

AMENDMENT
TO
BYLAWS
OF
LIBERTY TREE ACADEMY

THIS AMENDMENT TO BYLAWS is approved as of the 8th day of August, 2018 (this “Amendment”), by Liberty Tree Academy, a Colorado nonprofit corporation and public charter school authorized by Falcon School District No. 49 (the “School”).

RECITALS

WHEREAS, the Board of Directors (the “Board”) of the Charter School adopted amended Bylaws on January 8, 2018, on behalf of the Charter School (the “Bylaws”); and

WHEREAS, the Board, at a meeting held on August 8th, 2018, did adopt a resolution approving this Amendment to the Bylaws.

NOW, THEREFORE, in consideration of the interests and welfare of the Charter School, the Bylaws are hereby further amended by this Amendment as follows:

1. **Officers of the Charter School.** All references to Chairman or Chair shall mean President and all references to Vice-Chair school mean either Vice-President or First Vice-President.
2. **Section 3.4 Terms and Term Limits.** The following sentence is hereby stricken from Section 3.4 of the Bylaws:

“An individual who has served a term as Director may not be eligible for another term until (1) year has passed following the 1st day of the individual’s receding term as Director.”

3. **Section 3.5 Applications and Qualifications.** The word “riot” in Section 3.5 of the Bylaws is hereby stricken and replaced with the word “their.”
4. **Section 4.11 Committees.** Section 4.11 of the Bylaws is hereby replaced in its entirety as follows:

“Notwithstanding any other term herein (including Section 9.3), the Board of Directors, by resolution adopted by a majority of the full Board, may designate from among its members an executive committee and one or more other committees, which through resolution may enter into contracts and otherwise bind the School with the same power and authority as if such contract or obligation were

approved by a majority of the full Board. Each committee shall typically consist of at least two (2) Directors but may consist of only one (1) Director if all other Directors have publicly disclosed a conflict of interest or have otherwise publicly recused themselves from voting on the subject matter to be addressed by the committee. The Board of Directors, by resolution adopted in accordance with this article, may designate one or more Directors as alternate members of any committee, who may act in the place and stead of any absent committee member(s) at any meeting of the committee. All decisions and actions of committees shall be reported back to the Board in open meetings and included in the meeting minutes of the Board.”

5. **Section 5.7.** The first sentence of Section 5.7 is hereby stricken and replaced with the following:


“The President shall have general supervision and control of the business of the School and preside over meetings of the Board of Directors.”

6. **Section 9.8 Distribution of Assets.** The Bylaws are hereby amended by the addition of the following Section 9.8:

“If, for any reason, the School should dissolve, upon dissolution of the School and payment in full of any outstanding obligations of the School, any and all assets belonging to the School shall be automatically transferred to Falcon School District No. 49 (the “District”) for use, as the District shall determine in its sole discretion.”

7. **Ratification.** The Bylaws, as amended by this Amendment, are and shall continue to be in full force and effect and are hereby in all respects confirmed, approved and ratified. Except to the extent amended hereby, all terms and conditions of the Bylaws remain the same.
8. **Reference to Bylaws.** From and after the effective date of this Amendment, all references to the “Bylaws” of the School in any and all agreements, instruments, documents, notes, certificates and other writings of every kind and nature, shall be deemed to mean the Bylaws, dated as of January 8, 2018, and this Amendment.
9. **Effectiveness.** The amendment to the Bylaws contained herein shall become effective as if adopted on July 1, 2018.

The foregoing amendment to the Bylaws of Liberty Tree Academy was adopted and approved on August 8th, 2018, by a majority of a quorum of the Board of Directors.



Michael E. Peterson
Secretary