

**NEW YORK STATE MUSIC TEACHERS ASSOCIATION  
CONSTITUTION AND BYLAWS**



Amended 04/16/2018

# NEW YORK STATE MUSIC TEACHERS ASSOCIATION CONSTITUTION

## **PREAMBLE**

The New York State Music Teachers Association, Incorporated, an affiliate of the Music Teachers National Association (MTNA), is dedicated to furthering the art of music and promoting the professional development of its members by providing programs that support teaching, performance, composition and research. Being a not-for-profit organization whose funds are used solely to accomplish these objectives, it does hereby adopt this Constitution and Bylaws. It shall be the policy of this Association to cooperate with all worthy musical organizations.

## **ARTICLE I – MEMBERSHIP**

**Section 1.** Membership classifications and privileges shall be prescribed in the Bylaws of the New York State Music Teachers Association, hereinafter designated as NYSMTA or as the Association.

**Section 2.** Membership dues shall be proposed by the Administrative Committee and approved by the NYSMTA Board.

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

## **ARTICLE II – AFFILIATED LOCAL ASSOCIATIONS**

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

**Section 2.** The administrative 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 NYSMTA Board.

## **ARTICLE III – OFFICERS**

Officers of the Association shall be a President, President-Elect, Vice-President for Competitions, Vice President(s) for Conferences, Vice President(s) for Membership, Vice President for Professional Activities, Secretary, Treasurer, and Immediate Past-President. The manner of election and the duties of each officer shall be defined by the Bylaws.

## **ARTICLE IV – ADMINISTRATIVE COMMITTEE**

**Section 1.** The Administrative Committee shall be composed of the President, President-Elect, four Vice Presidents, Secretary, Treasurer, and Immediate Past-President. In the case of co-vice presidents, either one may serve.

**Section 2.** The Administrative Committee shall determine policies of the Association in consultation with the NYSMTA 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 four voting members of the Administrative Committee, at least one of them being the President or President-Elect must be present.

## **ARTICLE V – NYSMTA BOARD**

**Section 1.** The NYSMTA Board shall be composed of the Administrative Committee, Local Association Chairs, all State Chairs, Chairs of Ad Hoc Committees, and all past-Presidents of NYSMTA. State Chairs and their manner of appointment shall be defined in the Bylaws.

**Section 2.** The NYSMTA Board shall make recommendations to the Administrative Committee regarding policy and membership concerns. The President may appoint additional chairs as deemed necessary by the NYSMTA Board.

**Section 3.** The NYSMTA Board shall have the power to rescind by a two-thirds vote of those present and voting at an executive board meeting any decision of the Administrative Committee.

**Section 4.** Ten members shall constitute a quorum of the NYSMTA Board of whom at least three must be officers.

**Section 5.** The administrative Committee may submit items of business by mail to the full membership of the NYSMTA 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 NYSMTA Board.

## **ARTICLE VI – COMMITTEES**

The President, subject to the approval of the Administrative 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. Membership of standing and *ad hoc* committees should reflect an equitable geographical distribution throughout the state.

## **ARTICLE VII – MEETINGS**

**Section 1.** There shall be an annual meeting of the Association, time and place to be determined by the Administrative 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.** Twenty active members, two of whom must be officers, shall constitute a quorum for the election of officers and for the transaction of business at any annual or special membership meeting.

**Section 3.** Special meetings of the Administrative Committee may be called by the President; or upon the request of at least four members of the Administrative Committee; or upon the request of more than twelve members of the NYSMTA Board; or upon a signed petition from one hundred active members of the Association.

**Section 4.** The NYSMTA shall have at least two meetings each year. Prior to such meetings the Administrative Committee will meet to prepare various items to be presented before the NYSMTA Board. Special meetings of the NYSMTA Board may be called by the President, or upon the request of not less than fifteen members of the NYS TMA Board, or upon a signed petition from one hundred Active Members of the Association. The Board shall approve the date of any special meetings by majority vote.

**Section 5.** The Board shall approve the date of the annual Spring business meeting as proposed by the President.

**Section 6.** 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 7.** The President may appoint a parliamentarian to provide opinion during various meetings.

## **ARTICLE VIII – PUBLICATION OF CONSTITUTION AND BYLAWS**

The NYSMTA Constitution and Bylaws shall be printed in the membership directory biannually.

## **ARTICLE IX – DISSOLUTION OF THE ASSOCIATION**

Should the dissolution of NYSMTA become necessary, the Secretary shall notify the Music Teachers National Association of the dissolution, and the Treasurer shall pay, or make provision for the payment of, all liabilities of the Association. The governing board shall dispose of all remaining assets of the association exclusively for the purpose of the association in such a manner, or to such organization(s), organized and operated exclusively for educational purposes as shall at the time qualify as an exempt organization under Section 501 (C) 3 of the Internal Revenue Code of 1954, or the corresponding provision of any future United States Internal Revenue Law.

## **ARTICLE X – AMENDMENTS**

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

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

# NEW YORK STATE MUSIC TEACHERS ASSOCIATION BYLAWS

## **ARTICLE I – MEMBERSHIP**

**Section 1.** Active Membership shall be open to all individuals professionally engaged in any field of music activity who are also members of Music Teachers National Association. Those persons holding Active Membership shall be entitled to participate in all Association activities and programs upon payment of the registration fee, to vote, hold office and receive the official Association publications. NYSMTA strongly urges its members to adopt 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 and to receive the official Association publications, but shall not have the right to vote, hold office, apply for national or state certification, or enter students into national or state competitions.

**Section 3.** Associate membership is open to all persons not professionally engaged in any field of musical activity, but who wish to support the programs of the Association. Associate members shall be entitled to attend programs of the Association upon payment of the registration fee and to receive the official Association publications, but shall not have the right to vote, hold office, apply for national or state certification, or enter students into national or state competitions.

**Section 4.** Corporate Membership shall be open to all businesses that wish to support the programs of the Association. Corporate members shall be entitled to attend programs of the Association upon payment of the registration fee and to receive the official Association publications, but shall not have the right to vote, hold office, apply for national or state certification, or enter students into national or state competitions.

## **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 NYSMTA. Any accusation that a member of NYSMTA has been convicted of a crime involving sexual or other abuse of a person shall be reported to the President of NYSMTA, 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 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 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 not in good-standing nor 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 during the annual spring business meeting in odd-numbered years to nominate NYSMTA officers. The committee shall consist of the Immediate Past-President and four Active Members of the Association. The NYSMTA Board shall elect these four members. The membership of this committee should reflect an equitable geographical distribution throughout the state. Each shall have given his or her consent. The committee shall elect its own chair. If a vacancy occurs on the Nominating Committee, the replacement member shall be the prospective committee member having received the next highest number of votes in the balloting for Nominating Committee members. 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 at least thirty (30) days before the date of the annual session of the Association when the election is to take place.

**Section 2.** The Active Members of NYSMTA shall elect by a majority vote the officers of the Association. Nominations from the floor 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 annual session 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 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. The President and President-Elect may not succeed themselves in their respective offices.

**Section 5.** The term of office, except for that of the Treasurer, commences thirty (30) days following the adjournment of the annual session of the Association in even-numbered years. The term of office for the Treasurer shall be the same as the fiscal year, beginning on July 1 following the annual session of the Association in odd-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.** Vacancies in any office, except that of President, shall be filled by the President in consultation with the Administrative Committee, and are subject to the approval of the NYSMTA Board. A President-Elect selected in this manner cannot assume the office of President without being elected to that office.

#### **ARTICLE VI – DUTIES OF NYSMTA OFFICERS**

**Section 1.** The President shall be the principal elective officer of the Association and shall preside at meetings of the Association, the Administrative Committee and the NYSMTA Board. He or she shall serve as the official representative of the Association to the Division and National levels of MTNA. The President shall serve as a member *ex officio* of all committees except the Nominating Committee. The President appoints all State Chairs and *ad hoc* committees as necessary. 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 as Chair of the Local Associations and Grant Committees and shall serve on all other committees as prescribed in Bylaws Article VIII (Finance, Long-Range Planning, Conference). The President-Elect shall oversee and coordinate the work of State Chairs as outlined in the Policy/Handbook manual. He or she shall perform other such duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 3.** A **Vice President for Conferences** shall preside in the absence of the President and President-Elect, shall serve as chair of the Conference Committee and shall be responsible for the coordination of all events related to the Conference. He or she shall work in consultation with the hosting Local Association President and Local Conference contact persons, as well as with the Vice-President for Competitions and the Commissioned Composer Chair

**Section 4.** A Vice President for Membership shall preside in the absence of the President, President-Elect and the Vice President for Conferences. He or she shall coordinate all activity relating to recruitment, retention and development of membership and shall serve as Chair of the Membership Committee. He or she shall oversee publications such as the Newsletter and Directory and the development of advertising and publicity within the State/Local framework of the Association. He or she shall oversee and coordinate the work of State Chairs as outlined in the Policy/Handbook manual and shall serve on all other Committees which may apply as prescribed in Bylaws Article VIII (Webmaster, Directory, Newsletter, Advertising/Public Relations). He or she shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 5.** The Vice President for Professional Activities shall oversee and coordinate the work of State Chairs as outlined in the Policy/Handbook manual particularly the State Chairs for Certification, Independent Music Teachers Forum and College Faculty. He or she shall promote the importance, nature, participation in and improvement upon those programs available through membership in NYSMTA and MTNA. He or she shall serve on all other committees which may apply as prescribed in Bylaws Article VIII and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 6.** The Treasurer shall be responsible for the payment of all bills, provide an itemized account of all receipts and disbursements, and preparation of periodic reports to the Administrative Committee and an annual Fiscal report to the Executive Board. He or she shall serve as chair of the Finance Committee, serve on all other committees as prescribed in Bylaws Article VIII (Long-Range Planning, Conference, Grant) and shall perform other such duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 7.** The Secretary shall record the minutes of all meetings of the Administrative Committee, the NYSMTA Board, and the NYSMTA Annual General Membership Meeting and maintain files of reports from various offices. He/she shall distribute copies of minutes in legal form to all members of the Administrative Committee and NYSMTA Board; shall maintain and make available current and accurate Policy/Handbook manuals; and shall perform such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Association.

**Section 8.** The **Vice President for Competitions** shall be responsible for scheduling and coordinating the annual MTNA and Heddy Kilian Empire State Competitions. In coordination with the President and President-Elect he/she will select a Killian Empire State Chair to assist with the competitions and coordinate the HK Junior and Senior High State categories. He or she shall work in consultation with the Vice-President for Conferences, the hosting institution and Local Association Chair.

#### **ARTICLE VII – AFFILIATED LOCAL ASSOCIATIONS**

**Section 1.** Any city, town or regional music teachers association may petition to the Administrative Committee for affiliation in NYSMTA 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, and Article of Incorporation) have been filed with the Secretary and that they are consistent with those of NYSMTA.
- b. That it guarantees on the basis of submitted membership rosters that one hundred percent (100%) of its members who meet the requirements of MTNA Active Membership, and one hundred percent (100%) of its student members, who meet the requirements of MTNA Student Membership, are members in -standing of MTNA.
- c. That its fiscal and membership year coincide with that of NYSMTA.
- d. That the Local Association establishes a treasury with any necessary legal filings and provides for the levy of Local dues within the Local Association governing document.

**Section 2.** Upon determining that a petitioning local music teachers association has fulfilled the requirements of Section one (1) of this Article, the NYSMTA Administrative Committee shall approve the petition.

**Section 3.** In referring to its affiliation, each Local Association shall use the phrase “Affiliated with the New York State Music Teachers Association.” This specified phrase shall be included in the constitutions of all affiliated and Local Associations.

**Section 4.** Annual renewal of a Local Association shall be made without reconsideration by NYSMTA provided:

- a. That the affiliate has not formally notified NYSMTA that it wishes to discontinue affiliation.
- b. That all changes in the Constitution and Bylaws of the affiliated Local Association have been filed with NYSMTA, that they are consistent with the Constitution and Bylaws of NYSMTA, and have been approved by the NYSMTA Administrative Committee.
- c. That the Local Association carries out the various programs of NYSMTA and MTNA.
- d. That all provisions of this Article continue to be fulfilled.

## **ARTICLE VIII – 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 Administrative Committee for approval an annual budget based upon recommendations of the NYSMTA Treasurer. The Committee shall authorize an audit at the end of each fiscal year. The Committee shall be responsible for all financial records of the Association and shall develop, propose and review financial policy for consideration by the Administrative Committee.

**Section 2.** The Long-Range Planning Committee shall consist of the Immediate Past-President, President-Elect, Treasurer and two members-at-large. The Immediate Past-President shall serve as chair of this Committee. The Committee shall be responsible for strategic long-term planning specific to goals submitted by the Administrative Committee, Executive Board and general membership of NYSMTA. The Committee shall review, develop and propose structural and operational recommendations concerning the management of NYSMTA. The Committee is responsible for other matters as assigned by the Administrative Committee or Executive Board. Each NYSMTA President \* shall appoint one member at-large to serve a four-year term, said appointee to serve no more than two consecutive terms. These appointments are subject to the approval of the Executive Board. [\* Upon implementation of this document, two at-large appointments will be made in 1998, one for a four-year term and one for a two-year term so that these members-at-large will serve in staggered terms.]

**Section 3.** The Local Associations Committee shall consist of one Local Association President from each NYSMTA affiliated Local Association, the State Chair for Student Chapters, and the President-Elect of NYSMTA. The President-Elect shall serve as chair of this committee. The Local Associations Committee shall promote and develop local activities and assist in establishment, guidance and participation of Student Chapter Organizations. The Committee shall advise in the development, promotion and location of State Conferences, State level MTNA Auditions, State Festivals and State Competitions. The Committee shall promote member participation in the Professional activities provided by MTNA and NYSMTA and shall encourage interest in member resources through Local Association representatives for programs such as the New Music Review and the Pedagogy file. The Committee shall recognize available speakers, performers and judges from within the general membership for utilization in locally planned activities.

**Section 4.** The Grant Committee shall consist of the Immediate Past-President, President-Elect, Treasurer and two members-at-large. The President-Elect shall serve as chair of this committee. The committee shall review, advise and recommend Local Association Grant applications for approval by the Executive Board. Each President appoints the two members-at-large, who serve two-year terms and may not serve for more than two consecutive two-year terms.

**Section 5.** The Certification Committee shall consist of the State Chair(s) for Certification and one representative (preferably certified) from each Local Association. The Committee shall be responsible for promotion of both State and National Certification programs. The State Certification Chair, in consultation with the Local Association Presidents, appoints Local Association Representatives. These representatives shall serve two-year terms. There are no limits on the number of terms that a Local Representative may serve. All Local Association Representative (re-)appointments are subject to the approval of the Administrative Committee

**Section 6.** The Citations Committee shall consist of the State Chair for Citations and two members-at-large. The Citations Chair shall serve as chair of this committee. The Committee shall determine the annual recipient(s) of the NYSMTA State Citations guided by the recommendations of individual members, the Executive Board, or the Administrative Committee. The Citation is awarded annually at the time and place of the State Conference. The State Chair for Citations in consultation with the President appoints the two members-at-large. Members-at-large serve two-year terms coinciding with that of the Citations Chair, and may not serve for more than two consecutive two-year terms. Appointments are subject to Administrative Committee approval.

**Section 7.** The Lecture Forum Committee shall consist of the State Chair for Lecture Forum and two members-at-large. The Forum Chair shall serve as chair of this committee. The Committee shall seek, evaluate, and recommend proposals for lecture (and performance) presentations at annual State Conferences. The State Chair for Lecture Forum in consultation with the President appoints the two members-at-large. Members-at-large serve two-year terms coinciding with that of the Forum Chair. There are no limits on the number of terms that these committee members may serve. Appointments are subject to Administrative Committee approval.

**Section 8.** The Conference Committee shall consist of the President, President-Elect, Vice President for Professional Activities, Vice President(s) for Conferences and the Treasurer. A Vice President for Conferences shall serve as Chair of this committee. The committee shall consider the recommendations and wishes of the Local Association Presidents, State Chairs, and general membership in the planning of annual Conferences.

**Section 9.** The Membership Committee shall consist of the Vice President(s) for Membership and State Chairs for: Newsletter, Publicity/Advertising, Directory, and Community Outreach Activities. A Vice President for Membership shall serve as Chair of this committee. The committee shall be responsible for recruitment, retention, and development of membership. The committee shall articulate communication within NYSMTA through regular publications such as the State Newsletter and Directory. The Committee is responsible for establishing and maintaining publicity, advertising, community outreach and member recruitment programs through representatives or designated contact persons from each Local Association. These Local Association membership representatives are selected, appointed or elected by the Local Associations.

**Section 10.** The Chapin Fund Committee shall consist of the Chapin Fund Chair and two members-at-large. The Chapin Fund Chair shall serve as Chair of this committee. This committee shall review the applications and select the recipient of this award. The Chapin Fund Chair in consultation with the President shall appoint the two members-at-large, who shall serve two-year terms and may not serve more than two consecutive terms. Appointments are subject to Administrative Committee approval.

**Section 11.** The Auditions/Competitions committee shall consist of the Vice-President for Competitions and assistant. This committee will consult with the Finance Committee and VP for Conferences. This committee will consult with the Finance Committee and VP for Conferences.

## **ARTICLE IX – STATE CHAIRS**

**Section 1.** The President, subject to the approval of the Administrative Committee, shall appoint all State Chairs to the Executive Board. The State Chairs shall be: State Festivals, Certification, Directory, Student Composition Competition, NYSMTA State Competitions, Voice, Organ/Harpsichord, Group Piano, Winds, Strings, Brass, *MusicLink*, MTNA Foundation, NYSMTA Scholarship, Chapin Fund, Independent Music Teachers Forum, College Faculty/Student Chapters, Newsletter Editor, Community Outreach, Public Relations/Advertising, Education/Technology, MTNA Competitions, Theory, Music Therapy, Early Childhood Music, Lecture Forum, Judges/Speakers/Performers Bureau, Pedagogy, Historian, Videotape Librarian, Citations, MTNA Commissioned Composer, New Music Review and Webmaster.

**Section 2.** The term of office for all State Chairs is two years. With the exception of the State Chair(s) for Certification and the State Chair for Citations, there are no limits on the number of terms that a State Chair may serve. The State Chair(s) for Certification and the State Chair for Citations may serve no more than two consecutive two-year terms.

**Section 3.** Duties of State Chairs are outlined in the Policy/Handbook manual. Each Chair is expected to work under the direction of a designated State Officer as outlined in the Policy/Handbook manual.

**Section 4.** The President, subject to the approval of the Administrative Committee, may appoint additional State Chairs as recommended or necessary to represent continuing interests or needs of the membership. State Chair(s) may be called to a meeting of the Administrative Committee.

**Section 5.** Officers of NYSMTA other than the President may serve as a State Chair while holding the office to which he or she has been elected. Any individual may serve in the capacity of more than one state chair for any given term of service.

**Section 6.** The President, subject to the approval of the Administrative Committee, may terminate the appointment of a State Chair for justifiable cause.

## **ARTICLE X – AMENDMENTS**

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

**Section 2.** On the recommendation of the Administrative Committee these Bylaws may be amended by a two-thirds vote via a mail ballot open to the members of the NYSMTA Board. The ballot and proposed amendment(s) must be submitted to the NYSMTA 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.

Bylaws amended 04/16/2019