

Amended and Restated By-laws of the
Eastmark High School Athletic Booster Club

Article I
Name and Objective

SECTION 1. Name and Object

1.1 Name of the Corporation. The name of this corporation shall be the Eastmark High School Athletic Booster Club (EHSABC).

1.2 Object of the Corporation. The Eastmark High School Athletic Booster Club shall exist to support the student athletes, coaches and athletic department of Eastmark High School. This support shall include facilitating communication between parents, creating liaisons for each team sport, and coordinating/conducting fundraisers to enhance the school athletic department.

1.3 Official Corporation Website. The official website is www.ehsabc.org

SECTION 2. Fiscal Year

2.1 Fiscal Year. The fiscal year of the Eastmark High School Athletic Booster Club is June 1 through May 31.

Article II
Membership

SECTION 1. Classes of Membership

The corporation shall have three (3) classes of membership. The designation of such classes shall be as follows:

1.1 General Membership. This class consists of any individual of the community wishing to make a positive impact on the success of this corporation.

1.2 Active Membership. This class consists of the elected members of the Executive Board of Directors (EBOD), the school Athletic Director, and any elected Board-Members-at-Large, also referred to as Board Member(s).

1.3 Participating Membership. This class consists of all Varsity head coaches.

1.4 Code of Conduct. All Members of the Eastmark High School Athletic Booster Club shall conduct themselves and perform their duties with respect to the ideals and principles of Eastmark High School. Their performance shall be in accordance with school regulations and, for those sports with AIA involvement, adhere to the guidelines set forth by the AIA. Questions concerning any EHSABC activity should be addressed

immediately to the President or any active Board Member of the Eastmark High School Athletic Booster Club.

SECTION 2. Voting Rights

All members classified as having an "Active Membership" will have voting rights, provided that a quorum exists with the exception of the Athletic Director as he/she is a non voting member.

2.1 Any active member who is absent for three (3) consecutive regularly required scheduled meetings shall surrender his/her right to vote until such time as two (2) consecutive regularly required scheduled meetings have been attended.

2.2 At a general membership meeting all issues to be voted on shall be decided by a simple majority of those present at the meeting in which the vote takes place.

2.3 Eligible voting members will register their votes in the following sequence: Board-Members-at-Large, Secretary, Treasurer, Vice President, President.

SECTION 3. Termination of Membership

3.1 Resignation of Members. Any member may terminate his/her membership at any time, upon written notification submitted to the President or a Board Member of this Corporation. The resignation shall be brought to the EHSABC Board as a business item with a motion and acceptance by a vote of the EHSABC Board of Directors. The Board shall acknowledge the effective end date.

3.2 Suspension. Any member may be suspended for conduct prejudicial to the best interest of the Corporation.

3.3 Termination of Membership by the Board of Directors. The EHSABC Board of Directors may terminate any member for any infraction of the By-laws, rules and/or regulations of this Corporation.

SECTION 4. Transfer of Membership

Membership of this Corporation is not transferable or assignable.

ARTICLE III Meetings

SECTION 1. Meetings

1.1 Regular General Membership Meetings. The EHSABC Board of Directors shall have a general membership meeting, at least one time per fiscal year at a time and place designated by the Board of Directors.

1.2 Place of Meetings. Meetings shall be held at any public place within the regional governing structure designated by the EHSABC Board Members.

1.3 Notice of Meetings. All notices of General Membership meetings shall be sent or otherwise provided to all general membership, active membership, and participating membership members not less than seven (7) or more than thirty (30) days prior to the date of the meeting. The notice shall specify the date, time and place of the meeting. An agenda or nature of business to be discussed or transacted may be published with notification of meeting.

1.4 Quorum Required. Fifty (50%) percent of the active membership shall constitute a quorum for the transaction of business at a meeting of the active members. The eligible active members present at a duly called or duly held meeting at which a quorum is present may continue to transact business until adjournment, notwithstanding the withdrawal of enough eligible voting members to leave less than a quorum. Any action taken (other than adjournment) is approved by at least a majority of the active members required to constitute a quorum.

1.5 Attendance of Meetings. All active members are required to attend seventy-five (75%) percent of all regularly scheduled general membership meetings. If an active member cannot attend a meeting, they need to let the EHSABC President or a Board of Director know by phone or email that they will not be attending.

SECTION 2. Meetings of the Board of Directors/Board Members

2.1 Special Meetings. Special meetings may be called at any time of the month during the entire calendar year.

2.2 Authority to Call. The President, the Vice President or any three (3) Board members may call a special meeting of the Board for any purpose at any time.

2.3 Quorum. Fifty (50%) percent of the eligible to vote active members shall constitute a quorum for the transaction of business. Every act or decision conducted or made by a majority of the active members present at a meeting duly held, at which a quorum is present, shall be regarded as the act of the EHSABC Board of Directors and subject to the provisions of the Arizona Nonprofit Corporation Law. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of

members, if any action taken is approved by at least a majority of the initial required majority based on the initial quorum present for that meeting.

2.4 Attendance of Meetings. All board members are required to attend seventy-five (75%) percent of all regularly scheduled board of directors meetings and special meetings. If a board member cannot attend a meeting, they need to notify the President by phone or email that they will not be attending. If an active member is not in attendance for three (3) consecutive meetings of any kind they will lose voting rights until they have attended two consecutive meetings.

SECTION 3. Annual Meeting

3.1 Special Meetings. The annual meeting will be conducted in May of each year, unless the EHSABC Board of Directors determines another time and so notifies all general membership, active membership, and participating membership thirty days prior to the scheduled annual meeting.

3.2 Purpose of Annual Meeting. The primary purpose of the annual meeting is to conduct elections to the Executive Board and the General Board of the Board of Directors.

3.3 Meeting Agenda. The President of the Board of Directors will conduct this meeting.

ARTICLE IV Board of Directors

Section 1. Powers and Duties

1.1 Affairs of the Corporation. The EHSABC Board of Directors manages the affairs of the Corporation. The Board of Directors may:

1.1.a Hold meetings at such times and places as it deems proper.

1.1.b Admit members, and suspend or expel them.

1.1.c Appoint committees on particular subjects from the members of the organization.

1.1.d Audit bills and disburse the funds of the Corporation.

1.1.e Print and circulate documents and publish Articles.

1.1.f Carry on correspondence and communicate with sponsors and individuals interested in the purposes of this Corporation.

1.1.g Devise and carry into execution such other measures as it deems proper and expedient to promote the goals of the Corporation and to best protect the interests and welfare of the members.

1.1.h Vote on issues brought before the EHSABC Board of Directors.

1.2 Code of Conduct

1.2.a All members of the EHSABC Board of Directors will act in accordance with the Queen Creek School District and AIA policies.

1.2.b All members of the Board of Directors, unless agreed upon prior, need to be in attendance at EHSABC sponsored events. If an emergency arises and a previously-scheduled board member cannot attend, a phone call or email to notify the President is necessary. If a member is absent from three consecutive board-sponsored events, without prior discussion or arrangements with the remaining members of the board, that member will be brought to the Board for a review of membership.

1.2.c All members of the Board need to recognize the importance of sensitive information given to them, and that it is to be used only for the EHSABC consumption concerning specific matters. It is not to be used as common knowledge or distributed through any means. The minutes are for public record and can be accessed at any time. Any items of opinion and viewpoints should only be discussed at the board meetings and not with outside parties.

1.2.d When duly elected, all EHSABC Board Members have responsibilities and commitments that they are making to the EHSABC. Each member takes on the responsibilities of the Corporation and have certain duties to fulfill. If for some reason these duties cannot be met, then that member needs to discuss the issue with the Board and the Board will evaluate at that time.

SECTION 2. Board Membership

2.1 The Board of Directors shall be made up of no more than seven (7) Board Members but no less than four (4) Board Members. The Officers are as follows: President, Vice President, Secretary, Treasurer, Concessions, and up to two (2) board members. The Athletic Director of Eastmark High School is granted automatic board membership, but is prohibited from holding an elected office or casting votes.

SECTION 3. Compensation of Board

3.1 The Board of Directors shall not receive any compensation for their services. Only with prior approval from the EHSABC Board, directors may be reimbursed for expenses

incurred for EHSABC Board approved activities required to perform their duty with proper evidence of monies expended (i.e. receipts for payment remitted).

SECTION 4. Vacancies on the Board

4.1 Whenever a vacancy exists on the Board, it may be filled without undue delay by a majority vote of the remaining members of the Board at any scheduled meeting. The person so chosen shall hold office for the duration of the existing term, or until his/her successor has been duly elected.

4.1.a The Board of Directors will accept applications or nominations at the first scheduled general membership meeting after a seat is vacated.

4.1.b The Board of Directors will review applications and nominations at a special meeting and will appoint one of the applicants or nominees. The appointee will be contacted to confirm acceptance of the position and announcement of appointment will occur at the next scheduled general membership meeting.

4.1.c Appointee will fill any appointed position until the next scheduled election for that seat position.

4.2 In the event of a vacancy of the President, the Vice President shall assume responsibilities for up to ninety (90) days without Board action.

Article V Elections

Section 1. Term of Office / Vacancies

Offices for the Executive Board (President, Vice President, Treasurer and Secretary) and board members shall be held for two-year terms. All board member seats will be numbered, beginning with the President designated as seat one, Vice President designated as seat two, Treasurer designated as seat three, Secretary designated as seat four and all other board member seats assigned as stated in Appendix B.

1.1 The election of the President, Treasurer and other odd numbered board member seats will occur during even numbered years (i.e. 2024, 2026, 2028, etc...)

1.2 The election of the Vice President, Secretary and other even numbered board member seats will occur on odd numbered years (i.e. 2023, 2025, 2027, etc...)

1.3 Any positions vacated during a board member's term will be filled per Article IV, Section 4.

1.4 Board members must have a student who is actively enrolled at Eastmark High School or a member of an athletic team in good standing at Eastmark High School. Board members will forfeit their position effective immediately upon student's withdrawal from Eastmark High School. Board members whose students are graduating may remain in their elected position until June 1, following graduation.

Section 2. Timing of Nominations, Elections, and Assumption of Office

2.1 The notification of open offices and nominations shall be conducted no earlier than March general membership meeting and nominations shall be received by or at the April general membership meeting. The election shall take place at the Annual General Membership meeting held in May. The ballots will be made available at the beginning of the meeting and collected fifteen (15) minutes after the call to order of the meeting. Ballots shall be counted and the results will be announced as the last order of business prior to the adjournment of the meeting. Newly elected officers will assume their official capacities on the first day of June.

2.2 There shall be no absentee ballots for the election of the Board of Directors.

2.3 There shall be no "write-in" ballots for the election of the Board of Directors.

2.4 Only active and participating members will be allowed to vote for elected positions.

Article VI Officers

The Board of Directors shall give a bond of faithful discharge of his/her duties in such sum and with such surety or sureties as the Board of Directors shall determine.

Section 1. President

The President shall be the Principal Executive Officer of the Corporation and shall, in general, supervise all of the business and affairs of the Corporation. He/she shall preside at all meetings of the members of the Board of Directors. He/she may sign, with the Treasurer, or any other proper Officer of the Corporation authorized by the Board of Directors, any deeds, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in the cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these By-Laws or by statute to some other Officer or Agent of the Corporation, and in general, he/she shall perform all duties incident to the office of President and such duties as may be prescribed by the Board of Directors from time to time. All Officers and Directors shall report to the President of the Corporation.

Section 2. Vice President

In the absence of the President, or in the event of his/her inability to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be

subject to all the restrictions upon the President. The Vice President shall perform such other duties as from time to time may be assigned to him/her by the President or by the Board of Directors. Refusal to assume the position of President will be grounds for immediate dismissal as a board member.

Section 3. Treasurer

The Treasurer shall have charge and custody, and be responsible for all funds and securities of the Corporation. He/She shall receive and give receipts for monies due and payable to the Corporation from any source and deposit all such monies in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of Article VIII of these By-Laws. The Treasurer shall perform all duties incidental to the office of the Treasurer and such other duties as from time to time may be assigned to him/her by the President or by the Board of Directors. The Treasurer shall also provide monthly ledgers and bank statements to the President of the Corporation for approval, prior to the Board of Directors receiving them at their monthly meetings. The Treasurer shall be responsible for documenting and filing income tax statements, financial, income, expense statements and annual reports, annually for the Corporation.

Section 4. Secretary

The Secretary shall keep the minutes of the meetings and provide the minutes to the President for approval prior to the minutes being distributed to the Board of Directors. He/She shall be responsible for all notices duly given in accordance with the provisions of these By-Laws or as required by law. The Secretary shall be the custodian of corporate records. He/She shall keep a register of the addresses of each member; and in general, perform all duties incidental to the office of the Secretary and such other duties as from time to time may be assigned to him/her by the President or the Board of Directors.

Section 5. Board Members

The Board Members duties are to support the officers of the Eastmark High School Athletic Booster Club and attend all monthly and annual meetings. The General Board Members will be assigned to help with the committees. Board Members' attendance is necessary at sporting events, fundraisers and events that are put on by the Eastmark High School Athletic Booster Club. Board Members will be required to perform other duties from time to time that may be assigned.

Article VII Booster Committee Structure

Section 1. Committee Formation

The EHSABC Board of Directors may create committees as needed, such as fundraising, public relations, data collection, etc. The EHSABC Board of Directors will vote on all committee chair nominations.

1.1 The Committee Chair shall coordinate, organize and mobilize the parents involved in the respective committee in an effort to achieve the objectives of the Eastmark High School Athletic Booster Club.

Section 2. Booster Committees

The EHSABC Board of Directors may create a booster committee for each school-provided sport. See Appendix A.

2.1 The booster committee shall consist of a voting membership that includes the Committee Chairperson, Associate Chair, Finance Manager and Coordinator to organize and implement fundraising activities for the booster committee as well as up to 3 members-at-large.

2.2 The booster committee chair or designee (appointed by committee chair) will report to the Eastmark High School Athletic Booster Club Board of Directors.

2.3 All fundraising activities must be approved by the Eastmark High School Athletic Booster Club Board of Directors prior to the commencement of any booster committee fundraising activities.

2.4 Any funds generated by activities that have not been approved by the Eastmark High School Athletic Booster Club Board of Directors may not be allowed to be deposited into the EHSABC banking account or that booster committee's ledger, exceptions require a majority vote of the EHSABC Executive Committee.

2.5 All committees shall follow all protocols and guidelines in the Eastmark High School Athletic Booster Club Committee Hand Book found at www.ehsabc.org.

Article VIII Distribution of Funds

Section 1. Disbursement of Monies

The Eastmark High School Athletic Booster Club (EHSABC) will maintain and manage one general bank account containing funds raised. Sub-ledgers will be directly related to each booster committee. These sub-ledgers will be managed by the EHSABC and will only involve funds raised by the activities of each individual booster committee, i.e. the Football Booster Committee will have their own sub-ledger for monies donated and raised by the activities of the members of the Football Booster Committee.

1.1 The EHSABC general account will supplement the Eastmark High School athletics budget. Funds raised by the EHSABC are limited and often not sufficient to satisfy all legitimate needs. It will be necessary for the individual coach(es) to first approach the Head Varsity Coach(es) or Booster Committee Chairperson. The Head Varsity Coach(es) or Booster Committee Chairperson submit their funding requests to the Athletic Director. Upon review by the Athletic Director, the Head Varsity Coach(es) or Booster Committee Chairperson submit their funding request(s) to the EHSABC Board for consideration. All funding requests require documented approval from the Head Varsity Coach or Booster Committee Chairperson. In order for the EHSABC Board to consider funding requests, funding requests must be submitted no later than seven (7) calendar days prior to the needed date of funds.

1.2 All EHSABC general fund requests must be approved by a simple majority vote of the EHSABC Board.

1.3 All EHSABC funding should be approved prior to the end of the school year and disbursed before the end of each fiscal year. All checks disbursed must be cashed before the new fiscal year begins on June 1 .

1.4 Booster committee sub-ledger will be set up for each Committee. All funds donated or raised by the booster committee will be managed through a sub-ledger. The team Booster Committee Chairperson or designee will submit request(s) for the booster committee funds to the EHSABC Board on the approved request form, hard copy or electronic version, signed by the Booster Committee Chairperson. Requests for booster committee funds must be submitted no later than seven (7) calendar days prior to the needed date of funds for approval by the EHSABC Board.

Section 2. Checks and Drafts, Etc.

All checks, drafts and orders of payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation, and in such manner as shall be from time to time determined by the Board of Directors, such instruments shall be signed by the Treasurer, and countersigned by the President of the Corporation or another authorized signer. Not more than one (1) person of the same household/family shall be authorized to sign checks.

Section 3. Deposits

All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select. Cash deposits may be made by any signer on the Bank account except the Treasurer. The Treasurer will record the cash deposits within 7 days of receiving receipt.

Section 4. Gifts

The EHSABC Board of Directors may accept on behalf of the Corporation contributions, donations, bequests or devices for the general/special purpose of the Corporation, and shall become the sole property of the Corporation.

Section 5. General Funds

An Eastmark High School Athletic Booster Club general bank account shall be maintained with the Concessions Manager, Treasurer, and President as joint account signers (two of three must sign checks). The Treasurer will keep track of EHSABC "general" funds. Funds will be deemed "general" if not directed by a donor to a specific teams/booster committee or purpose. These monies shall be disbursed to the teams/booster committee as directed in Article VIII Section 1. Funds raised by individual teams/booster committee, through their own teams/booster committee funds, will be managed by the EHSABC Board in the individual teams/booster committee ledger(s).

Article IX

Amendments of the By-Laws

These By-Laws may be altered, amended or repealed, and new By-Laws may be adopted by a majority vote of the EHSABC Board of Directors present at any regular or special meeting, if at least five (5) business days written notice is given of the intent to alter, amend, repeal or to adopt new By-Laws at such meeting.

The By-Laws of the Eastmark High School Athletic Booster Club may also be amended by a unanimous vote of the Corporation necessary to be counted in the establishment of a quorum.

Article X

Dissolution

The Eastmark High School Athletic Booster Club may only be dissolved by a two-thirds majority vote of members in attendance at a special meeting specifically called to consider and vote on dissolution, after all members have been given a fair and reasonable advance notice of such a special meeting. In the event of a vote in favor of dissolution, any funds remaining after all obligations have been satisfied shall be donated to the Eastmark High School General Athletics account.

Article XI
Adoption of By-Laws

Adopted, signed and approved by the Board of Directors of Eastmark High School Athletic Booster Club on Aug 21, 2023.

Renee Mullender
Renee Mullender (Aug 20, 2023 11:28 PDT)

Renee Mullender, Eastmark High School Athletic Booster Club President

Jamie Sawyer
Jamie Sawyer (Aug 20, 2023 11:40 PDT)

Jamie Sawyer, Eastmark High School Athletic Booster Club Vice President

Jennifer Trampp
Jennifer Trampp (Aug 20, 2023 11:23 PDT)

Jennifer Trampp, Eastmark High School Athletic Booster Club Treasurer

Jacquelyn Pastor
Jacquelyn Pastor (Aug 20, 2023 11:44 PDT)

Jacquelyn Pastor, Eastmark High School Athletic Booster Club Concessions Manager

Terney Tobler
Terney Tobler (Aug 20, 2023 20:27 PDT)

Terney Tobler, Eastmark High School Athletic Booster Club Inventory Manager

Kraig Leuschner
Kraig Leuschner (Aug 21, 2023 12:39 PDT)

Kraig Leuschner, Assistant Principal, Athletic Director, Eastmark High School

Appendix A

Current School offered Sports and Activities

Fall Season	Winter Season	Spring Season	Year Round
Cross Country	Basketball (Boys)	Baseball	Spiritline - Cheer
E-Sports	Basketball (Girls)	Softball	Spiritline - Pom
Football	Soccer (Boys)	Tennis (Boys & Girls)	Band
Golf (Boys and Girls)	Soccer (Girls)	Track & Field	Orchestra
Girls Flag Football	Wrestling (Boys & Girls)	Volleyball (Girls Beach)	Dance
Swim & Dive		Volleyball (Boys)	Drama
Volleyball (Girls)			Choir
			Robotics

*This list is current as of 8/1/2023. Other School-Provided sports may be added at a later date without amendment of the By-laws.

Appendix B

Seat #	Vacate	Title
1	EVEN Years	President
2	ODD Years	Vice President
3	EVEN Years	Treasurer
4	ODD Years	Secretary
5	EVEN Years	Concessions Manager
6	ODD Years	Inventory Manager
7	EVEN Years	Member at large