

ARIZONA HEAT ELITE SPARKS CLUB
BY LAWS
Amended as of November 1, 2009

ARTICLE I – NAME

Section 1 The name of the booster organization shall be known as Arizona Heat Elite Sparks Club (hereafter referred to as **Sparks**).

ARTICLE II – PURPOSE

Section 1 The primary function of **Sparks** is to provide regulated and supervised fundraising activities to meet the needs of the Arizona Heat Elite Cheer squads.

ARTICLE III – MEMBERSHIP

Section 1 A member is defined as an adult who has a child currently participating on a cheer team associated with the Arizona Heat Elite Cheer Center or anyone deemed eligible for membership by the Executive Board.

ARTICLE IV – EXECUTIVE BOARD **OF DIRECTORS**

Section 1 The Arizona Heat Elite Sparks Club shall be organized and governed by an Executive Board which shall consist of **five** members elected by the **Sparks** membership.

A. The Executive Board is to be elected by the eligible **Sparks** membership, as defined in Article III, Section I, for a one-year term. A Board position may be established by a majority vote of at least 10% of the total membership.

B. The elections of the members to the Executive Board shall be during the **April** meeting.

C. Eligible Candidates shall be:

a. The guardian of an active participant on a cheer team at the Arizona Heat Elite Cheer Center **for at least one year**.

b. A member in good standing, with no past due balances owed either to **Sparks** or Arizona Heat Elite Cheer Center.

c. Members elected to the Executive Board shall be eligible to participate starting with the regular June meeting.

- d. Positions elected by the Sparks membership vacated prior to the expiration of the term shall be filled by a majority vote of the Executive Board.

Section 2 Any officer of the Sparks Executive Board may be relieved of their duties by a majority vote of at least 10% of the membership.

ARTICLE V – RESPONSIBILITIES OF THE EXECUTIVE BOARD

Section 1 Develop and/or approve the organizational structure of the Sparks.

Section 2 Establish policies to be approved by the membership.

Section 3 When vacancies occur on the Executive Board, elect replacements for the remainder of the vacated term.

ARTICLE VI – MEETINGS

Section 1 All Sparks meetings are open to the public.

Section 2 The president and/or majority of the Executive Board, as needed, may call special meetings. Special meetings are called when business must be conducted prior to the next regular meeting and the following requirements apply:

- A. Seven day notice through the membership e-mail list and/or
- B. Posted in the Arizona Heat Elite Cheer Center.

Section 3 A quorum for regular and special meetings of Sparks shall be defined as at least 10% of the membership. A majority of this 10% membership is needed to pass any motion. In the absence of a membership quorum, a simple majority vote of the Executive Board shall be sufficient.

Section 4 “One vote” shall be considered as one vote per custodial household.

ARTICLE VII – OFFICERS OF THE EXECUTIVE BOARD

Section 1 Officers must be members of Sparks.

Section 2 Officers shall be elected annually at the Arpil meeting.

Section 3 Elected officers shall consist of:
A. President

- B. Vice President
- C. Secretary
- D. Treasurer
- E. Member-at-large

Section 4 Multiple positions may be held or filled by the same individual at the same time. In such event, only one vote shall be allowed for each individual, regardless of the number of positions held.

Section 5 Duties of the officers

- A. President
 - a. Presides at all meetings.
 - b. Provides direction to all Sparks committees and members regarding the by-laws and policies.
 - c. In the absence of committee chairs, will give direction on an as needed basis.
- B. Vice President
 - a. In the absence of the President, the Vice President shall exercise the President's functions.
 - b. Other duties as assigned by the President.
- C. Secretary
 - a. Keep complete and accurate minutes of the Meetings. A copy shall be posted in the Arizona Heat Elite Cheer Center at least one week following the meeting.
 - b. Oversees the posting of the informational e-mails and notices at the Arizona Heat Elite Cheer Center.
 - c. Oversee the timely and accurate filing of annual Reporting and maintenance of the corporate records with the State of Arizona, to assure that at all times the Sparks is maintained in a status "In Good Standing" with the Arizona Corporation Commission.
- D. Treasurer
 - a. Maintain accurate records of all monies brought into and paid out of the Sparks and notify all members of their account status.
 - b. Oversee the timely and accurate filing of any and all tax reports and filings as may be required by federal or state and local governments.
- E. Member-At-Large
 - a. Oversees the Publicity Committee.

- b. Oversees the Fundraising committee chairperson.

Section 6 Indemnification of Officers, Directors, Employees, and Agents

- A. Sparks shall indemnify any person who incurs expenses or liabilities by reason of the fact he or she is or was an officer, director, employee, or agent of Sparks or is or was serving at the request of Sparks as a director, officer, employee or agent of another corporation, partnership, joint venture, trust, organization, or enterprise. This indemnification shall be mandatory in all circumstances in which indemnification is permitted by Law.

Section 7 Limitation of Liability

- A. To the fullest extent permitted by the Arizona Revised Statutes, as the same exists or may hereafter be amended, a director or officer shall not be liable to Sparks or its members for monetary damages for any action taken or any failure to take any action as a director or officer. No repeal, amendment or modification of this by-law, whether direct or indirect, shall eliminate or reduce its effect with respect to any act or omission of a director or officer of Sparks occurring prior to such repeal, amendment or modification.

ARTICLE VIII-COMMITTEES

Section 1 Standing Committees

- A. Publicity
 - a. Under the direction of the Member-At-Large and The Director of the Arizona Heat Elite Cheer Center, provide all local newspapers, etc., with information and pictures of the Arizona Heat Elite Cheer Center accomplishments and any Community Service Projects completed.
- B. Fundraising
 - a. Under the direction of the Member-At-Large, oversee the necessary functions of scheduled event at locations within the area.
 - b. Oversee the necessary functions needed to provide a successful sponsorship drive.
 - c. Organize and implement ongoing product fundraisers and pursue new fundraising ideas.

- C. Banquets
 - a. Organize and implement miscellaneous banquets, breakfasts and luncheons throughout the year including the end-of-the-year banquet.

ARTICLE IX-POLICIES

- Section 1 Policies are supplemental guidelines to the By-Laws that will further define the functions of each committee and membership of Sparks.

ARTICLE X – AMENDMENTS

- Section 1 These By-Laws may be amended at any regular or special meeting by a majority vote of at least 10% of the total membership provided a written notice of the amendment(s) has been provided at the previous regular or special meeting.
- Section 2. Policies may be adopted, deleted, or amended by a majority of at least 10% of the membership at any regular or special meeting of Sparks. In the absence of a membership quorum, policies may be changed, added or deleted by majority vote of the Executive Board.

ARTICLE XI – DISSOLUTION

- Section 1. If Sparks should be dissolved, no member will receive any portion of its remaining assets or property. Upon dissolution, the balance of any assets or property of Sparks which remains after all obligations are paid will be distributed to any other non-profit association that works in the field of cheerleading, whether or not incorporated, which has been determined by the Internal Revenue Service to be exempt from payment of federal income taxes under Internal Revenue Code; Section 501(c)3.

ARTICLE XII – REVISIONS

- Section 1. Effective Date
 - A. As of November 1, 2009, these By-Laws amend the original By Laws set forth by Sparks dated June 1, 2005 and represent the only amendments to have been approved by the Executive Board since the original By-Laws of June 1, 2005.