

# OhioMTA Constitution and Bylaws

## **ARTICLE I-NAME**

The name of this organization shall be Ohio Music Teachers Association affiliated with Music Teachers National Association, Inc. ("MTNA"), Cincinnati, Ohio, a Code Section 501(c)(3) organization.

## **ARTICLE II-OBJECT**

**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 of, or be distributable to its members, trustees, officers, or other private person, 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.

**Section 3.** In the event of the dissolution of this organization, any funds remaining in the treasury after the payment of any outstanding debts shall be contributed to MTNA.

## **ARTICLE III-MEMBERSHIP**

**Section 1.** Membership classifications and privileges shall be prescribed in the Bylaws of Ohio Music Teachers Association, hereinafter designated as OhioMTA or as the Association.

**Section 2.** Membership dues shall be proposed by the Executive Committee and approved by the OhioMTA Board.

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

## **ARTICLE IV-AFFILIATED ASSOCIATIONS**

**Section 1.** OhioMTA is divided into District Associations. These District Associations are affiliated with OhioMTA and must maintain the requirements of membership as stated in the Constitution and Bylaws.

**Section 2.** District Associations may be divided into Chapters. Any city, town or county music teachers group may become a Chapter. Each Chapter shall remain affiliated with OhioMTA by fulfilling the requirements of membership as stated in the Constitution and Bylaws.

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**Section 3.** 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 OhioMTA Board.

## **ARTICLE V-OFFICERS**

**Section 1.** Officers of the Association shall be a President, President-Elect, Vice President for Conferences, Vice President for Membership, Vice President for Student Activities, Vice President for Affiliated Associations, Treasurer and Immediate Past President. The manner of election and the duties of each officer shall be defined in the Bylaws.

**Section 2.** All officers are also the trustees of OhioMTA.

## **ARTICLE VI-INDEMNIFICATION OF OFFICERS, TRUSTEES, AND OTHERS**

Officers, trustees, and other persons specified in section 1701.13(E) of the Ohio Revised Code shall be indemnified to the full extent and in the manner specified in said section 1701.13(E).

## **ARTICLE VII--EXECUTIVE COMMITTEE**

**Section 1.** The Executive Committee shall be composed of the President, President-Elect, four Vice Presidents, Treasurer, and Immediate Past President. Officers must be Active Members of good standing in the Association.

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

**Section 3.** In order to transact business a quorum consisting of five (5) voting members of the Executive Committee, at least one of them being the President or President-Elect, must be present.

## **ARTICLE VIII-OhioMTA BOARD**

**Section 1.** The OhioMTA Board shall be composed of the Executive Committee, who will serve ex officio without vote, appointed chairs, and District Association Chairs.

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

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

**Section 4.** Twelve (12) members shall constitute a quorum of the OhioMTA Board.

**Section 5.** The Executive Committee may submit items of business by mail or email to the full membership of the OhioMTA Board requesting a vote via a mail or email ballot. The contents of

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the proposals and the results of such mail ballots shall be reported to the Executive Assistant, approved and incorporated in the minutes of the next meeting of the OhioMTA Board.

## **ARTICLE IX-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.

## **ARTICLE X-MEETINGS**

**Section 1.** There shall be an annual meeting 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.** In order to transact business at any annual or special membership meeting, a quorum of at least twenty five (25) members must be present.

**Section 3.** Special meetings of the Executive Committee may be called by the President, or upon the request of not less than five (5) members of the Executive Committee or upon a signed petition from thirty five (35) voting members of the Association.

**Section 4.** The OhioMTA Board shall meet one time each year. Prior to this meeting the Executive Committee will meet to prepare various items to be presented before the OhioMTA Board. Special meetings of the OhioMTA Board may be called by the President, or upon the request of not less than fifteen (15) members of the OhioMTA Board or upon a signed petition from thirty five (35) voting 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 XI-PUBLICATION OF CONSTITUTION AND BYLAWS**

The OhioMTA Constitution and Bylaws are available for viewing at the official website of the organization - [www.ohiomta.org](http://www.ohiomta.org). Any member of the organization who does not have access to the website may request a copy from their District Chairman.

## **ARTICLE XII-AMENDMENTS**

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

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

## BYLAWS

### ARTICLE I—MEMBERSHIP

**Section 1.** Membership shall be open to all individuals professionally engaged in any field of music activity. OhioMTA strongly encourages its members to adopt the MTNA Code of Ethics as their personal model of professional conduct.

**Section 2.** Each member must be a member of a District Association and must also be a member of Music Teachers National Association.

**Section 3.** Certified Active Members are: 1.) any teacher of music who has met the requirements set by MTNA's Certification Committee; 2.) Certified Active Members have the right to vote, hold office and enter students in all activities of the association.

**Section 4.** Active Members are teachers of music who have not been certified. They have the right to vote, hold office and enter students in all activities of the association.

**Section 5.** Senior Members are those who are age 65 or older. Senior members pay half state association dues. Senior Members have the right to attend all meetings of the Association and the right to vote.

**Section 6.** Ohio Honorary Members are either nationally or locally known musicians. Ohio Honorary Membership requires that each of five Active Members submit a letter of recommendation to the Executive Committee for approval. Ohio Honorary Members pay only national dues. Ohio Honorary Members shall be entitled to attend programs of the Association and to receive the official Association publication, but shall not have the right to vote or hold office.

**Section 7.** 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 and to receive the official Association publication, but shall not have the right to vote, hold office, or enter students into MTNA or OhioMTA competitions.

**Section 8.** Patron Members are 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 9.** Student Affiliate members are pre-college students currently involved in music study. Student Affiliate members will be recognized for achievement in OhioMTA student activities according to the guidelines for each activity and will be eligible for annual awards. Student Affiliate members do not join MTNA, and do not vote, hold office or enter students in MTNA or OhioMTA competitions.

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## **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 OhioMTA. Any accusation that a member of OhioMTA has been convicted of a crime involving sexual or other abuse of a person shall be reported to the President of OhioMTA, who shall immediately report the accusation to the President of MTNA, who shall appoint a three-person committee to ascertain the validity of a conviction. If the committee substantiates that a person has been convicted of a crime involving sexual or other abuse of a person, the President of MTNA shall immediately terminate the membership and the certification of that person. Any action authorized by the MTNA President in this resolution may be appealed to the Board of Directors of MTNA. Any membership terminated under this section shall be reinstated upon the filing with the MTNA President of a certified copy of the judgement reversing the conviction.

## **ARTICLE III--FISCAL YEAR**

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

## **ARTICLE IV--MEMBERSHIP YEAR**

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

**Section 2.** Annual dues for all categories of membership shall be due on the first day of the membership year, after which date members are delinquent and not entitled to any of the privileges of membership until dues are paid for the current membership year.

## **ARTICLE V-ELECTION OF OFFICERS**

**Section 1.** A Nominating Committee shall be elected in odd numbered years at the annual conference to nominate OhioMTA officers. The committee shall consist of the Immediate Past President, President-Elect and three active members of the Association. These four members shall be elected by the OhioMTA Board. Each shall have given his or her consent. The Immediate Past President shall serve as the chair of the committee. If a vacancy occurs on the Nominating Committee, the replacement member shall be appointed by the Nominating Committee Chair, with the approval of the Executive Committee. Nominations for the officers must be received by the Nominating Committee Chair by May 1 of even number years. This consent must be given in writing or given in person at the meeting. 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 official Association publication by May 1 of even number years.

**Section 2.** The Active and Senior members of OhioMTA shall elect by a majority vote the officers of the Association at least thirty days prior to the annual conference in even number years. Election by the members must be by secret electronic or paper ballots, 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 will begin at least sixty (60) days prior to the fall conference and concluded at least thirty (30) days before. This will occur in even number years. Results will be announced prior to the annual conference in even number years

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**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 years and no officer, with the exception of the Treasurer, may succeed himself or herself in that elected office.

**Section 5.** The term of office, except for that of the Treasurer, commences with the adjournment of the conference during which officers were elected. The termination of office, except the Treasurer, coincides with the above. The term of office for the Treasurer shall be the same as the fiscal year, beginning in odd-number years on July 1 following the annual session of the Association 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 OhioMTA Board. A President-Elect selected in this manner cannot assume the office of President without being elected to that office.

### **ARTICLE VI-DUTIES OF OhioMTA 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 the OhioMTA Board. He or she shall appoint all ad hoc committees. He or she shall appoint all non-prescribed members to the OhioMTA Board. The President shall represent OhioMTA at the MTNA Conference and shall 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 President-Elect shall assume all duties of the President in the absence of that officer, shall serve on the Finance Committee and Technology Committee; be responsible for keeping the Constitution and Bylaws up to date; and assist the President as needed. He or she shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 3.** The Vice- President for Conferences shall preside in the absence of the President and President-Elect, shall plan the annual conference, chair the Conference Planning Committee, and perform such other duties relating to the conference as prescribed by the parliamentary authority adopted by the Association.

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

**Section 5.** The Vice President for Student Activities shall administrate all competitions at the state level, coordinate student activity chairs, performance area chairs and competition chairs

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and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 6.** The Vice President for Affiliated Associations shall oversee Affiliated Associations, preside over meetings of District Chairmen, and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 7.** The Treasurer shall oversee, in cooperation with the President, all financial affairs of the Association, and shall serve as chair of the Finance Committee. He or she shall prepare 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 8.** The Immediate Past President shall record the minutes of all meetings of the Executive committee, the OhioMTA Board, and maintain files of reports from various offices, shall distribute copies of minutes in legal form within thirty (30) days following meetings to all members of the Executive committee and the OhioMTA Board, convene the Nominating Committee in odd number years at the annual conference and perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

### **ARTICLE VII--AFFILIATED ASSOCIATIONS**

**Section 1.** The Association's eight districts, Central East, Middle East, Middle West, Northeast, Northwest, Southeast, Southwest, Western, are affiliated with OhioMTA and must periodically file copies of Affiliated District governing documents (Constitution and Bylaws) with the OhioMTA President and Executive Assistant; these documents must remain consistent with those of OhioMTA. District fiscal and membership years must coincide with that of OhioMTA.

**Section 2.** Any city, town or county music teachers chapter may petition to the Executive Committee for affiliation in OhioMTA by providing evidence that the following requirements have been fulfilled:

- a. That two (2) copies of the Affiliated Chapter governing documents (Constitution and Bylaws) have been filed with the OhioMTA President and Executive Assistant and that these documents are consistent with those of OhioMTA.
- b. That its fiscal and membership years coincide with that of OhioMTA.
- c. That it guarantees on the basis of submitted membership rosters that one hundred percent (100%) of its members who meet the requirements of OhioMTA Active and Student Membership are members in good standing of OhioMTA and MTNA.

**Section 3.** Upon determining that a petitioning Chapter has fulfilled the requirements of Section two (2) of the Article, OhioMTA shall approve the petition.

**Section 4.** In referring to its affiliation, each District and Chapter shall use the phrase "Affiliated with the Ohio Music Teachers Association." This specified phrase shall be included in the constitutions of all Affiliated Associations.

**Section 5.** Annual renewal of an Affiliated Association shall be made without reconsideration by OhioMTA provided:

- a. That the affiliate has not formally notified OhioMTA that it wishes to discontinue affiliation.

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- b. That all changes in the Constitution and Bylaws of the Affiliated Association have been filed with OhioMTA, that they are consistent with the Constitution and Bylaws of OhioMTA, and have been approved by OhioMTA.
- c. That all provisions of Section two (2) of this Article continue to be fulfilled.

## **ARTICLE VIII--STATE CHAIRS**

**Section 1.** The President, subject to the approval of the Executive Committee, shall appoint the following State Chairs: Buckeye Auditions, Certification, College Music Teachers Forum (CMTF) College Faculty Forum (CFF), Independent Music Teachers Forum (IMTF), MTNA Composer of the Year, MTNA Composition Competition, MTNA Jr & Sr High Competition Coordinator, MTNA Young Artist & Chamber Coordinator, MTNA Competitions Coordinator, MTNA Foundation, OhioMTA Collegiate Chapters, OhioMTA Scholarship Fund, the State Certificate Program, String, Technology, Voice, Wellness, Orchestral Winds

**Section 2.** The term of office of all chairs shall be two (2) years and shall commence at the adjournment of the state conference in even numbered years.

**Section 3.** The president, subject to the approval of the Executive Board, may appoint such additional State Chairs as he or she finds necessary to represent the continuing interests of the membership.

**Section 4.** When management of Association activities would deem appropriate, State Chairs, individually or collectively, may be called to meetings of the Executive Board.

## **ARTICLE IX--STANDING COMMITTEES**

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

**Section 2.** The Past Presidents Advisory Committee shall consist of all past Presidents of OhioMTA who are Active or Senior members. The committee shall meet at the time and place of the annual meeting of the Association and shall serve in an advisory capacity to the Executive Committee. The OhioMTA Immediate Past President shall serve as chair of this committee.

## **ARTICLE X—AMENDMENTS**

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

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