

**CONSTITUTION
of the
UTAH MUSIC EDUCATORS ASSOCIATION**

Article I: NAME

Section 1. This organization shall be known as the Utah Music Educators Association, hereinafter referred to as UMEA or as the Association.

Article II: DURATION

Section 1. The duration of this organization is perpetual.

Article III: PURPOSE

Section 1. The purpose of this association shall be the advancement of music education, and in specific furtherance thereof: (a) to conduct programs and activities to build a vital musical culture and an enlightened musical public for the benefit and the general welfare of all persons; (b) to ensure that every student shall have access in school to a balanced, comprehensive, and high quality program of music instruction; (c) to improve the quality of teaching, research, and scholarship in music; (d) to promote the involvement of persons of all ages in learning music; and (e) to foster the utilization of the most effective pre-service and in-service preparation of music teachers. The association may hold conferences, symposia, and other meetings; publish journals, books, and other publications; seek and accept grants, gifts, and contracts for any of the said foregoing purposes; and exclusively for the public benefit, use, publish and otherwise make available to the general public on a nondiscriminatory basis the results of its collection of information deriving from the foregoing activities.

Section 2. This association is organized exclusively for educational purposes, within the meaning of section 501(c)3 of the Internal Revenue Code (or corresponding section of any future Federal tax code)

Article IV: RELATIONSHIPS

Section 1. This association shall function as a state unit of *NAfME: The National Association for Music Education*, hereinafter referred to as NAfME.

Section 2. This association shall maintain a functioning relationship with the Utah High School Activities Association, and the Utah State Office of Education.

Section 3. This association shall maintain a functioning relationship with other state and national music associations.

Article V: MEMBERSHIP

Section 1. Active Membership. Anyone actively engaged in music education may become an active member of this association upon payment of the prescribed dues. Active members whose

dues are fully paid shall have the privileges of voting and holding office.

Section 2. Sustaining Membership. Any firm or institution desiring to contribute to the support of this association may become a sustaining member upon payment of the full active dues. Sustaining membership entitles one person from the firm or institution to the rights and privileges of active membership as stipulated in Section 1 of this article.

Section 3. Retired Membership. Any former music educator who has retired from teaching or other music-education related work and who was an active member of NAFME for at least ten (10) years prior to retirement may become a retired member of this association upon payment of the prescribed dues. Retired members whose dues are fully paid shall have the privilege of voting, but not of holding elected office in the association.

Section 4. Collegiate Membership. Upon payment of the prescribed dues and compliance with the regulations of the *The National Association for Music Education*, a music education student at the college level who is not employed as a teacher may become a chapter member of UMEA and NAFME, with full active membership rights and privileges except the right to vote and hold elected office.

Section 5 Tri-M Membership. Upon payment of the prescribed dues and compliance with the regulations of NAFME, a music student at the secondary school level may become a chapter member of UMEA and NAFME with full active membership rights and privileges except the right to vote and hold elected office in said associations.

Article VI: DUES

Section 1. Dues shall consist of the current NAFME membership dues plus current state dues. Dues shall include a subscription to the Music Educators Journal, *Teaching Music*, and to the Utah Music Educators Journal.

Section 2. Sustaining Membership Dues. Dues shall consist of the current NAFME membership dues plus current state dues. Dues shall include a subscription to the Music Educators Journal, *Teaching Music*, and to the Utah Music Educators Journal.

Section 3. Retired Membership Dues. Dues shall consist of the current NAFME membership dues plus on-half of current state dues. Dues shall include a subscription to the Music Educators Journal, *Teaching Music*, and to the Utah Music Educators Journal.

Section 4. Collegiate Membership Dues. Dues shall consist of the current NAFME student membership dues, plus a current figure determined by the UMEA Executive Board and the individual student chapters. Dues shall include a subscription to the Music Educators Journal, *Teaching Music*, and to the Utah Music Educators Journal.

Section 6. NAFME membership dues are to be sent to NAFME. State dues are retained by UMEA. The state membership dues shall apply toward the administrative expenses of UMEA. State dues shall be determined by a majority response vote of the UMEA membership..

Article VII: ORGANIZATION AND GOVERNMENT

Section 1. Executive Committee. To facilitate the operations of the organization, an Executive Committee, consisting of the President, President Elect, and Immediate Past President shall be authorized to make immediate, necessary decisions. Such decisions will be ratified by the Executive Board at their next meeting.

Section 2. Executive Board. The executive authority for the administration of the affairs of UMEA shall be vested in the President, President-Elect, an Immediate Past-President, and seven Vice-Presidents. These board members have voting privileges in all Executive Board meetings. Vice-President-elects, an Executive Director and a Treasurer shall also sit on the Executive Board but will not have voting privileges.

Section 3. Auxiliary Board. An Auxiliary Board will be established to further the mission of UMEA. The Auxiliary Board may consist of a State Magazine Editor, a State Business Manager, a Membership Chair, a Tri-M Honor Society Chair, a Coalition Chair and any other chairs or managers as appointed by the President and ratified by the Executive Board.

Section 4. UHSAA State Division. For purposes of festival administration and management, the state of Utah shall be divided into regions to conform to those established by the Utah High School Activities Association (UHSAA).

Section 5. State Committees. Members of standing or special committees in the state association may be appointed by the president with the approval of the Executive Board.

Section 6. Standing rules may be proposed and approved by the Executive Board.

Section 7. Operational procedures for the Association shall be based on the actions of the Executive Committee, the Executive Board, and/or the membership of the Association and shall be maintained in a Policies and Procedures Manual.

Article VIII: OFFICERS AND DIRECTORS

Section 1. Elected Officers. The elected officers of this association shall consist of a President, a President-Elect, an Immediate Past-President, and seven Vice-Presidents (one each for Band, Choral, Elementary, Jazz, Orchestra, Junior High/Middle School, and Higher Education).

Section 2. Appointed Officers and Positions. The appointed officers of this association may consist of an Executive Director, a Treasurer, a State Magazine Editor, a Business Manager, a Membership Chair, a Tri-M Honor Society Chair, a Coalition Chair, and other appointed officers as needed.

Section 3. Standing Committees. The following standing committees shall be established with membership as stated below or by appointment as established in Article VII, Section 5. The President may appoint additional members to any standing committee as deemed appropriate.

All State Committee shall be chaired by a UMEA member appointed by the UMEA President. Committee membership shall consist of the All-State Chair and respective All-

State and Honor ensemble chairs. Specific All-State and Honor ensemble chairs or managers shall be appointed by the respective Vice-Presidents with approval of the Executive Board. This committee will plan and facilitate the annual UMEA Grand Festival Concert.

Awards Committee shall be responsible for providing guidelines for selection of Association awards and for all administrative duties pursuant to that selection.

Membership Committee shall be responsible for recruiting and retaining members in the Association and for ensuring publication of a directory of the membership. The membership chair shall preside over this committee.

Nominating Committee. The Executive Board shall appoint a nominating committee at the August meeting of odd-numbered years. The nominating committee shall consist of the President-Elect, who shall act as chair, and selected members of the Executive Board. Upon approval by the Executive Board, the committee chair, from time to time, may nominate a member-at-large from the general membership to serve on the nominating committee. The nominating committee shall serve concurrently with the term of the president-elect. The nominating committee shall place the names of two nominees for each vacant office, along with space for write-in nominees, on the ballot.

Vice Presidential Committees. Each vice president may appoint members to a vice presidential committee for that area. Members of these committees shall be responsible for matters involving multi-cultural education; honor ensembles (as required); curriculum at the appropriate levels; associated organizations; large group festivals; and other areas as deemed necessary by the vice president. Vice Presidential Committees shall serve concurrently with the term of the respective vice president.

Section 5. Ad Hoc Committees. The UMEA President may appoint additional committees and committee chairs in order to carry out the mission of the Association. Such committees will be dissolved at the conclusion of the appointing president's term of office.

Article IX: ELECTIONS AND REMOVAL FROM OFFICE

Section 1. Election of Officers. All elected officers shall be voted on by the members of the association at the Annual Professional Development Conference, or during a special election approved by the Executive Board. The President-Elect, and the Vice-Presidents for Band, Choral, Higher Education, and Junior High/Middle School shall be elected in the odd numbered years. The Vice Presidents for Orchestra, Elementary and Jazz, shall be elected in the even numbered years.

Section 2. Terms of Office. (a) The terms of the President, President-elect, and Immediate Past-President shall be for a period of two years and commence on July 1 following the election in odd number years. (b) Terms of Vice-President-elect shall be for a period of one year, commencing on July 1 following the election. Vice-President-elects shall assume the office of Vice-President upon the expiration of the their term as Vice-President-elect. (c) The terms of Vice-President shall be for two years. (d) Appointed officers shall serve at the pleasure of the Executive Board.

Section 3. Removal from Office. (a) An elected officer of the Executive Board may be removed

from office by a two-thirds majority vote of all Board members during a regularly scheduled Board meeting. (b) The President may cast the final vote only if the question of removal shall be decided by his/her vote. (c) A board member accused of professional misconduct may be immediately removed from office by a two-thirds majority vote of all Board members by a procedure chosen by the Executive Director. This action must be ratified during the next regularly scheduled board meeting.

Section 4. Vacancies in any UMEA office may be temporarily filled by Presidential appointment with the approval of the Executive Board.

Section 5. Special Elections & Referendums. From time to time, the Executive Board may choose to conduct (a) a special election to fill vacancies on the Executive Board, or (b) a referendum such as ratifying amendments to the Constitution.

Article X: DUTIES

Section 1. President. The President is the chief executive officer of UMEA. Duties include: (a) presiding at all general sessions of the association and at all meetings of the Executive Board; (b) calling and presiding at all special sessions; (c) extending leadership in planning for sessions; (d) appointing officers and directors where necessary; (e) giving direction to the activities of UMEA members throughout the state; (f) representing UMEA at sessions of Western Division NAFME and at national meetings; (g) serving as a member of the NAFME Western Division Board; and (h) with the approval of the Executive Board, appointing the Executive Director, State Magazine Editor, Business Manager, Membership Chair, Tri-M Honor Society Chair, Coalition Chair, and other auxiliary committee chairs as deemed necessary and as required by NAFME.

Section 2. President-Elect. The President-Elect shall assist the President, preside at Executive Board meetings in the absence of the President, assume the office of President at the expiration of term as President-Elect, represent UMEA at meetings of the UHSAA Music Festival Committee, accept special assignments, and assume other duties designated by the President and approved by the Executive Board.

Section 3. Immediate Past-President. Upon the completion of a presidential term, the President shall serve as Immediate Past-President. The Immediate Past-President shall advise and assist the President, accept special assignments, and assume other duties designated by the President and approved by the Executive Board.

Section 4. Vice-Presidents. The Vice-Presidents serve as chairs of the Band, Choral, Elementary, Higher Education, Jazz, Orchestra, and Junior High/Middle School committees respectively to plan and carry out the functions and activities of UMEA, which may include sessions at the UEA Convention, organization and management of All-State ensembles, state large group festivals, sessions at the UMEA Annual Professional Development Conference, Music in Our Schools Month, and other activities directly related to the functions of their committees.

Section 5. Vice-President-elects. Vice-President-elects attend Executive Board meetings, assist their respective Vice-Presidents in their duties as enumerated in Article X, Section 4, and assume the office of Vice-President at the expiration of their respective Vice-President's term.

Section 4. Executive Director. The Executive Director shall attend all meetings of the Executive Board and the Executive Committee, and shall keep a careful record of all proceedings. In addition, the Executive Director will handle all necessary correspondence, assist with conference registration, and assume other duties necessary.

Section 5. Treasurer. The Treasurer shall be custodian of all funds of UMEA and shall keep an accurate record of members, circulate to the Executive Board at least once a year an account of all monies received and disbursed, prepare a yearly budget in conjunction with the President, deposit the funds of UMEA in a depository approved by the Executive Board, present the books for an auditor selected by the Executive Board, and assume all other duties as needed..

Section 6. State Magazine Editor. The State Magazine Editor shall be responsible for publishing and circulating to UMEA members and other designated individuals all issues of the Utah Music Educators Journal and shall be empowered to appoint whatever staff is necessary for the execution of these duties.

Section 7. Business Manager. The Business Manager shall be responsible for securing advertising for the Utah Music Educators Journal, securing vendors for displaying at the annual conference and shall serve as custodian of all funds of the Utah Music Educators Journal, send out bills, keep records of the magazine's business transactions and handle correspondence pertaining to the magazine as requested by the Editor.

Section 8. Membership Chair. The Membership Chair shall carry out all assignments made by the Executive Board, shall present the activities of NAFME and UMEA to all music educators so that they might become better acquainted with the work of the association, and shall encourage music educators to become members of UMEA.

Section 10. Tri-M Honor Society Chair. The Tri-M Honor Society Chair is responsible for seeing that Tri-M Societies are organized in the state, for encouraging student participation in Tri-M, for pointing out the advantages of professional affiliation, for enlisting their support as necessary in the conduct of conferences, festivals, and clinics, and for making reports to the Executive Board as requested.

Article XI: MEETINGS

Section 1. Executive Board Meetings. Executive Board meetings should be held at least four times a year. The Executive Committee will hold interim meetings as needed.

Section 2. Quorum. At least half of the voting members of the Executive Board must be present to establish a quorum at an Executive Board meeting.

Section 3. Voting. The Board may establish procedures for voting on resolutions presented at Executive Board meetings. Only elected members of the Executive Board, specified in Article VII, shall be allowed to vote on resolutions presented at Executive Board meetings.

Section 4. Presidential Vote. The President shall only vote in case of a tie on resolutions presented at Executive Board meetings. When a vote to remove an elected Board Member is presented, the

President may vote as stipulated in Article IX, section 3(b).

Article XII: ADMINISTRATION

Section 1. Fiscal Year. The fiscal year shall be July 1 to June 30.

Section 2. Contracts. The Executive Board may authorize any officer, officers, agent, or agents of the Association, in addition to the officers so authorized by this Constitution, 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 3. 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 and countersigned by the President or President-Elect of the Association.

Section 4. 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 5. 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 6. Books and Records. The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the Executive Board. The Association shall keep a record giving the names and addresses of the members entitled to vote.

Section 7 No part of the net earnings shall inure to the benefit of, or be distributed to its members, trustees, directors, officers or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501(c)3 purposes. No substantial part of the activities or the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association 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.

Section 8 Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (a) by a association 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 a association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code (or corresponding section of any futures Federal Tax code.)

Section 9 Upon dissolution of this association, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)3 of the Internal Revenue Code, i.e. charitable, educational, religious or scientific, 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.

Article XIII: AMENDMENTS

Section 1. Amendments. The constitution may be amended by a two-thirds vote of the members responding to mail poll, or by a two-thirds vote of the members present at the Annual Professional Development Conference of the Association, provided formal notice of such contemplated action shall have been given the active members at least ten days before it is acted upon and provided that ballots be sent by mail to those not present and requesting such ballots.

Section 2. The constitution shall be reviewed every two years by a committee appointed by the President.

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