

South Carolina Music Educators Association

CONSTITUTION AND BYLAWS

ARTICLE I - NAME AND OBJECTIVE

Section 1. Name. The name of this organization shall be the South Carolina Music Educators Association, hereafter designated either as the "SCMEA" or as the "Association."

Section 2. Objective. Its objective shall be the promotion and advancement of music through private and public education **and to provide a forum for mutually beneficial exchanges among its members.** [Reworded for clarification]

Section 3. Affiliations. This non-profit organization shall function daily as the state unit of the Music Educators National Conference (MENC). Every member of SCMEA must be a member of MENC.

Section 4. Divisions. This organization shall be composed of six divisions: 1) Band, 2) Choral, 3) **Higher Education**, 4) Elementary, 5) Orchestra and 6) Piano. [At the request of our colleagues in higher education, the term "College Division" has been replaced with "Higher Education Division" to more accurately describe the division.]

Section 5. Relationships. This Association shall maintain a cooperative attitude with all agencies attempting the promotion **of good music and music education.** ["**excellence in music and music education**" will replace "of good music and music education"]

Section 6. **This constitution and bylaws, when approved as amended, shall become effective on July 1, 2009. It shall supersede any and all other constitutions of the South Carolina Music Educators Association.** [New dates to reflect the present alteration.]

ARTICLE II - MEMBERSHIP

Section 1. Active Membership. Any person actively engaged in music education may become an active member of this Association upon payment of the prescribed annual dues. **Only those members who have paid active member dues may have voting privileges or hold office.** [Brings us in line with MENC]

Section 2. Associate Membership. Any person not qualifying under Section I of this Article, but who is interested in the cause of music education, may become an associate member upon payment of the prescribed annual dues. Associate members may not vote or hold office in the Association but may attend meetings and other activities.

Section 3. Collegiate Membership. Any student actively engaged in the study of music at a college, university, or conservatory in the state of South Carolina which has a collegiate chapter may become a collegiate member upon payment of the prescribed dues to the chapter. Collegiate members may not vote or hold office in the Association, except as indicated in Article IV, Section 3.

Section 4. Sustaining Membership. Any individual, firm, or institution desiring to contribute to the support of the educational activities of this Association may become a sustaining member upon payment of the prescribed dues. Sustaining members may not vote or hold office in the Association.

Section 5. Retired Membership. Retired membership shall be open to former professional music educators who have retired from teaching, administrative, or research positions in music education and who have been members of MENC for ten years preceding their retirement. Retired members shall have all privileges of active membership including a subscription to the MUSIC EDUCATORS JOURNAL, as stipulated in Section I above. **Retired Members may vote and hold office if they have paid Active Membership dues.** [Brings us in line with MENC] Retired members shall not be required to pay registration fees for state conventions.

Section 6. Life Membership. Life membership shall be open to individuals with a minimum of ten years of teaching experience who are eligible for active membership, and who wish to contribute to an endowment fund for the Music Educators National Conference. Life members shall have all the privileges of active-research membership as stipulated in Section I above.

Section 7. Honorary Life Membership in SCMEA may be conferred by a unanimous vote of the SCMEA Executive Board. Such membership shall be for individuals outside the field of professional music education in recognition of distinguished service to music education.

Section 8. Introductory Membership shall be open to persons in their first year of full-time music teaching or other music-related education work who have been collegiate members in the preceding fiscal year. The membership shall be limited to one continuous membership year and must be certified by the chapter adviser. Introductory membership shall cover all privileges of active membership, except the right to hold elective office.

ARTICLE III — MEMBERSHIP DUES

Association dues include national and state dues except as noted below.

Section 1. Active Membership Dues. Dues for active membership in this Association shall be MENC dues, plus one-third of that same amount rounded to the nearest dollar.

Section 2. Associate Membership Dues. Dues for associate membership in the state Association shall be 25% of MENC active membership dues plus one dollar and fifty cents (\$1.50).

Section 3. Collegiate Membership Dues. Collegiate membership dues shall be 30% of MENC active membership dues, payable to the chapter.

Section 4. Sustaining Membership Dues. Sustaining membership dues shall be MENC active membership dues plus five dollars (\$5.00).

Section 5. Retired Membership Dues. Retired membership dues shall be 50% of MENC active membership dues.

Section 6. Life Membership. Life membership dues shall be as prescribed by MENC.

Section 7. Introductory Membership. Introductory membership shall be open to persons in their first year of full-time music teaching or other music-related education work who have been collegiate members during the preceding fiscal year. The membership shall be limited to one membership year. Introductory members shall have the same privileges as active members except the right to hold elective office. Each introductory member shall receive a subscription to those MENC periodicals and other communication services deemed appropriate by the National Executive Board. Each introductory member shall hold concurrent membership in his or her respective federated state association of MENC. The dues for this one year membership shall be one half each of national and state dues.

Section 8. College students who have been active members of their collegiate chapter, who graduate in mid-year and take a position in music education, shall be considered active members for the remainder of that membership year, without payment of additional dues. They may not hold elective office during this time period.

ARTICLE IV – OFFICERS

All officers of the Association and the Divisions, elected or appointed, shall serve for a period of two years. [Has been our policy for years but is not spelled out anywhere else.]

Section 1. Officers of the SCMEA shall be president, **immediate past-president, hereinafter referred to as the “past president”** [change of title from vice-president to more accurately reflect the position] and president-elect. Each division shall elect its own officers.

Section 2. The president-elect shall be elected by the membership of the SCMEA in odd-numbered years. A prerequisite to being elected as president-elect shall be the completion of one term as president of a division. The president-elect shall, upon completion of his office, become president of SCMEA. The president and the president-elect shall not be from the same division. The president shall become the immediate past president at the end of the term of office.

Section 3. The Executive Board shall be composed of voting members, appointed non-voting members and ex-officio non-voting members. The voting members of the board shall consist of the president, past president, and the president-elect of SCMEA. Voting members from each division shall consist of the president and vice-president of the respective divisions. The president of the collegiate membership shall also be a voting member of the board. **The non-voting members of the board shall be the chairpersons for the following interests: administrative representative, awards, collegiate membership, collegiate membership president, editor - *South Carolina Musician*,**

education associate, general music, government relations, historian, membership, Music in Our Schools Month, multi-cultural awareness, music industry representative, parliamentarian, public relations, research, retired membership, special learners, teacher education, Tri-M Music Honor Society, technology, webmaster. [Wording change for clarification and alphabetizing of chairs]

Other chairpersons, division officers and national committee members may be invited to the board meetings in an ex-officio, non-voting status at the discretion of the president.

Section 4. Agents of SCMEA. The editor of the *South Carolina Musician*, the membership chair, the collegiate membership chair, and other appointees who are required to represent the association as agents must be appointed as agents by the president with the approval of the Executive Board.

ARTICLE V - DUTIES OF OFFICERS

Section 1. The Executive Board shall have general power of administration of the affairs of the Association except as contrary to the Constitution.

Section 2. The president shall preside at all meetings of the SCMEA and the Executive Board. The President shall be responsible for the general administration of the affairs of the Association. In the event of absence, the duties shall be performed by another officer, in the following sequence: **past president and president-elect**. [The executive director has been eliminated from this sequence. It was deemed inappropriate for an employee of the Association to preside over business meetings.] The president, or an alternate, shall represent the Association as a member of the Executive Board of the Southern Division of MENC and the State President's National Assembly. If the president is unable to attend, the alternate will be selected in the succession listed in this article.

Section 3. The past president shall serve in an advisory capacity in order to encourage continuity from one administration to another. The past president shall be chairperson of the Council of Former Presidents and shall schedule a council meeting to be held at the annual state in-service conference. The past president shall represent the council on the Executive Board. The past president shall serve as the chair of the SCMEA awards selection committee.

Section 4. The president-elect shall have the privilege of acting as non-voting member of any committee appointed by the president.

Section 5. The Executive Director shall be responsible for all funds of the organization. The Executive Director shall keep accurate financial records and shall present at each board meeting an account of all money received and disbursed. The Executive Director shall take care of the filing of all minutes of Executive Board meetings as furnished by the Recording Secretary. A yearly audit shall be made by an outside auditor or an internal auditing committee appointed by the president, said audit to be made at the close of the fiscal year (June 30). The Executive Director shall deposit funds with a depositor approved by the Executive Board. All disbursements made by the Executive Director shall be first approved by the president.

Section 6. The Membership chair shall be responsible for processing all membership applications received at the In-Service Conference. The Chair shall maintain liaison with the National Membership Office of MENC.

ARTICLE VI - ELECTIONS

Section 1. Candidates for offices in this Association and its divisions must be active members in good standing with full membership in MENC. Exception: Retired members who pay active membership dues shall be eligible to hold office.

Section 2. In the spring of the year preceding an election year, the president shall appoint a nominating committee comprised of equal representation from each division. The committee will present a slate of officers to the executive board at the following fall meeting of the board. The slate will be presented to the membership of the Association via the *South Carolina Musician* or by mail. The number of candidates presented for each office shall be left to the discretion of the Nominating Committee. Petitions for nominations from the active membership will be accepted until December 1. Petitions must include ten percent of the active membership. The ballot will be reproduced by the Executive Director and sent to the membership by January 1. Balloting must be completed by February 1 with the tallying of votes at the regular In-service Conference meeting of the board.

Section 3. The mail ballot will be sent to all members in good standing as of December 1 of that fiscal year.

Section 4. A simple plurality of the votes cast shall be sufficient for election.

Section 5. New officers shall assume their offices on July 1 following their election to office.

Section 6. The Executive Board shall fill vacancies caused by death, removal, resignation, or other causes until the next regular meeting of the Association, except the office of the president, which shall be filled by the immediate past president for the remainder of the term. To fill vacancies other than that of president, a Nominating Committee shall be appointed to present (a) nominee(s) for said office(s) to the membership at the next regular meeting of the Association. Voting in the special election shall be by secret ballot. The person elected to fill a vacancy will assume office upon election and serve for the remainder of the term.

Section 7. Division officers shall be elected every two years by their respective divisions at the annual meeting of the SCMEA during years in which general elections are held.

Section 8. Each division president-elect will attend as an observer at the three SCMEA board meetings prior to taking office as president of the division.

Section 9. An executive director shall be elected by and serve at the pleasure of the Executive Board. The executive director shall serve as an ex-officio member of the SCMEA Executive Board. **The salary for the Executive Director shall be set by the Executive Board.** [This was not previously specified. The amount of the salary is in the Standing Rules of SCMEA.]

ARTICLE VII – MEETINGS

Section 1. The annual In-Service Conference shall serve as the annual meeting of SCMEA.

Section 2. Every active member of the Association in good standing is entitled to vote at all meetings, but the vote must be cast personally by the active member.

Section 3. Meetings of the Executive Board shall be called by the president with a minimum of three meetings to be called during a year (July 1-June 30). Special meetings may be called by the president upon the request of not less than three members of the board.

Section 4. Members of the Executive Board and any other members of SCMEA who are requested to attend shall be paid travel expenses to all meetings of the board with the exception of the in-service conference board meetings.

ARTICLE VIII - COMMITTEES

Standing or special committees of the Association may be appointed by the president with the approval of the Executive Board.

ARTICLE IX- QUORUM

A quorum of the Executive Board shall consist of a simple majority of the voting members.

ARTICLE X - FINANCES

Section 1. Funds will be allocated at the discretion of the Executive Board.

Section 2. A yearly budget shall be prepared by the Finance Committee (consisting of the president, past president, president-elect, the executive director and one at-large member selected by the SCMEA Executive Board) for adoption at the May board meeting. The fiscal year of SCMEA will be July 1-June 30.

ARTICLE XI - DIVISION ACTIVITIES

Section 1. **The SCMEA Executive Board has the authority to review and exercise oversight of all activities of the divisions. As the non-profit agent for the divisions, SCMEA is responsible for all division and association activities.**

[Reworded for clarification.] Only active members may enter students in official events or activities of the association.

Section 2. **The responsibility for the administration, regulation and financing of all division activities shall rest with each division.** [Reworded for clarification]

Section 3. An auditor or an auditing committee appointed by the division president shall audit the books of all divisions annually. All money handlers shall be bonded. The president of each division shall submit a financial report to the Executive Board as soon as possible after June 30, but no later than August 1.

Section 4. Division presidents and division activities chairs will work with the SCMEA Board to set dates of in-state events to avoid conflicts between activities of the various divisions. Activities should not be scheduled on the first SAT or PSAT dates. Any change in dates by divisions must be approved by the SCMEA president.

Section 5. All money collected by the divisions shall be used to pay the cost of their festival and other activities. Earnings may be used only for the purposes allowed by 501(c) (3) of the Internal Revenue Code.

Section 6. The bylaws of the divisions shall be compatible with those of the SCMEA and shall not conflict with any provisions of the SCMEA

ARTICLE XII. AWARDS AND SCHOLARSHIPS

[The entire content of Article XII is new. These awards all existed previously, but were never spelled out in detail. Article XII contains the title and eligibility of each award. The nomination process and what each award consists of is provided for in the Standing Rules of SCMEA.]

SCMEA seeks through its various awards, to honor, recognize, thank, and encourage its award recipients and the general membership of the Association. All nominations must be made by members of SCMEA. All documents relating to the nomination must be collected by the primary nominator, placed in a secure booklet form, and forwarded to the past president, postmarked no later than December 1st. Award recipients shall be chosen by the Awards Selection Committee except as otherwise noted in certain awards. The committee shall be chaired by the past president of SCMEA. Other members of the committee shall be appointed by the president of SCMEA. All awards will be presented during the annual SCMEA In-Service Conference unless unusual situations suggest an alternate time and location. The decision of an alternate presentation time and location will be made by the selection committee chair and the SCMEA president. Awards given at the Conference shall be presented at a time to be determined by the Conference Chair and the President. Recipients of awards shall be notified no later than January 15th of each year. [Date backed up 15 days to assist award recipients in inviting guests.] Award plaques and pins will be procured by the SCMEA Awards Chair and will be paid for by the Association.

Section 1. SCMEA Friend of Music Education Business Award

Eligibility: Any member of the business community who has shown exemplary support for local or state-wide music education programs shall be eligible for this award.

Section 2. SCMEA Friend of Music Education Award

Eligibility: Any member of a local community (a parent or other citizen) who has shown exemplary support for the local music education program shall be eligible for this award.

Section 3. SCMEA Honor Administrator Award

The Council of Former Presidents of SCMEA will annually nominate one or more candidates for the honor administrator award. Nominees may come from PK-12 school districts and from the college level. The use of the word "college" in this section is understood to represent any institution of higher learning that leads to a Baccalaureate or higher degree.

Eligibility: At PK-12 schools the recipient may be a superintendent, assistant superintendent, principal, assistant principal, or other administrator. At the college level the recipient may be the president of the school, an academic dean or college dean. Fine Arts Consultants, Fine Arts Directors/Coordinators, music department chairs, and deans

of college/university schools of music should not be nominated for this award.

Criteria: A PK-12 administrator selected for this award should actively support the arts, especially music by financial assistance with programs in local schools. A college administrator should actively support the arts, especially music by financial assistance with programs, cultural events and tours by performing groups. All administrators should:

- A. Support programs by attendance at concerts
- B. Have been an administrator for at least five years in South Carolina
- C. Should have taken a state-wide or community-wide stance on the importance of the arts
- D. Should show evidence of growth of the music education curriculum in the district, school, or college during the administrator's term of office.

Section 4. SCMEA Outstanding Young Music Educator Award.

Eligibility: The nominee must be a member of SCMEA who is in the fourth through seventh year of teaching in South Carolina.

Section 5. SCMEA Deborah Smith Hoffman Mentor Award

Purpose: To give recognition to a member of SCMEA who has served as a mentor to music educators in South Carolina in such a manner as to be deserving of this special award. This award is in honor and memory of Deborah Smith Hoffman and her contributions to music education in South Carolina

Eligibility:

1. Minimum of five years service in the music profession in South Carolina.
2. Must have been an active member of SCMEA for a minimum of five years.
3. Demonstration of the highest ideals and professional integrity during the time of service.

Section 6. SCMEA Hall of Fame

Purpose: To recognize a member for exceptional service to SCMEA and the advancement of music education in the schools of South Carolina.

Eligibility:

1. Must be, or have been, an active member of SCMEA throughout his/her career.
2. Must be, or have been, employed by a school or college in South Carolina for a minimum of fifteen (15) years.
3. Must have demonstrated effectiveness in teaching young people through music, and the ability to inspire positive attitudes among students, the school, the community and the members of SCMEA.
4. Must have demonstrated excellence in the teaching of music.
5. Must have developed, maintained or supported an effective balanced program in music education.
6. Must have demonstrated interest in and application of educational innovations.
7. Must have recognized the necessity for continued professional organizations.
8. Must have demonstrated a concern for music education by active involvement in local, district, state, regional or professional organizations.
9. Must have demonstrated the highest ideals and professional integrity during time of service.

Section 7. SCMEA Memorial Scholarship

Purpose: To honor music educators by providing scholarship money for deserving college-bound music students.

Eligibility:

To be eligible, the candidate must be a student of an SCMEA member who belongs to the Band, Choral, Orchestra or Piano Division. Further eligibility must be established according to the appropriate division rules. The candidate must be a senior in high school and must intend to continue the pursuit of music education in a college music program. The recipient does not have to be a prospective music major.

ARTICLE XIII - LIMITATIONS OF RESPONSIBILITIES OF THE OFFICERS.

The authority and responsibility for the management and for the maintenance of the goodwill and credit of the SCMEA is vested in the Executive Board, but it is expressly understood that neither the board, nor any member thereof, nor any member of SCMEA shall be required to accept personal financial responsibility for duly authorized bills or obligations, or for suits or litigations which may develop from authorized activities of the organization carried on in good faith and in pursuit of the objectives, purposes and activities prescribed or authorized by the Constitution and Bylaws of the SCMEA

ARTICLE XIV - AMENDMENTS

Section 1. This Constitution and Bylaws, upon recommendation of the Executive Board and with thirty days written notice of such proposed amendments being given in the SOUTH CAROLINA MUSICIAN, or by mail, may be amended by a majority of the membership voting.

Section 2. Voting on amendments shall be by mail ballot, giving each active member in good standing an opportunity to cast a ballot. The president shall appoint a Ballot Committee to serve with the executive director to tabulate the votes on amendments.

ARTICLE XV – PARLIAMENTARY AUTHORITY

The parliamentary principles set forth in *Robert's Rules of Order, Newly Revised*, shall govern in all cases not covered by the Constitution and Bylaws.

ARTICLE XVI - SUSPENSION OF THE CONSTITUTION AND BYLAWS

In the event of unforeseen circumstances that would prevent the effective functioning of the Association, this Constitution and Bylaws may be temporarily set aside, providing that such action is:

- 1. Recommended by the Executive Board**
- 2. Announced by mail to the general membership at least 30 days prior to the time that the Constitution and Bylaws are to be set aside, which mailing shall include a ballot, and**
- 3. Approved by a simple majority of the membership voting on the proposal.**

[Article XVI is new. We need to have this provision.]

ARTICLE XVII - DISSOLUTION

This Association shall not be dissolved without the written consent of nine-tenths of its members in good standing; and when such dissolution occurs, all assets of the SCMEA will be distributed in accordance with the provisions of the Internal Revenue Code. No members or groups of members shall benefit therefrom. [Altered to bring it in line with the IRS.]

ARTICLE XVIII – REGARDING TAX EXEMPT STATUS

This organization is organized exclusively for charitable, religious, educational or scientific purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.

No part of the net earnings of the organization shall inure to the benefit of, or be distributed 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 these purposes.

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 these Articles, 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.**

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3), of the Internal Revenue Code, or corresponding section of any future Federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed exclusively for such purposes or to such organization or organizations which are organized and operated exclusively for 501(c)(3) purposes.

[This is a new article added for the purpose of qualifying the Association for tax-exempt status under the Internal Revenue Code.]