



Colorado Springs  
Breaking Boundaries

\*

BY-LAWS

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WRITTEN:

9/26/2020

Colorado Springs Breaking Boundaries  
By-Laws  
TABLE OF CONTENTS

<b>Article I</b>	<b>Name, Nature, Ownership</b>	<b>Page 4</b>
Section 1.01	Name	
1.02	Nature	
1.03	Ownership	
<b>Article II</b>	<b>Offices, Location, Boundary</b>	<b>Page 4</b>
Section 2.01	Corporate Office	
2.02	Jurisdiction	
2.03	Scope	
<b>Article III</b>	<b>Purposes of the Organization</b>	<b>Pages 4-5</b>
Section 3.01	Purpose	
3.02	Goals	
<b>Article IV</b>	<b>Board of Directors</b>	<b>Pages 5-7</b>
Section 4.01	Directors Manage Corporate Affairs	
4.02	Number, Tenure and Qualifications and Elections	
4.03	Meetings	
4.04	Telephone and Email polls	
4.05	Board Decisions	
4.06	Vacancies	
4.07	Removal	
4.08	Compensation	
<b>Article V</b>	<b>Powers and Duties of the Board of Directors</b>	<b>Pages 7-8</b>
Section 5.01	Role of Directors	
5.02	Policy Decisions	
5.03	Powers and Duties	
<b>Article VI</b>	<b>Privacy Policy</b>	<b>Pages 8-11</b>
Section 6.01	Who we are	
6.02	Use of Photos/Videos during event	
6.03	What personal data we collect and why we collect it.	
6.04	Who we share data with.	
6.05	How long we retain data.	
6.06	What rights users have over their data	

- 6.07 Where we send user data
- 6.08 User contact information is not disclosed to any third parties
- 6.09 How we protect user data
- 6.10 What data breach procedures we have in place
- 6.11 What third parties we receive data from.
- 6.12 What automated decision masking and/or profiling we do with user data
- 6.13 Industry regulatory requirements
- 6.14 Leave a reply

**Article VII                      Organization Finances                      Pages 11-12**

- Section 7.01 Contracts
- 7.02 Checks, Drafts, or Orders
- 7.03 Deposits
- 7.04 Gifts
- 7.05 Monthly Reports
- 7.06 Use of Funds
- 7.07 Fundraising

**Article VIII                      Books and Records                      Page 12**

**Article IX                      Fiscal Year                      Page 12**

**Article X                      The Organizational Seal                      Page 12**

**Article XI                      Nondiscrimination/Anti-Harassment                      Pages 12-16**  
**Bullying Policy and Code of Conduct**

- Section 10.01 Nondiscrimination/Anti-Harassment/Bullying Policy and Complaint Procedure
- 10.02 Non-Discrimination & Equal Opportunity
- 10.03 Retaliation is also prohibited
- 10.04 Definitions of Harassment
- 10.05 Code of Conduct
- 10.06 Bullying
- 10.07 Individuals and Conduct Covered
- 10.08 Reporting an Incident of Harassment, Discrimination or Retaliation
- 10.09 Conclusion

**Article XII                      Effective Date                      Page 16**

**September 28, 2020 Votes                      Page 16**

## **ARTICLE I: NAME, NATURE, OWNERSHIP**

### *Section 1.01 Name.*

The official name of the organization shall be “Colorado Springs Breaking Boundaries.” The Board of Directors may designate other names at its discretion from time to time but, in the event that it should do so, it shall appropriately file all necessary trade name affidavits and other documents with the appropriate authorities of the State of Colorado.

### *SECTION 1.02 Nature.*

The organization is a non-profit organization and shall be maintained as a non-profit organization under all applicable laws and statutes of the State of Colorado and the United States, SECTION 501(C)(3) of the Internal Revenue code

### *SECTION 1.03 Ownership.*

The Organization and all trade names and trademarks owned by the Organization shall be considered property of the Organization.

## **ARTICLE II: OFFICES, LOCATION AND BOUNDARY**

### *SECTION 2.01 Corporate office.*

The principle office of the Organization shall be maintained in the County of El Paso, State of Colorado. The Organization may have such other offices, either within or without the State of Colorado, as the Board of Directors may determine from time to time, but the principal registered office shall remain in El Paso County Colorado.

### *SECTION 2.02 Jurisdiction.*

The Organization shall have jurisdiction only over that area covered by this Article II as set out in SECTION 2.01 above and Article X, SECTION 10.01, a, below.

### *SECTION 2.03 Scope.*

The Organization members shall execute their duties and purposes on a worldwide basis with no boundaries to impede them, notwithstanding the Jurisdictional limits set out in this Article II and X.

## **ARTICLE III: PURPOSES OF THE ORGANIZATION**

### *SECTION 3.01 Purpose.*

The purposes of this Organization shall be to further support, represent and guide the LGBTQ+ community of Colorado Springs, Pikes Peak Region, El Paso County, and the State of Colorado. The purpose of the Organization may be extended upon a majority vote of the Directors.

### *SECTION 3.02 Goals.*

The specific goals and purposes of the Corporation shall include, without limitation:

A. The betterment of relations between the gay, lesbian, bisexual and transgender communities of Colorado;

- B. To foster a tolerance and understanding of differences in lifestyle within the gay, lesbian, bisexual and transgender community and to encourage and support the efforts of our community and supporters in this endeavor;
- C. To provide and maintain social and meeting facilities for the use of the Organization, its affiliates, and their guests, which may include holding appropriate beverage, food, and other licenses in accordance with the laws of the State of Colorado and any local authorities of any governmental entity;
- D. To promote the good image of gays, lesbians, bisexuals, and transgender persons as honorable and law-abiding citizens concerned with the welfare and safety of their community deserving of respect and cooperation from their fellow citizens and the due protection of the law;
- E. To help protect members from unlawful, illegal, or malicious harassment or arrest;
- F. To conduct activities for the express benefit and/or pleasure and entertainment of the gay, lesbian, bisexual and transgender community.
- G. To conduct activities for the good of and the education of the heterosexual community;
- H. To engage in any activity approved by the Board of Directors which does not violate or interfere with either the laws of the state of Colorado relating to non-profit organizations or these By-Laws and to do anything which any non-profit corporation may do in the state of Colorado or elsewhere in accordance with the law.
- I. To do anything necessary or proper for the accomplishment of these purposes.

#### **ARTICLE IV: BOARD OF DIRECTORS**

##### *SECTION 4.01* Directors Manage Corporate Affairs.

The Board of Directors shall manage the affairs of the Organization. Members of the Board of Directors must be legal and actual residents of Southern Colorado, as defined in SECTION 2.02, and continue said residency for the tenure of the office.

##### *SECTION 4.02* Number, Tenure, Qualifications, and Elections.

- A. The number of Directors shall be five (5), all of which representing the organization.
- B. Directors, except the website manager, shall be chosen by a majority of votes cast by current board members.
- C. The term of the President, Vice-President, Recording Secretary, and Treasurer shall be for a period of two (2) years commencing from the date of their election.
- D. The President and Treasurer shall be elected in even numbered years (2020, 2022, 2024, 2026, 2028, 2030) and the Vice-President and Recording Secretary shall be elected in odd numbered years (2021, 2023, 2025, 2027, 2029, 2031) .
- E. The President and Vice President shall appoint the website manager to a one-year term and serve at the discretion of the Board.
- F. Elections shall take place the first Monday of November. Any member of the Directors may go for re-election, by notifying the Board 4 weeks before election. If no notification is made to the board 2 weeks before election, then a call out will be placed on social media for the open position and member of the Board will be appointed to oversee the election.

## *SECTION 4.03 Meetings.*

### **A. Quorum.**

A majority of the Board of Directors shall constitute a quorum for the transaction of business, requiring a motion; i.e.: funds disbursement, and policy change or changes, at any meeting of the Board. If less than a majority of the Advisors is present at any meeting, the majority of the Directors present may exchange information or adjourn the meeting without further notice. The meeting for the month will be cancelled in the absence of the President and Vice President.

### **B. Conduct.**

The Board of Directors of the Organization shall conduct all business meetings under Roberts Rules of Order. Newly elected Directors must obtain a copy of Robert's Rules of Order by the first scheduled meeting of the Board of Directors after election or appointment.

### **C. Regular Meetings.**

A regular meeting of the Board of Directors shall be held without any special notice at any location established by resolution of the Board of Directors at the previous regular meeting. An agenda of said meeting is to be sent out by the President of the Board 1 week before the meeting. In the absence of the President, the Vice President will send out said agenda of meeting.

### **D. Special Meetings.**

Special meetings of the Board of Directors may be called by or at the request of the President or two (2) Directors and shall be held any place the Board of Directors may determine.

### **E. Notice.**

Notice of any special meeting of the Board of Directors shall be given at least two (2) days prior by telephone, e-mail or five (5) days written notice delivered personally or by mail to each Director at their address as shown by the records of the Organization. If mailed, such notice shall be deemed to be delivered when deposited in the United States Mail in a sealed envelope appropriately addressed with postage thereon paid. Any Director may waive notice of any meeting. The attendance of an Director at any meeting shall constitute waiver of notice of such meeting, except where an Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convenient. The business to be enacted at the meeting need not be specified in the notice or waiver of notice of such meeting, unless specifically required by law or these By-Laws.

## *SECTION 4.04 Telephone and Email Polls*

Any business of the Organization may be conducted between meetings by telephone or e-mail poll of the Board of Directors. An attempt must be made to contact all Directors, but a quorum shall be sufficient to conduct business. Business conducted by telephone or e-mail poll shall be included in the minutes of the next Board of Directors meeting. If an e-mail poll is utilized the Directors have 24 hours to cast their opinion or vote to ensure efficient passage of business.

## *SECTION 4.05 Board Decisions.*

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law of these By-Laws.

*SECTION 4.06 Vacancies.*

A vacancy occurring in the Board of Directors shall be filled by appointment by the remaining Directors. This appointment shall be determined by majority vote of the existing Board. Any Director appointed by the BOD to fill a vacancy shall serve for the remaining term of the preceding Director.

*SECTION 4.07 Removal.*

Any member of the Board of Directors may attempt to resign their position at any time by submitting their resignation in writing to the President of the Board of Directors.

A. If the letter is submitted by the resigning individual, the Board may vote upon acceptance at that time.

B. If the letter is presented by any means other than by the individual, it must be verified by a one on one confirmation by the President of the Board or an appointee of the President, or the resignation must be certified by a Notary Public.

C. The Board shall vote on such resignation, which is not complete until the Board of Directors has voted on and accepted such resignation.

D. Any member of the Board who, after being notified at least thirty (30) days in advance of a hearing with all parties involved, is adjudged unfit by a majority vote of the Board of Directors shall be removed from the Board of Directors.

E. Any Director who misses three (3) regular meetings of the Board of Directors without prior notification within any six (6) month period or a total of six (6) absences; with or without notification, within a twelve (12) month period may be expelled as a member of the Board of Directors.

*SECTION 4.08 Compensation.*

Directors shall not receive any stated salaries for their services. Nothing herein contained shall be construed preclude any Director from serving the Organization in any other capacity and receiving compensation therefore.

**ARTICLE V: POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

*SECTION 5.01 Role of Directors.*

The Board of Directors shall manage the affairs of the Organization , supervise the work of all committees, have general supervision over the property of the Organization, and shall report to the Organization any business which, in the judgment of the Board, requires action by the members, in addition to any other duties set out herein.

*SECTION 5.02 Policy Decisions.*

**A. Decision.**

A policy decision of the Organization may be made by a majority vote of the Board of Directors at any meeting where there is a quorum.

*SECTION 5.03 Powers and Duties.*

### **A. Powers.**

The Board of Directors shall control the affairs of the Organization, including of the property, funds, and policies of the Organization, and shall have the power and authority to do and perform all acts and functions not inconsistent with these By-Laws or the laws of the state of Colorado or the United States pertaining to non-profit corporations. Further, the Board of Directors shall have full and complete power, either by itself or through its appropriate officers, to sell, lease, encumber or otherwise dispose of any real or personal property of the Organization, to invest or reinvest the proceeds thereof, or any portion of the income not used hereinafter provided, in such real or personal property as it deems expedient; to borrow money to and enhance the value of any of the Organization's property, or to carry out the purposes of the Organization, and to take such security therefore as it deems appropriate. In addition, the authority to borrow money to carry out the purposes of the Organization and to pledge or mortgage its property, or any part thereof, for such indebtedness; to execute such deeds, mortgages, bills of sale, notes, or other conveyances or documents necessary to the management, control, sale, or disposition of the property of the Organization, or any part thereof, to pay all the expenses of maintaining and managing the property of the Organization, including all taxes, if any, levied thereon; to employ such agents, servants, and employees as may be necessary for the proper functioning of the Organization, and to fix reasonable compensation therefore; to collect all debts due the Organization and to compromise the same as it deems best; to settle, compromise, and litigate all claims by or against the Organization or its property and generally to manage, hold, and dispose of its property in such manner as may be most expedient for the benefit of the Organization; provided the granting of the specific powers hereafter to the Board of Directors shall not be construed in any way as a limitation of the general powers hereby granted, or powers granted by the Articles of Incorporation or the laws of the state of Colorado. The Organization will not act in the capacity of a lender and will not grant loans to any individual or organization.

### **B. Additional duties.**

Duties of the members of the Board of Directors shall include but not be limited to:

1. The development of policies by which the Organization is operated.
2. The raising of funds for the operation of the Organization.
3. Acting as liaison for the benefit of the Organization and the community at large.
4. Establishing subcommittees, which shall serve for a period of one year unless otherwise disbanded or reappointed

## **ARTICLE VI: PRIVACY POLICY**

*SECTION 6.01* Who we are.

The website for Colorado Springs Breaking Boundaries shall be <https://csbreakingboundaries.org/> unless otherwise voted on to change by a majority of the Board of Directors.

*SECTION 6.02* Use of photos/videos during events.

The Board of Directors has full right to take photos at any event that is hosted by or in favor of Colorado Springs Breaking Boundaries. By attending the event, all those in attendance are granting the right for the use of photos. All photos taken by Colorado Springs Breaking Boundaries are the sole property of Colorado Springs Breaking Boundaries and will not be bought or sold to any person without a majority



vote of the Board of Directors. The Board of Directors has full right to hire or request a photographer to represent Colorado Springs Breaking Boundaries at any event. In such cases, all photos taken remain the property of Colorado Springs Breaking Boundaries unless otherwise specified in a contract between the photographer and the Board of Directors of Colorado Springs Breaking Boundaries.

### *SECTION 6.03* What personal data we collect and why we collect it.

#### **Comments**

When visitors' comment on our site we collect the data shown in the comments form, and also the visitor's IP address and browser user agent string to help spam detection.

An anonymized string created from their email address (also called a hash) may be provided to the Gravatar service to see if they are using it. The Gravatar service privacy policy is available here: <https://automattic.com/privacy/>. After approval of users comment, user profile picture is visible to the public in the context of their comment.

#### **Media**

If a user uploads images to the website, they should avoid uploading images with embedded location data (EXIF GPS) included. Visitors to the website can download and extract any location data from images on the website.

#### **Contact Forms**

#### **Cookies**

If users leave a comment on our site they may opt-in to saving their name, email address and website in cookies. These are for their convenience so that they do not have to fill in their details again when they leave another comment. These cookies will last for one year.

If they have an account and they log in to our site, we will set a temporary cookie to determine if their browser accepts cookies. This cookie contains no personal data and is discarded when they close their browser.

When they log in, we will also set up several cookies to save their login information and their screen display choices. Login cookies last for two days, and screen options cookies last for a year. If user selects "Remember Me", their login will persist for two weeks. If they log out of their account, the login cookies will be removed.

If they edit or publish an article, an additional cookie will be saved in their browser. This cookie includes no personal data and simply indicates the post ID of the article they just edited. It expires after 1 day.

#### **Embedded content from other websites**

Articles on this site may include embedded content (e.g. videos, images, articles, etc.). Embedded content from other websites behaves in the exact same way as if the visitor has visited the other website.

These websites may collect data about users, use cookies, embed additional third-party tracking, and monitor their interaction with that embedded content, including tracking their interaction with the embedded content if they have an account and are logged in to that website.

*SECTION 6.04 Who we share your data with.*

We do not share any data with any entity of persons.

*SECTION 6.05 How long we retain your data.*

If user leaves a comment, the comment and its metadata are retained indefinitely. This is so we can recognize and approve any follow-up comments automatically instead of holding them in a moderation queue.

For users that register on our website (if any), we also store the personal information they provide in their user profile. All users can see, edit, or delete their personal information at any time (except they cannot change their username). Website administrators can also see and edit that information.

*SECTION 6.06 What right users have over their data.*

If the user has an account on our site, or have left comments, they can request to receive an exported file of the personal data we hold about them, including any data they have provided to us. They can also request that we erase any personal data we hold about them. This does not include any data we are obliged to keep for administrative, legal, or security purposes.

*SECTION 6.07 Where we send user data.*

Visitor comments may be checked through an automated spam detection service as well as any site administrators.

*SECTION 6.08 User contact information is not disclosed to any third parties.*

*SECTION 6.09 How we protect user data.*

We protect user data by using an encrypted server.

*SECTION 6.10 What data breach procedures we have in place.*

Under the GDPR Act, our site functions alongside a Data Protection Officer for safeguarding personal information.

Ed Sanders, [CSBreakingBoundaries.org](mailto:CSBreakingBoundaries.org) Data Protection Officer: 4876 Sonata Drive Unit A, Colorado Springs, CO, 80918

Write to [Webmaster@csbreakingboundaries.org](mailto:Webmaster@csbreakingboundaries.org)

*SECTION 6.11 What third parties we receive data from.*

Facebook, Twitter, and Google.

*SECTION 6.12 What automated decision masking and/or profiling we do with user data.*

Spam Control Software.

*SECTION 6.13* Industry regulatory disclosure requirements.  
Colorado Springs Breaking Boundaries Operates in accordance 501(C)3 rules and the rules of the state of Colorado for non-profit entities.

*SECTION 6.14* Leave a Reply.  
You must be logged in to post a comment.

## **ARTICLE VII: ORGANIZATION FINANCES**

*SECTION 7.01* Contracts.

The Board of Directors may authorize officer or officers or agent or agents of the Organization, in addition to the officers so authorized by these By-Laws, to enter into any contract or execute or deliver any instrument in the name of and on behalf of the Organization, AND such authority may be general or may be confined to specific instances.

*SECTION 7.02* Checks, Drafts, or Orders.

All checks, drafts, or orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Organization, shall be signed by such officer or officers or agent or agents of the Organization, and in such manner as shall be determined by resolution of the Board of Directors. Any such instrument involving a sum exceeding \$500.00 shall require signature of two Board Members.

*SECTION 7.03* Deposits.

All funds of the Organization shall be deposited to the credit of the Organization in such banks, trust companies, or other depositories as the Board of Directors may select provided such depositories shall be located within the territorial jurisdiction of the Organization.

*SECTION 7.04* Gifts.

The Board of Directors may accept on behalf of the Organization, any contribution, gift, bequest, or demise for any purpose of the Organization.

*SECTION 7.05* Monthly Reports.

The Board of Directors shall require monthly reports of the Organization's fiscal condition compiled or caused to be compiled by the President until deemed time to the Treasurer who shall also compile an annual report concerning the financial status and condition of the Organization. The Board of Directors may also require any additional reports they consider necessary at their sole discretion.

*SECTION 7.06* Use of Funds.

The Board of Directors has the sole responsibility of deciding by majority vote where funds shall be distributed unto the vote shall be considered on a monthly manner as to make sure all funds are being held correctly.

*SECTION 7.07 Fundraising*

Fundraising events are to be approved by the Board unless another group or person is holding the event. Fundraising is to be held on a quarterly basis with at least one member of the Board present to accept funds. All funds must be put into the bank account within 72 hours of the event.

**ARTICLE VIII: BOOKS AND RECORDS**

*SECTION 8.01* The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Advisors, committees having and exercising any of the authority of the Board of Advisors, and any membership committee, and shall keep a record giving the names and addresses of the members of the Corporation entitled to vote at the annual meeting. All books and records of the Corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time

**ARTICLE IX: FISCAL YEAR**

*SECTION 9.01* The fiscal year of the Organization shall be the year beginning January and ending in December.

**ARTICLE X: THE ORGANIZATIONAL SEAL**

*SECTION 10.01* The Board of Directors shall provide an Organizational seal, which shall be in the design determined by the Board of Directors and in compliance with any laws of the State of Colorado.

**ARTICLE XI: Nondiscrimination/Anti-Harassment/Bullying Policy and Code of Conduct**

**Colorado Springs Breaking Boundaries** is a not-for-profit 501(c)(3) Organization in the State of Colorado that hosts and participates in a variety of entertainment and educational events, and activities which support the causes of other diverse community-based charitable organizations that do not discriminate based upon race, age, gender, sexual orientation, religion or ethnic background. Our purpose is to further advance the LGBTQ+ community and drag community, and to have fun while doing it.

*SECTION 11.01* Nondiscrimination/Anti-harassment/ Bullying Policy and Complaint Procedure

**Colorado Springs Breaking Boundaries** is committed to a friendly, social, collaborative, charitable environment in which all individuals are treated with respect and dignity. Each individual, including all readers, volunteers, Board of Director members, and designated representatives have the right to participate in a professional atmosphere that promotes equal opportunities and prohibits unlawful discriminatory practices, including harassment with any **Colorado Springs Breaking Boundaries** sponsored events or event affiliated with **Colorado Springs Breaking Boundaries**. Therefore, **Colorado Springs Breaking Boundaries** expects that all relationships among persons in the organization will be highly respectful and free of bias, prejudice, and harassment.

### *SECTION 11.02 Non-Discrimination & Equal Opportunity*

It is the policy of **Colorado Springs Breaking Boundaries** to ensure equal opportunity without discrimination or harassment on the basis of race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, transgender, gender identity, age, social- economic status, marital status, disability, veteran or draft status; or any other characteristic protected by federal, state or local laws. **Colorado Springs Breaking Boundaries** prohibits any such discrimination or harassment.

### *SECTION 11.03 Retaliation Is Also Prohibited*

**Colorado Springs Breaking Boundaries** encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of **Colorado Springs Breaking Boundaries** to investigate such reports promptly and thoroughly. **Colorado Springs Breaking Boundaries** prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

### *SECTION 11.04 Definitions of Harassment*

1. Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's membership; (2) submission to or rejection of such conduct by an individual is used as the basis for making a decision affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's participation in the organization or creating an intimidating, hostile or offensive working environment.

- Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; and other physical, verbal or visual conduct of an unwanted sexual nature.

2. Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, transgender, gender identity, age, social-economic status, ancestry, marital status, disability, veteran or draft status; or any other characteristic protected by federal, state or local laws or that of his/her relatives, friends or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive professional and courteous environment; (2) has the purpose or effect of unreasonably interfering with an individual's work and performance for the organization, or (3) Otherwise adversely affects an individual's ability to fully participate in the **Colorado Springs Breaking Boundaries** organization.

### *SECTION 11.05 Code of Conduct*

The following are examples of public behavior that will not be tolerated by **Colorado Springs Breaking Boundaries** (List may not be all inclusive). Behavior that is unruly, disruptive, or illegal in nature; members should act in a responsible fashion and not behave in a way likely to cause damage to property, or offense, or danger to other people; possessing and/or concealing a firearm, explosives, or other weapons (Unless otherwise permitted by law); public possession, using or selling of illegal drugs; fighting, taunting, or any action that may harm or endanger others; harassing or threatening other members, guests, volunteers, or members of other organizations; Intoxication or other signs of alcohol and drug impairment that result in irresponsible behavior (Extremely intoxicated members/guests MAY NOT be admitted into any **Colorado Springs Breaking Boundaries** event); making obscene gestures; committing sexual acts or exhibiting lewd behavior; entering restricted areas; smoking in prohibited/restricted areas; throwing objects; entering restricted areas; failing to follow the instructions/requests of security or event personnel; interference of the event (including throwing objects, or verbal outbursts); threat to other members/guests or diminish their enjoyment of the event; any other acts or behaviors that in the judgment of the **Colorado Springs Breaking Boundaries** Board of Directors that pose a threat; cursing or making verbal attacks on guest, members, facilities, or the hosting organization.

### *SECTION 11.06 Bullying*

Bullying is a harmful behavior that will never be tolerated. It is a behavior that requires special policing (See definition below).

#### **Definition of Bullying**

A person is bullied when he or she is exposed, repeatedly, and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending him or herself. This definition includes three important components:

1. Bullying is aggressive behavior that involves unwanted, negative actions.
2. Bullying involves a pattern of behavior repeated over time.
3. Bullying involves an imbalance of power or strength.

Bullying can take on many forms; Verbal bullying: including derogatory comments, badgering, speaking over a person to prevent them being heard and bad names; Bullying through social exclusion, or isolation; Physical bullying such as, hitting, kicking, shoving, and spitting; Bullying through lies, and false rumors; Having money or other things taken or damaged by those who bully; Being threatened or being forced to do things by those who bully; Racial bullying; Sexual bullying; Cyber bullying (via electronic media); Gender bullying. Bullying can cause a victim to feel upset, afraid, ashamed, embarrassed, and anxious. It can involve people of any age, Including children and adults. Bullying behavior is frequently repeated unless there is intervention.

### *SECTION 11.07* Individuals and Conduct Covered

These policies apply to everyone, including all **Colorado Springs Breaking Boundaries** readers, volunteers, Board of Directors members, and designated representatives, whether related to conduct engaged in by fellow **Colorado Springs Breaking Boundaries** members or by someone not directly connected to **Colorado Springs Breaking Boundaries** (e.g. an outside vendor, consultant or customer or community member).

Conduct prohibited by these policies is unacceptable at any **Colorado Springs Breaking Boundaries** sponsored event or any event affiliated with **Colorado Springs Breaking Boundaries** including meeting locations. This also includes any event-related setting outside the organization, such as during road trips, business meetings, fundraising activities, and other social events.

Public vs. Private:

This policy does not deny that everyone is allowed to his or her personal private opinion. Any member of this organization is allowed to have a private conversation. This policy relates directly to public violations of the rules. Public and private are defined as follows:

- a. Public: Pertaining to, or affecting the community or the people as a whole, for the use of all, open to the knowledge of all, in front of multiple or unknown individual.
- b. Private: Confined to particular persons or groups, secluded from others, not for public use or participation.

### *SECTION 11.08* Reporting an Incident of Harassment, Discrimination or Retaliation

**Colorado Springs Breaking Boundaries** encourages reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position in the organization. Individuals who believe that they have been the victim of such conduct should discuss their concerns with any member of the **Colorado Springs Breaking Boundaries** Board of Directors. See the complaint procedure described below.

In addition, **Colorado Springs Breaking Boundaries** encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be discontinued immediately. Often this action alone will resolve the problem. **Colorado Springs Breaking Boundaries** recognizes, however, that an individual may prefer to pursue the matter through a Colorado Springs Breaking Boundaries formal complaint procedure.

When a formal complaint is filed to a Board Member of **Colorado Springs Breaking Boundaries**, said member is to bring the complaint to the attention of all member immediately. The Board will appoint a member or outside member to be the main investigator. This investigator will discuss the situation with the accuser, any witnesses, the person being accused, and any others involved. The investigator will then bring all information back to the Board Members. All Board Members will take the facts into thought and will then vote on the decision of the actions of the person being accused. The person being

accused will not have a vote. In the case of a tie, an outside member will be brought in to cast the tie breaking vote.

*SECTION 11.09 Conclusion*

**Colorado Springs Breaking Boundaries** has developed this policy to ensure that everyone, readers, volunteers, Board of Directors members, and designated representatives can participate in an environment free from unlawful harassment, discrimination, and retaliation. **Colorado Springs Breaking Boundaries** will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any person who has any questions or concerns about these policies should talk with any Board Member of **Colorado Springs Breaking Boundaries**.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, transgender, gender identity, age, social-economic status, ancestry, marital status, disability, veteran or draft status; or any other characteristic protected by federal, state or local laws, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of **Colorado Springs Breaking Boundaries** prohibit disparate treatment based on sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of membership. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

**ARTICLE XII: EFFECTIVE DATE**

*SECTOION 12.01* These Amended By-Laws are effective upon approval of the Board of Directors Meeting on Monday, September 28, 2020.

**September 28, 2020 Votes**

Allie Schembri – President –  
Joseph Shelton- Vice President –  
Stephanie Iken – Treasurer –  
Crystal Maez – Secretary –  
Ed Sanders – Web Master –