

Constitution and By-Laws
of the
South Carolina Music Teachers Association, Inc.

Constitution

PREAMBLE

The South Carolina Music Teachers Association, Incorporated, an affiliate of the Music Teachers National Association (MTNA), in order to further the art of music; and to promote the growth and professional development of its members by providing programs that encourage and support teaching, performance, composition, and research; and being a not-for-profit organization whose funds are used solely to accomplish these objectives, does hereby adopt this Constitution and Bylaws.

ARTICLE I - MEMBERSHIP

Section 1. Membership classifications and privileges shall be prescribed in the Bylaws of South Carolina Music Teachers Association, hereinafter designated as SCMTA or as the Association.

Section 2. Membership dues shall be proposed by the Executive Committee and approved by the SCMTA Board at an appropriate meeting in which a quorum of the Board is present.

Section 3. Membership in the Association may be terminated by the member or revoked by the Association as prescribed in the Bylaws.

ARTICLE II - AFFILIATED LOCAL CHAPTERS

Section 1. Any city, town, or district music teachers association may become and remain affiliated with SCMTA by fulfilling the requirements of membership as stated in the Constitution and Bylaws.

Section 2. The Executive Committee may suspend or terminate any affiliated Local chapter at any time for justifiable cause, as outlined in the Bylaws, subject to ratification of this action by the SCMTA Board.

ARTICLE III - OFFICERS

Officers of the Association shall be a President, President-Elect, Vice President for Conferences, Vice President for Membership, Vice President for MTNA Competitions, Secretary, and Treasurer. The manner of election and the duties of each officer shall be defined in the Bylaws.

ARTICLE IV - EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be composed of the President, President-Elect, three Vice Presidents, Secretary, and Treasurer.

Section 2. The Executive Committee shall determine policies of the Association in consultation with the SCMTA Board and within the limits of the Constitution and Bylaws. It shall actively pursue the purposes of the Association and shall have discretion in the disbursement of all funds of the Association. It may adopt such rules and regulations for the conduct of Association business as shall be deemed advisable and may, in the execution of the powers granted, appoint such agents as it may consider necessary.

Section 3. In order to transact business, a quorum consisting of four (4) voting members of the Executive Committee, at least one of them being the President or President-Elect, must be present.

Section 4. Any action of the Executive Committee may be rescinded by a two-thirds vote of the SCMTA Board.

Section 5. Members of the Executive Committee may not vote on any matter presented by the Executive Committee to the SCMTA Board for approval.

ARTICLE V - SCMTA BOARD

Section 1. The SCMTA Board shall be composed of the Immediate Past President, MTNA Certification Chair, MTNA Foundation Chair, MTNA Student Chapters Chair, MTNA Competitions Chairs, SCMTA District Piano Chairs, SCMTA State Piano Chair, SCMTA Spring Festival Chair, NewsNotes Editor, Publicity Chair, Advertising Chair, Independent Music Teachers Chair, Local Associations Chair, Commissioning Chair, Arts Advocacy Chair, Community Outreach and Education Chair, and Local Chapter Presidents. The manner of appointment shall be defined in the Bylaws.

Section 2. The SCMTA Board shall make recommendations to the Executive Committee regarding policy and membership concerns.

Section 3. The SCMTA Board shall have the power to rescind by a two-thirds vote any decision of the Executive Committee.

Section 4. Ten (10) members shall constitute a quorum of the SCMTA Board.

Section 5. The Executive Committee may submit items of business by mail to the full membership of the SCMTA Board requesting a vote via a mail ballot. The contents of the proposals and the results of such mail ballots shall be reported to the Secretary. Upon approval by the SCMTA Board, the results will be incorporated into the minutes of the next meeting of the SCMTA Board.

ARTICLE VI - COMMITTEES

The President, subject to the approval of the Executive Committee, shall appoint such ad hoc committees and chairs as may be required by the Constitution and Bylaws, or as he or she may deem beneficial to the Association. The President shall be a member ex officio of all committees except the Nominating Committee.

ARTICLE VII - MEETINGS

Section 1. There shall be an annual session (commonly called a Conference) of the Association, time and place to be determined by the Executive Committee. Notice of such session shall appear in the official Association publication at least ninety (90) days prior to the time appointed.

Section 2. A quorum of the Executive Committee and the SCMTA Board plus twenty-five (25) Active members present at any meeting of the Association shall constitute a quorum.

Section 3. Special meetings of the Executive Committee may be called by the President, or upon the request of not less than four (4) of the SCMTA Board or upon a signed petition from twenty-five (25) Active members of the Association.

Section 4. Special meetings of the SCMTA Board may be called by the President, or upon the request of not less than fifteen (15) of the SCMTA Board or upon a signed petition from twenty-five (25) Active members of the Association.

Section 5. The Executive Committee and the SCMTA Board shall meet three times each year as a combined group. Prior to such meetings the Executive Committee will meet to prepare various items to be presented before the SCMTA Board.

Section 6. The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all cases to which they are applicable, and in which they are not inconsistent with the Constitution and Bylaws of the Association or any special rules of order the Association may adopt.

Section 7. The President may appoint a parliamentarian to provide opinion during various meetings.

ARTICLE VIII - SEAL

The Association shall have a seal of such design as the Board of SCMTA may adopt.

ARTICLE IX - PUBLICATION OF THE CONSTITUTION AND BYLAWS

The SCMTA Constitution and Bylaws shall be printed and distributed to the membership annually.

ARTICLE X - AMENDMENTS

Section 1. This constitution may be amended upon the recommendation of the Executive Committee and the SCMTA Board at any annual session of the Association by a two-thirds vote of the Active members of SCMTA present and voting. Written notice of the proposed amendment(s) must be submitted to the membership of SCMTA at least thirty (30) days in advance of the session.

Section 2. Upon the recommendation of the Executive Committee and the SCMTA Board this Constitution may be amended by a mail ballot. Approval by a two-thirds vote of the Active members shall constitute amendment. The ballot and proposed amendments must be submitted to the members of SCMTA at least thirty (30) days in advance of the required return date. The date for return of the completed ballots must be clearly stated on the ballot.

By-Laws

ARTICLE I - MEMBERSHIP

Section 1. Active membership shall be open to all individuals professionally engaged in any field of music activity who are also members of Music Teachers National Association. Those persons holding Active Membership shall be entitled to participate in all Association activities and programs, to vote, hold office, and receive the official Association publications. MTNA strongly encourages its members to adopt the Code of Ethics as their personal model of professional conduct.

Section 2. Student membership shall be open to all full-time college students currently involved in music study, who are also members of an affiliated association. Student members shall be entitled to attend programs of the Association upon payment of the registration fee, to receive the official Association publications, and to enter students in local, district, and state SCMTA auditions. Student members shall not have the right to vote, hold office, apply for national certification, or enter students into MTNA competitions.

Section 3. Honorary Life Membership may be conferred by the Executive Committee upon individuals who have given distinguished service to SCMTA or to the art of music. Honorary Life members shall receive the official Association publications, but shall not have the right to vote or hold office. Honorary life members qualifying for Active Membership shall have the rights and privileges of such membership.

Section 4. Senior Membership shall be open to all individuals seventy (70) years or older who have actively been professionally engaged in any field of music activity and who have maintained MTNA membership for a minimum of five years.

Section 5. Patron Membership shall be open to all individuals and businesses who wish to support the programs of the Association. Patron members shall be entitled to attend programs of the Association, and to receive the official Association publications, but shall not have the right to vote or hold office.

ARTICLE II - REVOCATION OF MEMBERSHIP

No person who has been convicted of a crime involving the sexual or other abuse of a person shall be a member of SCMTA. Any accusation that a member of SCMTA has been convicted of a crime involving sexual or other abuse of a person shall be reported to the President of SCMTA, who shall immediately report the accusation to the President of MTNA, who shall appoint a three-person committee to ascertain the validity of a conviction. If the committee substantiates that a person has been convicted of a crime involving sexual or other abuse of a person, the President of MTNA shall immediately terminate the membership and the certification of that person. Any action authorized by the MTNA President in this resolution may be appealed to the Board of Directors of MTNA.

Any membership terminated under this section shall be reinstated upon the filing with the MTNA President of a certified copy of the judgement reversing the conviction.

ARTICLE III - FISCAL YEAR

The fiscal year shall commence on July 1 and shall end on June 30.

ARTICLE IV - MEMBERSHIP YEAR

Section 1. The membership year for all membership categories except that of student membership shall coincide with the fiscal year, July 1 to June 30. The student membership year shall be October 1 to September 30.

Section 2. Annual dues for all categories of membership shall be paid by the first day of the membership year, after which date members are not in good standing or entitled to any of the privileges of membership until dues are paid for the current membership year. Dues must be paid and posted by the district audition deadline in order to enter students in auditions.

ARTICLE V - ELECTION OF OFFICERS

Section 1. A Nominating Committee shall be elected in odd-numbered years to nominate SCMTA Officers. The committee shall consist of the Immediate Past President and four Active members of the Association. These four members shall be elected by the SCMTA Board whose members may be candidates for the committee in which case they would abstain from the election process. Each shall have given his or her consent. The committee shall elect its own chair. If a vacancy occurs on the Nominating Committee, the replacement member shall be the prospective committee member having received the next highest number of votes in the balloting for Nominating Committee members.

The Nominating Committee shall prepare a slate of not more than two (2) candidates for each office. The Nominees shall be selected from among current and past members of the Executive Committee and the SCMTA Board. This slate shall appear in an issue of the official Association publication at least thirty (30) days before the date of the annual session of the Association.

Section 2. The Active members of SCMTA shall elect by a majority vote the officers of the Association. Nominations from the floor shall be allowed, provided the nominee is eligible for election and has consented to be a candidate. This consent must be given in writing or given in person at the meeting. Election by the members must be by secret ballot, and each office shall be voted on separately. In the event of only one nominee for an office, the President may recommend election by general consent. The election shall take place at the annual session of the members in even-numbered years.

Section 3. The President-Elect, upon completion of his or her term of office, shall become President of the Association. Should the elected President-elect be unable to assume the Presidency, the President shall be elected, for that term only, in the same manner as that of the other officers.

Section 4. Each officer shall be elected for a term of two (2) years and no officer, with the exception of the Treasurer, may succeed himself or herself in that elected office.

Section 5. The term of office, except that of the Treasurer, commences thirty (30) days following the adjournment of the annual session of the Association in even-numbered years. The term of office for the Treasurer shall be the same as the fiscal year, beginning on July 1 following the annual session of the Association in even-numbered years and ending on June 30 two (2) years later.

Section 6. No officer may hold a national, division, state, or affiliated association office concurrently except the immediate Past President who may hold a national, division, or affiliated association office.

Section 7. A vacancy in any office, except that of President, shall be filled by the President in consultation with the Nominating Committee and the Executive Committee, and be subject to the approval of the SCMTA Board. A President-Elect selected in this manner cannot assume the office of President without being elected to that office.

ARTICLE VI - DUTIES OF SCMTA OFFICERS

Section 1. The President shall be the principal elective officer of the Association and shall preside at the meetings of the Association, the SCMTA Board, and the Executive Committee. He or she shall appoint all ad hoc committees. He or she in consultation with the Nominating Committee shall appoint all non-prescribed members to the SCMTA Board. The President shall serve as a member ex officio of all committees except the Nominating Committee. He or she shall oversee the activity of the annual session and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 2. The President-Elect shall assume all duties of the President in the absence of that officer. He or she shall serve as liaison to the Local Chapters, serve on the Finance committee, select and prepare one major project beneficial to SCMTA, and assist the President as needed. He or she shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 3. The Vice-President for Conferences shall preside in the absence of the President and President-Elect, shall be responsible for securing the featured performing artists and any keynote speaker for the annual session during his or her term, serve as host to the convention artist, serve on the Planning Committee for the annual session, and perform such other duties relating to the convention as prescribed by the parliamentary authority adopted by the Association.

Section 4. The Vice-President for Membership shall preside in the absence of the President, President-Elect, and the Vice-President for Conferences, shall coordinate all activity relating to recruitment, retention, and development of members, shall oversee the activity of the Certification Chair, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 5. The Vice-President for Competitions shall coordinate all competitions at the state level, suggest individuals to serve as competition chairs, secure judges for competitions as prescribed in the Officer's Handbook, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 6. The Treasurer shall be responsible for overseeing, in cooperation with the President, all financial affairs of the Association, and shall serve as chair of the Finance Committee. He or she shall be responsible for the preparation of periodic reports to the Executive Committee, an annual report to the SCMTA Board, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 7. The Secretary shall record the minutes of all meetings of the Executive committee, the SCMTA Board, and maintain files of reports from various offices, shall distribute copies of minutes in legal form to all members of the Executive committee and the SCMTA Board, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

ARTICLE VII - AFFILIATED LOCAL CHAPTERS

Section 1. Any city, town, or district music teachers association may petition to the Executive Committee for affiliation in SCMTA by providing evidence that the following requirements have been fulfilled:

- a. That its Active membership adequately represents the music teaching profession in its locale.
- b. That it guarantees on the basis of submitted membership rosters that one hundred percent (100%) of its members who meet the requirements of MTNA Active Membership, and one hundred percent (100%) of its Student Members, who meet the requirements of MTNA Student Membership, are members in good standing of MTNA.
- c. That its fiscal and membership year coincide with that of SCMTA.
- d. That two (2) copies of the Local chapter governing document(s) (e.g. Constitution, Bylaws, Articles of Incorporation) have been filed with the Secretary and that they are consistent with those of SCMTA.

Section 2. Upon determining that a petitioning local music teachers association has fulfilled the requirements of Section one (1) of this Article, SCMTA shall approve the petition.

Section 3. In referring to its affiliation, each Local Chapter shall use the phrase "Affiliated with the South Carolina Music Teachers Association." This specified phrase shall be included in the constitutions of all affiliated Local Chapters.

Section 4. Annual renewal of a Local Chapter shall be made without reconsideration by SCMTA provided:

- a. That the affiliate has not formally notified SCMTA that it wishes to discontinue affiliation.
- b. That all changes in the Constitution and Bylaws of the affiliated Local Chapter have been filed with SCMTA, that they are consistent with the Constitution and Bylaws of SCMTA, and have been approved by SCMTA.
- c. That all provisions of Sections one (1) and four (4) of the Article continue to be fulfilled.

ARTICLE VIII - EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall have three meetings each year prior to the combined meetings with the SCMTA Board. The committee may meet additionally upon call of the President at such times and places as he or she may designate, and may be called to meet upon demand of a majority of its members.

Section 2. At the annual session of the Association, the Executive Committee shall call an open meeting for the general membership to bring forward items for consideration.

Section 3. Executive Committee members shall not receive compensation for their services but may authorize reimbursements of non-travel expenses incurred in the performance of their duties. Such authorization may prescribe procedures for approval and payment of such expenses.

Section 4. The President shall receive an amount not to exceed fourteen hundred dollars (\$1400.00) per membership year to attend the MTNA National Conference and Southern Division Conference. The President will provide records and receipts of the expenses incurred to the SCMTA Treasurer by the end of the fiscal year.

ARTICLE IX - SCMTA BOARD

Section 1. The SCMTA Board shall meet three times each year as a combined group with the Executive Committee and shall meet additionally as called by the President or upon request of not less than fifteen (15) of the Board members.

Section 2. The SCMTA Board members shall not receive compensation for their services but may authorize reimbursements of non-travel expenses incurred in the performance of their duties. Such authorization may prescribe procedures for approval and payment of such expenses.

ARTICLE X - STANDING COMMITTEES

Section 1. The Finance Committee shall consist of the President, President-Elect, and Treasurer. The Treasurer shall serve as chair of this committee. The Committee shall submit to the Executive Committee for approval an annual budget based on recommendations of the SCMTA Treasurer. The Committee shall authorize an audit at the end of each odd-numbered fiscal year. The Committee shall be responsible for all financial records of the Association.

Section 2. The Past Presidents Advisory Committee shall consist of all past Presidents of SCMTA who are active members. This Committee shall meet at the time and place of the annual session of the Association and shall serve in an advisory capacity to the Executive Committee. The SCMTA Immediate Past President shall serve as chair of this committee.

ARTICLE XI - AMENDMENTS

Section 1. These Bylaws may be amended upon the recommendation of the Executive Committee at any meeting of the SCMTA Board by a two-thirds vote. Written or electronic notice of the proposed amendment(s) must be submitted to the SCMTA Board at least twenty-four (24) hours in advance of the meeting.

Section 2. Upon recommendation of the Executive Committee these Bylaws may be amended by a two-thirds vote via a mail ballot open to the members of the SCMTA Board. The ballot and proposed amendment(s) must be submitted to the SCMTA Board at least thirty (30) days in advance of the required return date. The date for return of the completed ballots must be clearly stated on the ballot. Upon recommendation of the Executive Committee these Bylaws may also be amended by a two-thirds vote via electronic ballot to the members of the SCMTA Board. The ballot and proposed amendments(s) must be submitted to the SCMTA Board at least twenty-four (24) hours in advance of the required return time. The date and time for return of the completed ballots must be clearly stated on the ballot.