

**Booksin Elementary School Community Association (BESCA)
CONSTITUTION AND BY-LAWS**

ARTICLE I – NAME & LOCATION OF THE ORGANIZATION

The name of the organization is Booksin Elementary School Community Association, located at 1590 Dry Creek Road, San Jose, CA 95125, commonly referred to as BESCA, and henceforth referred to as the association.

ARTICLE II – MISSION

Our mission is to serve as advocates for the students of Booksin Elementary School to enable them to achieve their fullest potential in a stimulating environment through the cooperative interaction of parents, teachers and community.

ARTICLE III – PURPOSE

The priority of BESCA is to enhance and enrich the school-day experience for the benefit of all students. This is accomplished by coordinating and funding student enrichment programs and community building events, organizing parent and community volunteers, and providing fundraising initiatives to support the association’s mission.

ARTICLE IV – GENERAL MEMBERSHIP AND VOTING ELIGIBILITY

- Section 1. BESCA general membership includes all parents/guardians of students currently attending Booksin Elementary School and all current Booksin Elementary School staff.
- Section 2. Voting privileges at general membership meetings will be extended to all non-staff members present. Proxy votes will not be accepted.
- Section 3. Fees will not be assessed for membership.

ARTICLE V – THE EXECUTIVE BOARD

- Section 1. The Executive Board is the elected entity charged with the management and responsibility for the association. The Executive Board shall establish the objectives of the association and determine policies for the development of the objectives.
- Section 2. The Executive Board shall include the President, Vice President of Communications, Vice President of Technology, Vice President of Community Events, Vice President of Volunteers, Secretary and Income Treasurer, and Expense Treasurer.
 - A. Two people working together may hold any office, with the exception of the President, the Income Treasurer, and the Expense Treasurer. Each office will be granted one vote in Executive Board meetings.
 - A. Two people working together may hold any office, with the exception of the President and the Treasurer. Each office will be granted one vote in Executive Board meetings.
 - B. If the event of a vacancy, the President may recommend an appropriate replacement to the Executive Board. If approved by the Executive Board, the new officer shall complete the remainder of the term. If not approved by the Executive Board, the President may be asked to present another recommendation.

- Section 3. In the absence of, the resignation of, or inability of the President to fulfill his/her duties, the order of the succession shall be:
1. President
 2. Vice President of Communications
 3. Vice President of Technology
 4. Vice President of Community Events
 5. Vice President of Volunteers
 6. Secretary
 7. Income Treasurer
 8. Expense Treasurer
- Section 4. General Duties of the Executive Board
- A. Manage the affairs of the association
 - B. Prepare the yearly budget subject to the approval of the general membership in attendance, to be presented no later than May for the subsequent year
 - C. Advance budget amendments to the general membership for approval, following Principal approval and majority vote of the Executive Board
 - D. Attend a minimum of 75% of all scheduled association meetings throughout the year
- Section 5. Termination of Executive Board Membership
- A. Executive Board membership may be terminated when an officer:
 1. No longer meets the general membership requirements of the association, or
 2. Fails to perform his/her duties as defined in the bylaws, or
 3. Misses 3 scheduled association meetings, without proper notice to the Executive Board,
or
 4. Submits a letter of resignation to the Executive Board
 - B. Involuntary termination of Executive Board membership shall be determined by a majority vote of the remainder of the Executive Board
- Section 6. Duties of the President
- A. Work with the Principal to schedule association activities, in sync with district and school calendars
 - B. Develop and publish association meeting schedules for the school year
 - C. Prepare agendas for all meetings, with input from Executive and Advisory Board members
 - D. Maintain legal documentation, district renewals and insurance policies for the association
 - E. Coordinate officers and committees to promote the association's mission and objectives
 - F. Appoint all committee chairs, following consultation with the Executive Board
 - G. Call meetings at his/her discretion, subject to providing appropriate notice
 - H. Preside at all meetings of the association
 - I. Have the authority to table and/or limit discussion on a specific topic for one meeting
 - J. Cast the deciding vote, in case of a tie, at any meeting of the association
 - K. Petition Executive Board members to suspend the voting rights of any association member if a conflict of interest exists or is perceived
 - L. Have the authority, in the event of an officer vacancy, to serve as, recommend a replacement for and/or adjust the structure of the Executive Board to meet the needs of the association
- Section 7. Duties of the Vice President of Communications
- A. Assist the President as needed
 - B. Perform the duties of the President in his/her absence
 - C. Serve as Parliamentarian at all meetings of the association, utilizing Robert's Rules of Order or Democratic Rules of Order; The method adopted will be determined by the Executive Board annually and communicated to general membership

D. Manage the association's online communications and presence

Section 8. Duties of the Vice President of Technology

- A. Manage and modify BESCO's website
- B. Maintain Email and File Storage System for BESCO Board
- C. Regulate product sales on the BESCO shop
- D. Administer Communication Platform
- E. Update and create forms

Section 9: Duties of the Vice President of Community Events

- A. Work with the President and school administration to schedule and coordinate events that support the association's mission and purpose
- B. Work with the Vice President of Communications to publicize community events
- C. Ensure that community events comply with district guidelines
- D. Assist Community Events Committee Chairs in the performance of their duties, under the guidance of the President
- E. Ensure Committee Chair compliance with annual budgets

Section 10: Duties of the Vice President of Volunteers

- A. Work with select program and committee chairs in the recruitment and coordination of volunteers for association programs
- B. Coordinate the efforts of room parents, including presiding over room parent meetings and acting as a liaison for room parent communications
- C. Coordinate parent and community volunteers to assist with specified school support functions
- D. Work with the Vice President of Communications to communicate volunteer needs

Section 11. Duties of the Secretary

- A. Record and provide the minutes of all association meetings
- B. Maintain a record keeping system for association minutes

Section 12. Duties of the Income Treasurer

- A. Create the annual budget for the association with the President and Expense Treasurer
- B. Process all deposits for the association
- C. Record all deposit transactions of the association and maintain historical financial records
- D. Ensure appropriate checks and balances for income-generating activities
- E. Conduct quarterly audit of payments by selecting a random sampling of transactions
- F. Provide a report of year-to-date activity with the Expense Treasurer at general membership meetings
- G. Provide all financial records of the association with the Expense Treasurer to an independent auditor, approved by the Executive Board, for annual review
- H. File all necessary tax returns and other documents with the Expense Treasurer to maintain exempt status of the association

Section 13. Duties of the Expense Treasurer

- A. Create the annual budget for the association with the President and the Income Treasurer
- B. Process all payments and reimbursements of the association, per the annual budget
- C. Record all expense transactions of the association and maintain historical financial records
- D. Authorize and report de minimis budget overages to the Executive Board
- E. Conduct quarterly audit of payments by selecting a random sampling of transactions
- F. Provide a report of year-to-date activity with the Income Treasurer at general membership meetings

- G. Provide all financial records of the association with the Income Treasurer to an independent auditor, approved by the Executive Board, for annual review
- H. File all necessary tax returns and other documents with the Income Treasurer to maintain exempt status of the association

ARTICLE VI – ADVISORY BOARD

- Section 1. The Advisory Board is the entity charged with advising the Executive Board on matters of the association and acting as liaisons to Booksin staff.
- Section 2. The Advisory Board shall include the Principal (or his/her delegate) and 3 grade-level representative teachers.
- Section 3. Advisory Board members shall attend a minimum of 75% of all scheduled meetings throughout the year.

ARTICLE VII – COMMITTEE CHAIRS

The Committee Chair shall:

- A. Report the plans and activities of the committee to the appropriate Executive Board member
- B. Recruit the members for his/her committee with possible assistance from the Vice President of Volunteers
- C. Utilize and work within budget to purchase appropriate materials and submit receipts for reimbursement
- D. Ensure compliance with income collection procedures

ARTICLE VIII – EXECUTIVE BOARD ELIGIBILITY, ELECTIONS AND TERM OF OFFICE

- Section 1. Eligibility
 - A. Any current general member of the association shall be eligible for Executive Board office, excluding San Jose Unified School District personnel.
 - B. No member shall hold more than one concurrent office. In the event of an officer vacancy, the President may provide interim coverage, until such time that the position is filled.
 - C. No officer in a position that carries a 1-year term of office shall be eligible to serve in the same office for more than three consecutive terms; however, an officer may continue acting in their position for one year after their term expires in the case that a replacement cannot be found.
 - D. No officer in a position that carries a 2-year term shall be eligible to serve in the same office for more than one consecutive term; however, an officer may continue acting in their position for one year after their term expires to allow for staggered terms of office on the Executive Board, or in the case that a replacement cannot be found.
- Section 2. Elections
 - A. Nominations will be accepted beginning with the February general membership meeting and until 7 calendar days prior to the April general membership meeting. Candidates for office shall submit a written statement of intent to the Executive Board during the nomination period.
 - B. Write-ins will be accepted on the ballot for any position for which a candidate has not been established.

- C. Elections shall be held by ballot at the April general membership meeting; majority vote shall rule.

Section 3. Term of Office

- A. The elected term of office shall run concurrent with the association’s fiscal year, July through June.
- B. Terms of office shall be:
 - 1. President – 2 years
 - 2. Vice President of Communications – 1 year
 - 3. Vice President of Technology – 1 year
 - 4. Vice President of Community Events – 1 year
 - 5. Vice President of Volunteers – 1 year
 - 6. Secretary – 1 year
 - 7. Income Treasurer – 2 years
 - 8. Expense Treasurer – 2 years

ARTICLE IX – MEETINGS

Section 1. General Membership Meetings

- A. A minimum of 6 monthly general membership meetings shall be held per fiscal year.
- B. A meeting schedule, including date and time, will be presented and approved by the general membership at its first meeting of the year, and will include an April meeting for election of officers for the subsequent year and a May meeting for annual budget approval for the subsequent year.
- C. A meeting agenda will be posted 2 calendar days prior to the scheduled meeting.
- D. A quorum will be defined as a minimum of 3 Executive Board members, 1 Advisory Board member and 6 general members. Voting may occur only when a quorum is present.
- E. Meeting protocol will follow Roberts Rules of Order or Democratic Rules of Order
- F. Budget approval and amendments must be presented and approved in general membership meetings.
- G. Special meetings of the general membership may be called by the President with a minimum of 7 days public notice.

Section 2. Board Meetings

- A. Board meetings shall be attended by Executive and Advisory Board members.
- B. Meeting dates will be announced, but may be held in open or closed session, as determined by the Executive Board.
- C. Board meeting agendas and minutes shall be delivered to Advisory Board members following the meeting.
- D. A quorum will be defined as a minimum of 4 Executive Board members and 1 Advisory Board member.

ARTICLE X – MISCELLANEOUS PROVISIONS

Section 1. Non-Discrimination Policy: The Booksin Elementary School Community Association (BESCA) is committed to nondiscrimination within all sponsored programs, for all participants including volunteers, students and staff.

- A. Discriminating practices are prohibited in all association activities.
- B. BESCA prohibits discrimination or harassment of any person on the basis of race, color, national origin, religion, sex, gender identity, pregnancy (including childbirth, and medical conditions related to pregnancy or childbirth), physical or mental disability, medical

condition, ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran in any of its programs or activities.

- C. This policy is intended to be consistent with the provisions of applicable State and Federal laws.

Section 2. Indemnification of Board: Should any person be sued, either alone or with others, because he/she is/was a director, officer, or employee of the association, in any proceeding arising out of his/her duties or out of any alleged wrongful act against the association or by the association, indemnity for his/her reasonable expenses, including attorney's fees incurred in the defense of the proceeding, may be assessed against the association, its receiver, or its trustee, by the court in the same or a separate proceeding if (1) the person sued is successful in whole or in part, or the proceeding against him/her is settled with the approval of the court, and (2) the court finds that his/her conduct fairly and equitably merits such indemnity. The amount of such indemnity shall be so much of the proceeding, as the court determines and finds to be reasonable.

ARTICLE XI – AMENDMENTS

Section 1. Amendments to the association’s by-laws must be:

- 1. presented in writing to the Executive Board,
- 2. approved by vote of the Executive Board during the subsequent Board meeting,
- 3. presented in writing at the next general membership meeting,
- 4. published to all community association members,
- 5. approved by two-thirds vote of members present and voting, at the following general membership meeting.

Section 2. Approved amendments are to be enacted immediately and may be retroactive where applicable.

Approved: September 15, 2020

EXECUTIVE BOARD MEMBERS

PRESIDENT: Jennifer Maddox

VICE PRESIDENT OF COMMUNICATIONS: Anne Herz

VICE PRESIDENT OF COMMUNITY EVENTS: Katie Davis &
Michelle Pilling

VICE PRESIDENT OF VOLUNTEERS: Shabnum Husain

VICE PRESIDENT OF FINANCE: Mica Ross

SECRETARY: Jill Cleveland

TREASURER: Maryanne Evans

ADVISORY BOARD MEMBERS

- _____ PRINCIPAL: Lori Gustafson
- _____ VICE PRINCIPAL: Felicia Tan
- _____ TEACHER: Kerry Compton Kolda
- _____ TEACHER: Heidi Jones
- _____ TEACHER: Eugene Law
- _____ TEACHER: Yen Tran
- _____ TEACHER: Jo Papaioannou
- _____ TEACHER: Erin Hannon