

**N M E A**

**(Nebraska Music Educators Association)**

**CONSTITUTION**

**Adopted November, 1989**

**Revised November, 2005**

# NMEA ARTICLES

## ARTICLE I--NAME

The organization shall be known as the "Nebraska Music Educators Association," hereinafter designated either as the "NMEA" or as the "Association."

## ARTICLE II--PURPOSE

The purpose for which the Association is organized and operated is exclusively educational, as defined in Section 501©)(3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended. The purpose of the Association shall be the advancement of music education through the promotion of better school music, utilizing the best efforts of the various agencies of music education. This shall be a non-profit association.

This Association shall function as the state affiliate of the Music Educators National Conference, hereinafter designated as the "MENC."

This association shall strive to maintain a cooperative relationship with the Nebraska Department of Education, the Nebraska State Education Association, and the Nebraska School Activities Association in the administration of music education.

## ARTICLE III--MEMBERSHIP

Membership in the Association may be divided into such classifications for annual membership dues or for the election of members to the Executive Board or for such other purposes as the Bylaws may prescribe or as the Executive Board may from time to time designate. The conditions, terms, privileges, rights, and duties of membership shall be stated or provided for in the Bylaws of the Association.

## ARTICLE IV--GOVERNMENT

The Board of Directors, which shall be known as the Executive Board, shall consist of all elected officers and shall have general powers of administration with authority to act and to enact legislation except as contrary to this constitution or as expressly provided in the Bylaws of the Association.

## ARTICLE V--ELECTIONS

The manner of the election or appointment of the members of the Executive Board shall be provided for in the Bylaws of the Association.

## ARTICLE VI--DISPOSITION OF ASSETS IN CASE OF DISSOLUTION

In the event of dissolution or termination of the Association, the Executive Board shall, after the payment of all of the liabilities of the Association, dispose of all of the assets of the Association exclusively for the objectives of the Association in such manner or to such organization or organizations organized exclusively for charitable or educational purposes as shall at the time qualify as an exempt organization or organizations under Section 501©)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) as the Executive Board shall determine. Any of such assets not so disposed of shall be disposed of by the court of proper jurisdiction exclusively for such purposes or to such organization or organizations as said court shall determine which are organized and operated exclusively for such purposes. No part of the net earnings of the Association shall inure to the benefit of or be distributable to its members, trustees, officers, or other private compensation for the services rendered and to make payments and distributions in furtherance of the purposes set forth in this constitution.

## ARTICLE VII--AMENDMENTS

This constitution may be altered or amended by a two-thirds vote of the members present at the annual meeting of the Association provided, however, that in any case sixty days notice of such contemplated amendment of alteration shall be given by mail or otherwise to all active members of record.

This constitution may be temporarily altered or amended by a referendum vote conducted in the following manner; the Executive Director, upon direction of the Executive Board, shall submit by mail to all members of the Association for proposed amendment. If such amendment shall be approved by not less than two thirds majority of those making returns on or before the time limit, which shall not be less than fifteen days after date of mailing the proposed amendment to the members, the amendment shall be automatically considered in operation for one year or until the time of the next annual meeting of the Association.

# NMEA BYLAWS

## BYLAW I--MEMBERSHIP

**Section 1. Active Membership.** Active membership shall be open to persons actively engaged in music education. Active members in good standing may vote and be elected to office. Each active member shall receive standard MENC subscriptions and the *Nebraska Music Educator*. Each active member shall hold concurrent membership in NMEA and MENC. Active membership may also be open to persons eligible for life membership, introductory membership, collegiate membership, or retired membership upon payment of the prescribed dues, subject to the provisions of the constitution and bylaws of the Association.

**Section 2. Life Membership.** Life membership shall be open to persons who are eligible for active membership. Life members shall have the same privileges as active members and shall be granted automatic membership in such Societies of MENC as they may designate. Each life member shall receive standard MENC magazine subscriptions and the *Nebraska Music Educator*. Each life member shall hold concurrent membership in NMEA and MENC.

**Section 3. 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 standard MENC subscriptions and the *Nebraska Music Educator*. Each introductory member shall hold concurrent membership in NMEA and MENC.

**Section 4. Collegiate Membership.** Collegiate membership shall be open to music students in teacher education programs at the college or university level who are not employed full time as teachers. Collegiate chapter members shall have the same privileges as active members, but may not vote on Association business or hold other offices in the Association, other than that of Chair, Collegiate Members. Student members may attend meetings and participate in all other activities of the Association. Student members shall elect the Chair, Collegiate Members. Each collegiate member shall receive standard MENC subscriptions and the *Nebraska Music Educator*.

Each collegiate member shall hold concurrent membership in NMEA and MENC.

**Section 5. Retired Membership.** Retired membership shall be open to former music educators who have retired from teaching or other music-related educational work and who have been members of NMEA for at least ten consecutive years prior to seeking retired membership status. Retired members shall have the same privileges of active membership except the right to hold elective office. Each retired member shall receive standard MENC subscriptions and the *Nebraska Music Educator*. Each retired member shall hold concurrent membership in NMEA and MENC.

**Section 6. Honorary Membership.** Upon recommendation of the Executive Board, Honorary membership may be conferred in recognition of distinctive service in the field of music education, but shall be confirmed by majority vote of the membership present at a regular business meeting. Honorary members shall have the privileges of an active member.

## BYLAW II--DUES AND FEES

**Section 1. Amount of MENC Dues.** The National Executive Board shall set the amount of annual dues for active membership. The state membership dues shall be set by the NMEA Executive Board. The following represents the amount of dues payable in the appropriate categories:

Life	(NMEA dues plus MENC one time fee)
Regular	(NMEA dues plus MENC dues)
Introductory	(NMEA dues plus MENC dues)
Collegiate	(NMEA dues plus MENC dues)
Retired	(NMEA dues plus MENC dues)
Expanded	
Society for Research in Music Education	(MENC dues)
Society for General Music	(MENC dues)
Honorary	( <u>Exempt</u> from NMEA Dues; MENC dues)

The specified rates are payable annually, except that the life membership dues shall be payable one time. The specified rates for the Society for Research in Music Education and the Society for General Music are in addition except that a life member shall be considered a member of any MENC Societies on request without the payment of additional dues. The MENC Constitution provides for cost of living increases in national membership dues on an annual basis.

**Section 2. Remittance of Dues.** Dues for all memberships shall be paid either to MENC or to NMEA. If dues are paid to NMEA, the Association shall remit the appropriate national dues to MENC. If dues are paid to MENC, the national headquarters office shall remit the appropriate state dues to NMEA.

### BYLAW III--GOVERNMENT

**Section 1. Authority.** Authority for the management, policies, and actions of the Association is vested in the Executive Board. The Executive Board shall consist of all elected officers and shall have general powers of administration with authority to act and to enact legislation except as contrary to this constitution or as expressly provided. As presiding officer of the Executive Board, the NMEA President is responsible for the leadership of the Association. The elected and appointed officers and individual members may make recommendations to the Executive Board regarding management, policies and actions.

**Section 2. Elected Officers.** The elected officers of the Association shall be a President, President-Elect, and Immediate Past President.

The President shall preside over all meetings, shall issue calls for meetings, shall appoint all committees, shall fill all vacancies of unexpired terms by appointment, and shall be an ex-officio member of all committees. The President shall, at the close of each fiscal year, provide for a professional audit of the financial records of the Association.

The President-Elect shall perform the usual duties of the office and in the case of disability of the President shall assume the duties of that office. The President-Elect shall be charged with the organization of the annual meeting and negotiating all contracts with general clinicians using a budget set forth by the Executive Board. The President-Elect shall assume the duties and office of President upon the completion of the President's term.

The Immediate Past President shall assume the duties of that office upon the completion of the term of President. The Immediate Past President shall assist the President as advisor and shall be called upon to aid the Association in establishing continuity in the transmission of authority. The Immediate Past President shall be the chairman of the nominating committee to select candidates for officers of the Association and shall be the liaison officer between the NMEA and the Music Industry Council, negotiating all contracts with vendors.

**Section 3. Additional Elected Officers.** Additional elected officers shall be:

- A. Chair, Band Affairs
- B. Chair, Orchestra Affairs
- C. Chair, Choral Affairs
- D. Chair, Elementary/General Music Affairs
- E. Chair, Auditions
- F. Chair, Collegiate Members (Elected by Collegiate Members)
- G. Chair, College/University Affairs
- H. Chair, Middle Level/Junior High Affairs
- I. Chair, Membership/Mentoring Programs

The above chairs shall, with the management and assistance of the other members of the Executive Board, plan for their respective parts of the annual clinic program and shall conduct the affairs of the Association as expressly provided by Bylaw III, Section I of the constitution.

**Section 4. Appointed Executive Board Members.** The Executive Director, Secretary/Treasurer, Public Relations, Historian, Chair of Research/Chair Nebraska Coalition for Music Education (NCME) and Chair, Exhibits, Nebraska Music Dealers and Exhibitors Association representative, shall be non voting ex-officio members of the Executive Board and their appointments and duties shall be set forth in official policies as designated by the Executive Board.

The Secretary/Treasurer shall keep an accurate record of the transactions of each meeting; shall send out notice of all meetings; shall attend to all correspondence relating to the office; shall keep financial records of the association, collecting and paying all monies with the order and consent of the Executive Board; shall secure and update insurance coverage for the Association; process audition applications and distribute materials and information to audition sites; shall be the membership chairman of the Association; shall perform all other duties usually considered the duties of a Secretary/Treasurer.

**Section 5. Terms of Office.** The term of office of the Chair, Auditions and Chair, Membership/Mentoring Programs shall be three years. The term of office for all other elected offices shall be two years with the exception of Chair, Collegiate Members which shall begin with a year of apprenticeship beginning with the opening of the fiscal year following their election, assuming full duties of office for one year with the beginning of the fiscal year following the year of their apprenticeship. Officers of Chair, Band Affairs; Chair, Orchestra Affairs; Chair, Choral Affairs; Chair, Auditions and Chair, Membership/Mentoring Programs shall serve a year of apprenticeship that will begin with the opening of the fiscal year following their election. These officers shall assume their duties with the opening of the fiscal year following their apprenticeship. All other elected officers shall assume their duties with the opening of the fiscal year following their election.

**Section 6. Election of Officers.** The election of officers shall be held at the annual convention. Officers shall be elected each year in the following order: **Even-numbered years** - Chair, Orchestra Affairs; Chair, Middle Level/Junior High Affairs; Chair, Choral Affairs; and Chair, College/University Affairs.; **Odd-numbered years** - President-Elect; Chair, Band Affairs; and Chair, Elementary/General Music Affairs. The sequence is to be followed in ensuing years. The election of Chair, Auditions and Chair, Membership, Mentoring Programs shall be held on a three-year cycle (actually serving four years, the first year being an apprentice position.) **Every year** - The candidates for the office of Chair, Collegiate Members shall be nominated and elected by student members of NMEA while in their sophomore year in accordance with the voting procedure approved by the student representative board.

**Section 7. Re-election of Officers.** A member who has been elected to an office in the Association must be out of office one full year before being eligible to be elected to office again.

#### BYLAW IV--INTERNAL AFFAIRS

##### **Section 1. Elections.**

- A. **Nominating Committee.** The Immediate Past President shall appoint a nominating committee, one member from each district of the NSAA districts of the state, in January of each year. This committee shall report its list of nominees for each elected office other than Chair, Collegiate Members to: the editor of the *Nebraska Music Educator* for inclusion in the pre-convention issue of the *Educator*. The Immediate Past President shall instruct the Chair, Public Relations to have ballots prepared for voting.
- B. **Voting.** The nominations shall be closed at the annual business meeting of the Association. Balloting shall occur after the business meeting, with the greatest plurality electing.
- C. **Absentee Ballots.** Members may request a mail-in absentee ballot for the election of officers prior to the annual convention by notifying the Secretary/Treasurer and by supplying proof of membership. The ballot is due one day prior to the voting date at the convention.

**Section 2. Executive Board Meetings.** The Executive Board shall meet at the call of the President, or upon the joint request of a majority of the membership of the Executive Board. A quorum of not less than fifty percent (50%) of the members of the Executive Board shall be required for the transaction of business. When necessary, the Executive Board may transact business by mail or conference call.

**Section 3. Rules of Order.** The parliamentary principles set forth in Robert's Rules of Order Newly Revised shall govern in all cases not covered by the constitution.

#### BYLAW V--ADMINISTRATION

**Section 1. Executive Director.** The Executive Director shall be selected by the Executive Board. The duties of the Executive Director shall include but not be limited to the following: edit, publish and secure advertising, negotiating all legal contracts with advertisers for the *Nebraska Music Educator* magazine; prepare, publish and distribute all general mailings to the membership; arrange for and secure transportation for Executive Board members and visiting clinicians; collect and disseminate all clinicians contracts to appropriate board members; handle matters that pertain to government relations; serve as Webmaster for the NMEA Web site; and write and submit grants to various philanthropic organizations; and all other duties usually considered of an Executive Director. The Executive Director shall serve as an ex-officio member of the Executive Board.

**Section 2. Fiscal Year.** The fiscal year shall correspond with the calendar year, that is, January 1 to December 31.

**Section 3. Contracts.** The Executive Board may authorize any officer, offices, agent, or agents of the Association, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association. Such authority may be general or may be confined to specific instances.

**Section 4. Checks, Drafts, or Orders.** All checks, drafts, or orders for payment of money, notes, or other evidences of indebtedness issued in the name of the Association shall be signed by such officer, officers, agent, or agents of the Association and in such a manner as shall from time to time be determined by resolution of the Executive Board. In the absence of such determination by the Executive Board, such instruments shall be signed by the authorized agent.

**Section 5. Deposits.** All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies, or other depositories as the Executive Board or its agent may select.

**Section 6. Gifts and Management of Assets.** The Executive Board is authorized and empowered on behalf of the Association to receive by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust, and to invest, reinvest, and manage the same and to apply said property and the income arising therefrom to the objectives of the Association. The Executive Board also shall have power to allocate the funds of the Association for the purposes of carrying out the objectives of the Association.

**Section 7. Books and Records.** The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Executive Board. The Association shall keep with the office of Secretary/Treasurer a record giving the names and addresses of the members entitled to vote.

## BYLAW VI-COUNCILS

**Section 1. Definitions.** Councils shall be officially affiliated organizations with NMEA.

- A. *Nebraska Music Educator* Editorial Board. An editorial board comprised of three NMEA members may serve in an advisory capacity to the Editor of the *Nebraska Music Educator*. Members of the Editorial Board may be appointed by the President in August to a three year term. One new member may be appointed each year to replace a member whose term has expired.
- B. Past Presidents Council. Membership in the Past Presidents Council will include all NMEA members who have served as President of the Association. The Past Presidents Council will be responsible for nomination and selection of members for the NMEA Hall of Fame. Chairman of the Past Presidents Council will be the Past President who has just completed the six year term of office in the Association.
- C. The Nebraska Council on Music Teacher Education (NCMTE). The NCMTE is comprised of NMEA members interested in and involved with the music teacher education process. The NCMTE Chair shall be the NMEA Chair, Research and College/University Affairs with an executive committee of the NCMTE elected at their business meeting held during the state conference. All activities of the NCMTE will be communicated to the NMEA Executive Board through the Chair, Research and College/University Affairs who will serve as an ex-officio member of the NCMTE.

## BYLAW VII-AMENDMENTS

These Bylaws may be altered or amended by an approving vote of the majority of those members who cast ballots by mail or by a vote of the membership at the annual business meeting. Ballots and necessary supporting information shall be mailed by the Secretary/Treasurer, under the direction of the Executive Board, to all members of the Association at least sixty (60) days prior to the close of voting to all members of record who are eligible to vote. Such closing date shall be designated by the Executive Board and printed on the ballots. Proposed amendments to these Bylaws may be initiated by the Executive Board or by a petition signed by five percent (5%) of the membership.