school year to provide for maintenance and repair and to guarantee a smooth transition for Board Members and appointed committee workers. Withdrawal of the child before the school year ends, terminates parent membership. Duties of the members are given in the Orientation Manual. Only parent members may vote or serve on the Governing Board with the exception of the Director.

#### **ARTICLE VII. GOVERNING BOARD:**

Section 1.

The Governing Board (Board of Directors) of Cactus Wren Cooperative Preschool, Inc-. will consist of (6) elected officers, and (1) Director.

The Governing Board will be responsible for the administration and operation of the school and carrying out school Policies.

## **Board Agreement**

Each member of the executive board will sign an agreement at the beginning of the year. If any member of the board does not fulfill their duties as outlined in the by-laws for 1 month, they will be relieved of their duties and will no longer receive the discount.

### **Section 2:**

The elected officers are the President, Vice-President, Fundraising Coordinator, Financial Director, and Office Manager/Secretary, and are elected yearly by the general membership. They are voting members and are required to attend all Board meetings. The Director is also a voting member of the Cooperative and is required to attend all Board meetings. The Director, teachers, and aides are hired by the Elected Officers.

### **Section 3:**

The Coordinators will be in charge of the following functions: Fundraising & Social Functions.

### **Section 4:**

The Governing Board will meet at least once a month at a place designated by the President. Governing Board meetings are always open to attendance and participation by all members. The meeting times and places are to be publicized to all members in advance. General Membership meetings will be held at least two times yearly as called by the President: (1) Orientation and (2) Mid-year review where nominations for next year's Executive Board are received. Attendance at the General Membership Meetings are mandatory. The \$50 co-op fee WILL NOT be refunded to those who do not attend.

### **Section 5:**

The elected officers shall remove a Board member after two unexcused absences from Board meetings per term of office. The President is empowered to validate absences.

## **ARTICLE VIII. ELECTED OFFICERS:**

### **Section 1.**

The elected officers shall have the following duties:

- \*The President will be the chief executive officer of the school; represent the school; preside at all business and Governing Board meetings; handle all problems concerning the school's administration and operation.

- \*The Vice-President shall assist the President in executive duties and will be the acting President in the event of the President's absence; will perform all duties related to admission and enrollment in accordance

with school policy including reviewing and approving all registration applications/forms and notifying the classroom Teacher before a child may attend class. The main duties of the Vice-President are registration in the spring, and keeping the orientation folders in adequate supply at all times.

\*The Secretary shall keep the minutes of all of the meetings; make copies and type correspondence as needed; and notify the membership of upcoming meetings for the remainder of the year at the next general membership meeting by election, or by absentee voting procedures.

## **ARTICLE IX. COORDINATORS:**

### **Section 1.**

The Coordinators shall be:

\* Coordinator of Fund Raising will head all fund raising activities and assist the fundraising committee, in order to accomplish this purpose. All communication between his or her committees and the Governing Board will be channeled through him or her.

\*Coordinator of Social Functions will be in charge of all social events of the school (i.e. Halloween Program, Christmas Program, family picnic, etc.). He or she has a committee to help with these functions. All communications between his or her committee and the Governing Board will be channeled through him or her.

## **ARTICLE X. DIRECTOR:**

### **Section 1.**

The Director coordinates all efforts of teachers and reports to the Governing Board.

### **Section 2.**

The Director is responsible for the smooth operation of both educational and physical aspects of the school, which is accomplished by working with the Governing Board and all committees.

### **Section 3.**

The Director is responsible for annual inventory of equipment and supplies.

### **Section 4.**

The Director is the liaison between the Governing Board and the committees that are in charge of school upkeep. These include: Yard work, glue/play dough replacement, and laundry. The Director is responsible for seeing that all committees do their jobs. All communication between these committees and the Governing Board are channeled through the Director.

## **ARTICLE XI. COMMITTEES/AIDES:**

### **Section 1.**

The teachers will use volunteers to fill the standing committees/aides which will include glue/play dough replacement, laundry, yard-work, and miscellaneous.

### **Section 2.**

Other standing committees or temporary (ad hoc) deemed necessary for the running of the school shall be set up by the Governing Board.

### **Section 3.**

The committee chairpersons shall make regular reports to the Governing Board through their respective Coordinators.

### **Section 4.**

No members of any committee shall have the power to bind the school in any way.

## **ARTICLE XII. FINANCES:**

### **Section 1.**

As early as is possible at the beginning of the year (August), a budget committee consisting of the Executive Board, shall review the budget for the year. A budget committee consisting of the Executive Board shall review the budget again in the spring and make recommendations for the disposition of surplus funds, after receiving recommendations from the governing board, teachers, and others as to the probable income and expenditures.

### **Section 2.**

The budget shall be approved by the Executive Board before being presented to the general membership. After approval by the Board, the budget will be available at the school for review by the general membership.

### **Section 3.**

A financial statement will be prepared by someone within the corporation who has accounting background, annually. In addition, a financial report will be given (in writing) to the Board once a month during the school year. All taxes and/or government forms will be paid and/or filed annually, semiannually, or quarterly as the case may be. A physical audit of all inventories and expense accounts will be internally audited and reviewed by the Board members and corporation's Financial Director yearly.

### **Section 4.**

All changes in tuition, the registration fee policy, and other financial policies, (with the exception of Teachers' salaries), must be approved by a majority of the Executive

Board. All other changes in policies may be made and approved by the Governing Board.

Section 5.

All other financial expenditure will be approved as follows: Up to \$100; expenditures more than \$100 shall require the approval of a majority of the Governing Board.

### **ARTICLE XIII. TEACHERS:**

Section I.

Prospective teachers shall be interviewed and hired by the elected officers, as a vacancy occurs. Teacher contracts shall be presented for the following school year, before the first day of work.

Section 2.

Questions arising concerning the responsibilities or actions of the Director, a teacher, or a parent must be presented in writing to the President. A conference consisting of two officers, the Director/Teacher, the Teacher or parent, and the person registering the complaint will then be arranged to resolve differences. If differences cannot be resolved during this conference; an Executive Board meeting will be called to determine disciplinary action. This action may include but is not limited to a probationary period of at least 30 days or immediate dismissal from the school.

#### **Teacher Dress Code**

We expect teachers at Cactus Wren to dress professionally. Please no rubber sole flip-flops, visible undergarments, any visible cleavage, bare midriffs, clothes that are deemed too tight, too loose, or transparent, spaghetti straps, short skirts, exercise pants, and jeans with holes. We also expect teachers to cover tattoos.

### **ARTICLE XIV. MEETINGS OF THE MEMBERSHIP:**

Section 1.

The President shall call no fewer than two membership meetings during the year.

Section 2.

All decisions made by the membership will be decided by a simple plurality and shall be required for the annual election of officers and for ratifications of amendments to the by-laws. Other issues may be decided by a simple majority of members present at membership meetings.



### Section 3.

For issues individually affecting all members in order to allow maximum participation in the voting process, the Governing Board may determine that absentee voting procedures will be utilized. Additionally, when the Board has determined that voting will be made at a General Membership meeting, a petition signed by 40% of the membership can require utilization of absentee procedures. Accordingly, a written modification and sample ballot will be provided in writing to the membership for at least 10 days for review and comment. Comments will be addressed to the Secretary. Prior to distribution of ballots, the Governing Board will meet to consider the compiled comments presented by the Secretary and to revise the proposed ballots as appropriate. Ballots will be distributed to all members; balloting period will be at least 5 days. Ballots will be collected by the Secretary and safeguarded until the official count. Results of voting will be announced in writing or during a regular meeting within 30 days after the count.