

Montana State Music Teachers Association

Organized 1927

Affiliated with

Music Teachers National Association

Organized 1876

CONSTITUTION And BYLAWS

Revised: June 1997

Amended: June 1998

Amended: June 1999

Revised: November 2005

CONSTITUTION

PREAMBLE

The Montana State Music Teachers Association, 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 and not to the benefit of any private individual, does hereby adopt this Constitution and Bylaws.

ARTICLE I – MEMBERSHIP

Section 1. Membership classifications and privileges shall be prescribed in the Bylaws of the Montana State Music Teachers Association, hereinafter designated as MSMTA or as the Association.

Section 2. Membership dues shall be proposed by the Finance Committee and approved by the membership of the MSMTA at an annual meeting.

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

ARTICLE II--DISTRICTS AND AFFILIATED LOCAL ASSOCIATIONS

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

Section 2. The Executive Committee 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 MSMTA Board.

Section 3. MSMTA members in cities, towns, or areas where there are no affiliated local associations may combine to form districts (according to the attached map).

ARTICLE III-- OFFICERS

Officers of the Association shall be a President, President Elect, Secretary, Treasurer, Membership Treasurer, and Immediate Past President. The manner of election and the duties of each officer shall be defined by the Bylaws.

ARTICLE IV—EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be composed of the President, President Elect, Secretary, Treasurer, Membership Treasurer, and Immediate Past President.

Section 2. The Executive Committee shall determine policies of the Association in consultation with the MSMTA 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 not spend more than \$100 for purposes other than those specified in the approved budget unless a greater amount is approved by the Association membership. 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 President or President-Elect, must be present.

ARTICLE V—MSMTA BOARD

Section 1. The MSMTA Board shall be composed of the Executive Committee, District Representatives, Affiliated Local Association Presidents, and the Chairs of the Standing Committees. Standing Committee Chairs and their manner of appointment shall be defined in the Bylaws.

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

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

Section 4. Three (3) officers and a simple majority of its members shall constitute a quorum of the MSMTA Board.

Section 5. The Executive Committee may submit items of business by mail to the full membership of the MSMTA 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, approved and incorporated in the minutes of the next meeting of the MSMTA Board.

Section 6. The MSMTA Board shall provide and regularly update a handbook for Officers and Committees, which shall include the duties of the officers and committee chairs and other pertinent information.

ARTICLE VI—COMMITTEES

The President, subject to the approval of the Executive Committee, shall appoint such standing and 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. All committees serve for a period of two years with the exception of the Conference Program and Conference Arrangements Committees.

ARTICLE VII—MEETINGS

Section 1. At the annual conference, there shall be one or more business meetings of the Association, time and place to be determined by the Executive Committee. Notice of such meeting shall appear in the official Association publication 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. Three (3) officers and twenty (20) current members entitled to vote shall constitute a quorum for the election of officers and for the transaction of business at any annual meeting.

Section 3. Special meetings of the Executive Committee may be called by the President, or upon the request of not less than four (4) members of the Executive Committee, or upon a signed petition from twenty (20) Active members of the Association.

Section 4. The MSMTA Board shall meet two (2) times each year. Prior to such meetings the Executive Committee will meet to prepare various items to be presented before the MSMTA Board. Special meetings of the MSMTA Board may be called by the President, or upon the request of not less than a simple majority of the members of the MSMTA Board or upon a signed petition from twenty (20) Active members of the Association.

Section 5. 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 6. The President may appoint a parliamentarian to provide opinion during various meetings.

ARTICLE VIII—PUBLICATION OF CONSTITUTION AND BYLAWS

The MSMTA Constitution and Bylaws shall be printed and distributed to the membership annually in the Membership Directory.

ARTICLE IX—AMENDMENTS

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

Section 2. Upon the recommendation of the Executive Committee and the MSMTA Board this Constitution may be amended by a mail ballot. Approval by a two-thirds vote shall constitute amendment. The ballot and proposed amendments must be submitted to the members of the MSMTA 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.

ARTICLE X—DISSOLUTION

This Association may be dissolved as provided in the Bylaws.

BYLAWS

ARTICLE I—MEMBERSHIP

Section 1. Active Membership shall be open to all individuals professionally engaged in any field of music activity. 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. All MSMTA members must be members of MTNA and shall abide by the MTNA 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, present students for adjudication in state competitions and festivals, and receive the official Association publication, but shall not have the right to vote, hold office, apply for national certification, or enter students into MTNA competitions.

Section 3. 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.

Section 4. Honorary Life Membership may be conferred by the Association upon those whose contributions to the purposes of the Association are deemed to be outstanding. The award requires a unanimous vote of the members present at an annual meeting.

Section 5. Conference registration shall also be open to those who are not members of the Association.

ARTICLE II—REVOCAION 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 MSMTA. Any accusation that a member of MSMTA has been convicted of a crime involving sexual or other abuse of a person shall be reported to the President of MSMTA, 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 confirms 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 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 a legal 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 be 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 payable upon receipt of dues notice from MTNA and due on the first day of the membership year, after which date members are not in good standing and are not entitled to any of the privileges of membership until dues are paid for the current membership year (in order to enter students in MSMTA Competitions, annual dues must be paid by September 1). After January 1, new member dues are to be prorated at one-half of the annual amount. Dues for all categories of membership shall be in the amounts recommended by the Finance Committee and approved by the membership.

ARTICLE V—ELECTION OF OFFICERS

Section 1. A Nominating Committee shall be appointed by the President in odd-numbered years to nominate MSMTA officers. The committee shall consist of the Immediate Past President and three (3) Active members of the Association. The Nominating Committee shall prepare a slate of no more than two (2) candidates for each office. 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 the MSMTA shall elect by a majority vote the officers of the Association. Nominations from the floors 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 conclusion, of the second session of the annual meeting, 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 unwilling or 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.

Section 5. The term of office, except for that of Treasurer, begins immediately upon election in the annual meeting of the Association in even-numbered years. The term of the office for Treasurer shall be the same as the fiscal year, beginning on July 1 following the annual meeting 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 or state office concurrently except the Immediate Past President.

Section 7. A vacancy in any office, except that of President, shall be filled by the President in consultation with the Executive Committee, and be subject to the approval of the MSMTA Board. An appointed President-Elect cannot assume the office of a vacant President without being elected to that office.

ARTICLE VI—DUTIES OF MSMTA OFFICERS

Section 1. The President shall be the principal elective officer of the Association and shall preside at meetings of the Association, the Executive Committee, and MSMTA Board. He or she shall appoint all standing and ad hoc committees. He or she shall appoint all non-prescribed members to the MSMTA Boards. The President shall serve as a member ex officio of all committees except the Nominating Committee. He or she shall be responsible for planning the annual conference and shall secure the featured performing artists and any keynote speaker and serve as host to the conference to the conference artists. He or she shall administrate all competitions at the state level, coordinate competition chairs, and secure judges for competitions. 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 President-Elect shall assume all duties of the President in the absence of that officer and shall assist the President as needed. He or she shall chair the Membership Committee, coordinate all activity relating to recruitment, retention and development of members, coordinate publication of the membership directory, and serve as a member of the Certification Board. 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 Treasurer shall be responsible for overseeing, in cooperation with the President, all financial affairs of the Association, and shall chair the Finance Committee. He or she shall receive MSMTA dues from the Membership Treasurer, and all other monies paid to the Association and shall write checks for the amounts authorized by the Executive Committee. He or she shall be responsible for the preparation of periodic reports to the Executive Committee, a written annual report to the entire membership, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

Section 4. The Membership Treasurer receives MSMTA dues from MTNA, issues receipts and membership cards, notifies the Secretary of the name and current address of members eligible to vote, keeps a record of paid members for MTNA membership retention survey, and sends notices of delinquent members to District Representatives and local Association Presidents.

Section 5. The Secretary shall record the minutes of all meetings of the Executive committee, the MSMTA Board, and Association, and shall distribute copies of minutes in legal form to all members of the Executive committee and the MSMTA Board. He or she shall serve as custodian of all properties of the Association with the exception of those pertaining to Certification, Historian, and Educational Resource Library, and shall maintain files of reports from various offices. He or she shall maintain a certified list of the name and current address of members eligible to vote. He or she shall 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 Executive Committee for affiliation in MSMTA by providing evidence that the following requirements have been fulfilled:

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

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

Section 3. In referring to its affiliation, each Local Association shall use the phrase “Affiliated with the Montana State 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 MSMTA provided:

- a. That the affiliate has not formally notified MSMTA that it wishes to discontinue affiliation.
- b. That all changes in the constitution and Bylaws of the affiliated Local Association have been filed with MSMTA, that they are consistent with the Constitution and Bylaws of MSMTA, and have been approved by MSMTA.
- c. That it guarantees on the basis of submitted membership rosters that one hundred percent (100%) of its Student members, who meet the requirements of MTNA Student Membership, are members in good standing of MTNA.
- d.

ARTICLE VIII – DISTRICT REPRESENTATIVES

District Representatives are elected by the respective districts in even-numbered years and are responsible for recruitment and retention of membership, scheduling Association-sponsored workshops, and reporting activities of his or her district to the Montana Music News. District Representatives will serve only in geographical areas where there are no affiliated local associations.

ARTICLE IX – MSMTA BOARD

Section 1. The MSMTA Board shall be composed of the Executive Committee, Affiliated Local Association Presidents, District Representatives, and Chairs of Standing Committees.

Section 2. Chairs of Standing Committees, except those Standing Committees chaired by a member of the Executive Committee, are appointed by the President and include the following: Advertising, College Faculty, Community Outreach and Education, Composition, Finance, Historian, Independent Music Teachers Forum, Legislative, Librarian, Local Associations, MSMTA Scholarship, MTNA Competition and Fall Festival, MTNA Foundation, Publicity, Spring Festivals, Certification, Technology, and Workshops.

ARTICLE X – STANDING BOARDS AND COMMITTEES

Section 1. MTNA Certification: the Certification Chair will serve as a liaison between the National and State Associations. The chair will appoint certified members as needed to proctor exams throughout the state or during conferences. MSMTA will encourage members to become certified at the National Level.

- a. State Certification: MSMTA members may seek state certification as a stepping stone to National certification. All fees will be forwarded to the state treasurer.

Section 2. The Finance Committee consists of the Treasurer and three (3) members and presents a budget for the ensuing fiscal year for approval of the membership at the final business session of the Annual meeting. It audits the Treasurer's books in even –numbered years, and other financial statements.

Section 3. The Legislative Committee consists of the Chair and not more than three (3) members, prepares drafts of measures to be submitted to the State Legislature, State Department of Public Instruction, or Municipal Governments, informs the membership of legislative matters which concern the music teaching profession, examines reports and resolutions for consistency with the Constitution and Bylaws of the Association, and examines and proposes amendments.

Section 4. The Membership Committee consists of the President-Elect, the Membership Treasurer, the District Representatives, and Local Association Presidents.

Section 5. The Past Presidents Advisory Committee shall consist of all past Presidents of MSMTA who are Active members. This committee shall serve in an advisory capacity to the Executive committee. The MSMTA Immediate Past President shall serve as chair of this committee.

Section 6. The Publicity Committee consists of the Chair and not more than three (3) members and provides the Association communication with the mass media and general public in conjunction with the Montana Music News.

Section 7. The Student Activities Committee consists of the Competition Chair and the Spring Festival Chair.

ARTICLE XI—OFFICIAL PUBLICATION NOTICE TO MEMBERS

Section 1. The Montana Music News shall be the MSMTA publication. All official notices shall be published therein, and such publication shall constitute notice to all members. The Montana Music News shall be mailed to all members at their address of record.

Section 2. A financial statement showing assets, liabilities, receipts, and disbursements of MSMTA shall be published in the next issue of the Montana Music News following the end of the fiscal year.

Section 3. The MSMTA Constitution and Bylaws shall be published annually in the Montana Membership Directory.

ARTICLE XII—AMENDMENTS

Section 1. The Bylaws may be amended at the Annual meeting by a majority vote of the Active members present, providing notice has been given at least twenty-four (24) hours prior to such a vote.

Section 2. Bylaws may be amended by referendum as provided in Article XIII.

ARTICLE XIII—REFERENDUM

Section 1. The Executive Committee may at any time, by the affirmative vote of two-thirds of its membership, refer to the Active members of the Association for a determination by mail ballot, any question of Association policy.

Section 2. The Executive committee shall, in like manner, submit for determination by the Active members of the Association, any question of Association policy, including proposed changes in the Constitution or Bylaws, whenever directed so to do by resolution adopted at any regularly called meeting of the membership by the affirmative vote of a majority of those voting.

Section 3. Members may initiate by Petition. The Executive Committee shall, in like manner, submit for determination, by members of the Association, any question of Association policy, including proposals for changes in the Constitution or Bylaws, whenever directed so to do by a petition signed by not less than ten percent (10%) of the Active members of the Association.

Section 4. Ballots for use in any such referendum shall be prepared, distributed, and counted in accordance with the following procedures:

- a. The Association secretary shall mail to each voting member not less than thirty (30) days before the election date:
 1. A copy of the resolution or petition.
 2. An official ballot.
 3. An envelope addressed to "Association Secretary" with the words "Official Ballot" clearly marked on the face thereof.
- b. Such ballots sealed in the envelope provided shall be postmarked not less than ten (10) days before the election date to the Association secretary.
- c. On the date specified for the election the sealed envelopes will be delivered to a committee of not less than three (3) members appointed by the President.
- d. The committee shall canvass and record the votes and certify the result of the referendum as determined by a majority of the votes cast.
- e. The committee shall transmit the certification of the election and the official ballots to the Association secretary who shall cause the results to be published in the Montana Music News.

ARTICLE XIV—DISSOLUTION

In the event of the dissolution of this organization, any funds remaining in the treasury after the payment of any outstanding debts shall be distributed as follows:

First, to the MTNA Foundation; or

Second, if the above Foundation is not then in existence or is no longer exempt from Federal income tax, or is unwilling or unable to accept the distribution, the assets shall be turned over to the Lowndes Maury Memorial Fund established at the University of Montana for the purpose of aiding young composers and their works; or

Third, if neither of the above is eligible to receive the funds mentioned, they shall be contributed and divided equally among Music Departments of colleges and universities in the State of Montana which are exempt from Federal income tax under Section 501(c) (3) at the time.