

CONSTITUTION FOR THE SOUTH DAKOTA MUSIC TEACHERS ASSOCIATION

Article I- NAME

The name of this organization shall be South Dakota Music Teachers Association referred to as SDMTA affiliated with Music Teachers National Association, Inc. (MTNA), Cincinnati Ohio, a Code Section 501 (c) (3) organization.

Article II - PURPOSE

Section 1. Said organization is organized exclusively for charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 2. No part of the net earnings of the organization shall inure to the benefit or, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to, any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article III: MEMBERSHIP

Section 1: All members of South Dakota Music Teachers Association must also be affiliated with MTNA.

Section 2: Membership classifications and privileges shall be prescribed in the Bylaws of the South Dakota Music Teachers Association, hereinafter designated as SDMTA or the Association.

Section 3: Membership dues shall be proposed by the officers of the Association and approved by the active membership of SDMTA at an annual meeting.

Section 4: Membership in the Association may be terminated by the member or revoked as prescribed in the Bylaws.

Article IV: AFFILIATED LOCAL ASSOCIATIONS

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

Section 2: The officers of the Association may suspend or terminate any affiliated Association at any time for justifiable cause, as outlined in the Bylaws, subject to ratification of this action by the SDMTA Board of Directors.

Article V: OFFICERS

Section 1: The elected officers shall be President, President-Elect in charge of the conference, Second Vice-President in charge of membership and local associations, Secretary, and Treasurer. The term of office shall be for two (2) years. No one shall hold any one office for more than four (4) consecutive years, except for the Treasurer, who may serve for an unlimited period of time. No member may hold two (2) of the above offices concurrently. Other details concerning procedure in election of officers, as well as duties of each officer, shall be specified in the Bylaws.

Article VI: BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of the Officers, the Immediate Past President, President of each Local Association, and the following chairs: Education/Certification, Community Outreach and Competitions. The J. Earl Lee Chair, the Foundation Chair, and the Newsletter Editor will be ex-officio (non-voting) members of the board.

Section 2. In order to conduct business a quorum of five (5) voting members of the Board of Directors, at least one of them being the President or First Vice-President, must be present.

Section 3: A nominating committee of three (3) members, to serve for the ensuing year, shall be appointed by the President, subject to approval by the majority of the Board of Directors, at its final session at each annual meeting in even-numbered years, or whenever necessary.

Section 4. The Board of Directors may submit items of business by mail to the full membership of the Board of Directors requesting a vote via mail ballot. The contents of the proposals and the results of such mail ballots shall be reported to the Secretary, approved and incorporated into the minutes of the next meeting of the Board of Directors.

Section 5. Standing or special committees of SDMTA shall be appointed by the President.

Article VII: MEETINGS

Section 1. There shall be an annual meeting of SDMTA, time and place to be determined by the Board of Directors. The time and place for this meeting shall appear in the official

SDMTA Newsletter at least thirty (30) days prior to the time appointed. At this meeting, the President shall permit the general membership to bring forward items for consideration.

Section 2. The Annual business meeting of SDMTA shall be held at the same time and place as the conference. Twenty-five (25) percent of the active members shall constitute a quorum for the transaction of business. The term “active members” shall mean the members who are registered for the conference.

Section 3. Meetings of the Board of Directors may be called by the President, or upon joint request of not less than a majority of the Board of Directors.

Section 4. A special meeting of the South Dakota Music Teachers Association may be called by the Board of Directors.

Section 5. The rules contained in the current edition of *Robert’s Rules of Order* shall govern SDMTA meetings in all cases to which they are applicable, and in which they are not inconsistent with the Constitution and Bylaws of SDMTA or any special rules of order SDMTA wishes to adopt.

Section 6. The President may appoint a parliamentarian to provide opinion during various meetings.

Article VIII: PUBLICATION OF CONSTITUTION AND BYLAWS

The SDMTA Constitution and Bylaws shall be printed and distributed to the membership. Copies shall be made available to the membership at each annual meeting

Article IX: DISPOSAL OF ASSETS

Should the dissolution of SDMTA become necessary, the president shall notify the Music Teachers National Association, and the Treasurer shall make provision for the payment of all liabilities. All remaining assets shall be disposed of by the contribution to a nonprofit organization which qualifies under Section 501 (c3) of the Internal Revenue Service Code or under the corresponding portion of any future United States Revenue Law, such as the MTNA Foundation.

Article X: AMENDMENTS

This Constitution may be amended upon the recommendation of the Board of Directors at any annual session of SDMTA by a two-thirds ($\frac{2}{3}$) vote of the active members present and voting, provided a notice of such intended amendment be sent to each active member thirty (30) days prior to the voting. Such notices shall state the amendments up for consideration. Amendments may be proposed in writing by any member.

BYLAWS FOR THE SOUTH DAKOTA MUSIC TEACHERS ASSOCIATION

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 MTNA. Active members shall be entitled to participate in all SDMTA activities and programs, to vote, hold office, and receive the SDMTA Newsletter. 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. Student members must be members of MTNA and SDMTA, shall be entitled to attend SDMTA programs upon payment of the registration fee and to receive the SDMTA Newsletter, but shall not have the right to vote, hold office, apply for national certification, or enter students into MTNA or SDMTA competitions.

Section 3. Associate Membership shall be open to all persons interested in the activities of the association other than those eligible for active membership. Associate members shall be entitled to attend SDMTA programs upon payment of the registration fee and to receive the SDMTA Newsletter, but shall no have the right to vote, hold office, apply for national certification, or enter students into MTNA competitions.

Section 4. Honorary Life Membership may be conferred on those who have rendered outstanding service in the field of music. Honorary Life Members shall be entitled to attend SDMTA programs and to receive the SDMTA Newsletter, but shall not have the right to vote, hold office, apply for national certification, or enter students into MTNA competitions.

Section 5. Patron Membership shall be open to all individuals or businesses who wish to support the SDMTA programs. Patron Members shall be entitled to attend SDMTA programs and to receive the SDMTA Newsletter, but shall not have the right to vote, hold office, apply for national certification, or enter students into MTNA competitions.

Section 6. State Association dues for active, student, associate, and patron members shall be set for the following fiscal year by the Board of Directors at each annual meeting.

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 SDMTA. Any accusation that a member of SDMTA has been convicted of a crime involving sexual or other abuse of a person shall be reported to the President of SDMTA, 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 the sexual or other abuse of a person, the MTNA President 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 persons terminated under this section shall be reinstated upon the filing with the MTNA President a certified copy of the judgment 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 due on the first day of the membership year, after which date members are not in good standing nor entitled to any of the privileges of membership until dues are paid for the current membership year. Members who enter students in SDMTA Auditions must have paid their dues by a date in September to be announced in each summer SDMTA Newsletter.

Article V: ELECTION OF OFFICERS

Section 1. A Nominating Committee shall be appointed by the President, with the approval of 2/3 of the Board of Directors. The President may not be a member of the Nominating Committee. The Nominating Committee shall prepare a slate of not more than two (2) candidates for each office. This slate shall appear in an issue of the SDMTA Newsletter at least thirty (30) days before the date of the annual meeting of the membership of SDMTA.

Section 2. The active members of SDMTA shall elect by a majority vote the officers of the Association. The election will be held at the annual meeting. Active members are those registered for the annual conference. Nominations from the floor shall be allowed, provided the nominee is eligible for election and has consented to be a candidate. In the event of only one nominee for an office, the President may recommend election by general consent. Voting shall be conducted either by show of hands, or by ballot, if called for by the membership.

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. No officer may serve for more than two (2) terms, with the exception of the Treasurer, who may serve indefinitely.

Section 5. The term of office for the Treasurer shall be the same as the fiscal year, beginning on July 1 following the annual meeting of the association. The term of office for all other officers will commence on December 1 following the election at the annual meeting.

Section 6. No officer may hold a national, divisional, or state office concurrently except the Immediate Past President.

Section 7. Vacancies in state offices, except the President, shall be temporarily filled until the next annual meeting by appointment by the state President, in consultation with the Board of Directors. A President-Elect selected in this manner cannot assume the office of President without being elected to that office. If the President is unable to perform the required duties, the President-Elect will assume those duties until the next annual meeting. In the event any officer fails to perform said duties as defined in the Constitution or Bylaws, the officer may be removed from the post by a two-thirds ($\frac{2}{3}$) vote of the Board of Directors.

Article VI: DUTIES OF SDMTA OFFICERS

Section 1. The President shall be the principal elective officer of SDMTA and shall preside at all meetings of the Board of Directors and at all Association meetings. He/she shall be responsible for the general administration of the affairs of the Association. He or she shall appoint all ad hoc committees; shall appoint all non-prescribed members to the Board of Directors, and serve as a member ex officio of all committees except the nominating committee. He or she shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 2. The First Vice President shall assume all duties of the President in the event of the President's incapacity or absence. The First Vice President is the President-Elect, and is expected to assume the office of President when the President chooses to retire. The First Vice President shall coordinate all activity related to the conference in coordination with the site host and the Competition Chair. Those duties include making arrangements for guest artists and workshops, confirming scheduling and all materials related to the conference. The First Vice President shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 3. The Second Vice President shall preside in the absence of the President and First Vice President; shall coordinate all activity relating to recruitment, retention and development of members; coordinate publication of the membership directory; assist in the formation of new local chapters; serve as the Independent Music Teachers Forum Chair; and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 4. The Treasurer shall be responsible for overseeing, in cooperation with the President, all financial affairs of the Association, and shall be custodian of all SDMTA funds. He/she shall keep an accurate record of members and finances, and shall present at each meeting of the Board of Directors a written account of all money received and disbursed. He/she shall deposit the funds of the South Dakota Music Teachers Association in a depository approved by the Board of Directors, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association. All major disbursements made by the Treasurer shall be first approved by the President.

Section 5. The Secretary shall record the minutes of all meetings of the Board of Directors and the MTNA membership, maintain files of reports from various offices, distribute minutes to all members of the Board of Directors, write letters as assigned by the President, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Article VII: AFFILIATED LOCAL ASSOCIATIONS

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

- a. That two (2) copies of the Local Association governing documents (e.g., Constitution, Bylaws, Articles of Incorporation) have been filed with the Secretary and that they are consistent with those of SDMTA.
- b. That its fiscal and membership year coincide with that of SDMTA.

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

Section 3. In referring to its affiliation, each Local Association shall use the phrase “Affiliated with the South Dakota Music Teachers Association.” This specified phrase shall be included in the constitutions of all affiliated Local Associations.

Section 4. Annual Renewal of a Local Association shall be made without reconsideration by SDMTA provided:

- a. That the affiliate has not formally notified SDMTA that it wishes to discontinue affiliation.
- b. That it guarantees on the basis of submitted membership rosters that one hundred percent (100 %) of its members who meet the requirement 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 all changes in the Constitution and Bylaws of the affiliated Local Association have been filed with SDMTA, and that they are consistent with the Constitution and Bylaws of SDMTA, and have been approved by SDMTA.
- d. That all provisions of section one (1) and four (4) of the Article continue to be fulfilled.

Article VIII: STANDING COMMITTEES

Section 1. The Certification Committee shall have three (3) members appointed by the President with the approval of the Board of Directors. The terms shall be three (3) years in length. Members must be Nationally Certified Teachers of Music and may not serve more than two (2) terms consecutively, with the exception of the Certification Committee Chair, who may serve indefinitely.

Section 2. The Finance Committee shall consist of the President, First Vice President, and Treasurer. The Treasurer shall serve as chair of this committee. The committee shall submit to the Board of Directors for approval an annual budget based on recommendations of the SDMTA Treasurer. The Finance Committee shall authorize an audit at the end of each odd-numbered fiscal year. The Finance Committee shall be responsible for all financial records of the Association.

Article IX: AMENDMENTS

Section 1. These Bylaws may be amended by a two-thirds vote of the active members present and voting, provided a notice of such intended amendment be sent to each member thirty (30) days prior to the voting. Such notices shall state the amendments up for consideration.

Section 2. Upon the recommendation of the Board of Directors, the Bylaws may be amended by a two-thirds ($\frac{2}{3}$) vote of the active members via mail ballot. The ballot must be sent to each member thirty (30) days in advance of the required return date. Such notices shall state the amendments up for consideration, and the date for return of the completed ballots must be clearly stated on the ballot.