

# NEW JERSEY MUSIC TEACHERS ASSOCIATION, INC.

## Constitution and Bylaws

*Proposed 1994 and revised 1998, 2000, 2003, 2009, 2015, and 2017*

### ARTICLE 1 – NAME

The New Jersey Music Teachers Association, Incorporated, otherwise known as NJMTA, is an affiliate of the Music Teachers National Association Inc., otherwise known as MTNA, Cincinnati, Ohio, an exempt organization under Section 501(c)(3) of the Internal Revenue Code.

### ARTICLE 2 –PURPOSE

*Section 1.* The purpose for which NJMTA is organized and operated is exclusively literary and educational, as defined in Section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended. The purpose of NJMTA 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 to a balanced, comprehensive, and high quality program of music instruction;
- c. To promote the quality of teaching, research and scholarship in music;
- d. To promote the involvement of persons of all ages in learning music;
- e. To foster the utilization of the most effective techniques and resources in music instruction; and,
- f. To facilitate the education of music teachers.

*Section 2.* NJMTA is a not-for-profit organization whose funds are to be used solely to accomplish the objectives described in Section 1 of this Article 2. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions to further the purposes set out in Section 1 of this Article 2. 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. The organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt for 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.

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

### ARTICLE 3 – MEMBERSHIP

*Section 1.* Membership classifications and privileges are described in the Bylaws of NJMTA.

*Section 2.* NJMTA membership dues will be proposed by the Executive Committee and approved by the NJMTA Board. These dues will be in addition to those assessed by MTNA.

### ARTICLE 4 – AFFILIATED LOCAL ASSOCIATIONS

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

*Section 2.* The Executive Committee may suspend or terminate any affiliated Association at any time for justifiable cause, as outlined in the Bylaws, subject to ratification of this action by the NJMTA Board.

## ARTICLE 5 – OFFICERS

Officers of NJMTA will consist of the President, President-Elect, Recording Secretary, Treasurer/Auditor, Immediate Past President, MTNA Competitions Coordinator, and Membership Chairperson. The manner of election of each officer will be defined in the Bylaws.

## ARTICLE 6 – EXECUTIVE COMMITTEE

- Section 1.* The Executive Committee will consist of the President, President-Elect, Recording Secretary, Treasurer/Auditor, Immediate Past President, MTNA Competitions Coordinator and Membership Chairperson.
- Section 2.* The Executive Committee will determine the policies of NJMTA in consultation with the Board of NJMTA and within the limits of the Constitution and Bylaws. It will actively pursue the purposes of NJMTA and will have control of the disbursements of all funds of NJMTA. Rules and regulations appropriate for the management of NJMTA may be adopted should it be advisable.
- 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. Meetings may, in an emergency, be held by teleconference calls, in which all persons participating can hear each other, and participation in such a meeting shall constitute presence at such a meeting.*

## ARTICLE 7 – NJMTA BOARD

- Section 1.* The NJMTA Board will consist of the Executive Committee and the Chairpersons as listed on page 12 of the yearbook, unless otherwise designated as Coordinator.
- Section 2.* The NJMTA Board will make recommendations to the Executive Committee regarding policy and membership concerns.
- Section 3.* The NJMTA Board will have the power to rescind by a two-thirds vote any decision of the Executive Board.
- Section 4.* Fifteen (15) members will constitute a quorum of the NJMTA Board.

## ARTICLE 8 – COMMITTEES

The President, with the approval of the Executive Committee, will appoint such standing and *ad hoc* committees and chairpersons as required by the Constitution and Bylaws, or as deemed beneficial to NJMTA. The President will be an *ex officio* member of all committees except the Nominating Committee. At the President's request, the Chairperson of a special committee may become a non-voting member of the Executive Board.

## ARTICLE 9 – MEETINGS

- Section 1.* The Annual Meeting of NJMTA will be held at the Conference if this event is held in November, or at a special meeting specifically called for the Annual Meeting in November. Notice of the meeting will be given at least thirty (30) days in advance. At this meeting, the President will allow the general membership to bring forward items for consideration.
- Section 2.* A quorum consists of fifteen (15) active members for the election of officers and for the transaction of business at any Annual Meeting or special membership meeting.
- Section 3.* The NJMTA Executive Committee will meet not less than four (4) times per year. Special meetings of the Executive Committee may be called by the President, or upon the request of five members of the Executive Committee, or upon a signed petition of twelve (12) Active members of NJMTA.
- Section 4.* All meetings of NJMTA will be conducted in accordance with *Robert's Rules of Order* where applicable and where they are consistent with the Constitution, Bylaws and any special rules of order which NJMTA may adopt.
- Section 5.* The President may appoint a parliamentarian to provide opinions during various meetings.

## ARTICLE 10 – PUBLICATION OF CONSTITUTION AND BYLAWS

The NJMTA Constitution and Bylaws will be printed and distributed annually in the Yearbook.

## ARTICLE 11 – AMENDMENTS

- Section 1.* The NJMTA Constitution may be amended upon the recommendation of the Executive Committee and the NJMTA Board at any Annual meeting of NJMTA. Amendments must be agreed upon by at least fifteen (15) members.
- Section 2.* Upon the recommendation of the Executive Committee and the NJMTA Board this Constitution may be amended by electronic ballot. Approval by at least fifteen (15) members will be required for amendment. Members will be given at least thirty (30) days notices, in writing, in advance of the required return date.

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### Bylaws

## ARTICLE 1 – MEMBERSHIP

### *Section 1.* MEMBERSHIP CLASSIFICATIONS

- a. Active membership is open to all individuals professionally engaged in any field of musical activity. Active members are entitled to participate in all NJMTA and MTNA activities and programs, to vote, hold office and receive the publications of NJMTA and MTNA
- b. Student Membership is open to all full-time college students currently involved in music study. They may hold membership in an affiliated Association where such an organization is available. Student members are entitled to attend programs and participate in programs of NJMTA upon payment of the registrations fees and to receive the publications of NJMTA and MTNA. They will not have the right to vote, hold office, or enter students in any MTNA competitions.
- c. Honorary Membership of NJMTA will be considered for members who have reached the age of seventy (70) and who have contributed substantial service to NJMTA. They will be recognized at a Conference and will be entitled to free membership in NJMTA.
- d. Patron Membership is open to individuals and businesses that wish to support the programs of NJMTA and MTNA. Patron members are entitled to attend programs of the Association, and to receive all publications. They will not have the right to vote or to hold office.

## ARTICLE 2

### a. REVOCATION OF MEMBERSHIP

No person who has been convicted of a crime involving sexual or other abuse of a person may be a member of NJMTA. Any accusation that a member of NJMTA has been convicted of a crime involving sexual or other abuse of a person will be reported to the President of NJMTA who will immediately report the accusation to the President of MTNA. The president of MTNA will 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 will immediately terminate the membership of that person. Any membership terminated under this section will be reinstated upon the filing with the MTNA President of a certified copy of the judgment reversing the conviction.

### b. TERMINATION OF MEMBERSHIP

A person's membership may be revoked for cause, other than non-payment of dues, by a two-thirds vote by a ballot of all the Board of NJMTA. The vote for revocation shall occur only after the member complained against has been advised of the complaint so lodged and has been given reasonable opportunity to present information on his or her behalf. Such member, if membership is revoked, may appeal for reconsideration of the decision by the Board. In no event will a dues refund be given. Revocation of membership for nonpayment of dues within the prescribed time period shall be automatic and not subject to any further procedure.

### c. RESIGNATIONS

A member in good standing may resign from the Association by submitting a letter of resignation to the President who will remove that member from the membership roster.

## ARTICLE 3 – FISCAL YEAR

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

#### ARTICLE 4 – MEMBERSHIP YEAR

The membership fee for all categories of membership is due on the first day of the membership year, after which date members are not in good standing and are not entitled to any privileges of membership until dues are paid for the current membership year. In order to enter students in any event held by NJMTA or MTNA, members must have paid their dues and hold a current membership card.

*\*MTNA membership goes from July to June.*

#### ARTICLE 5 – ELECTION OF OFFICERS

- Section 1.* A Nominating Committee will consist of the Immediate Past President and three Active members of NJMTA. The three members will be elected by the Board and must agree to serve in this capacity. The Nominating Committee will elect its own chairman. If a vacancy occurs on the Nominating Committee, the replacement member will be the member who received the next highest number of votes in the ballot for Nominating Committee members. The Nominating Committee will prepare a slate of not more than two (2) candidates for each office.
- Section 2.* The Active members of NJMTA will elect by a majority vote the officers of the Association. Nominations from the floor will be allowed providing the nominee is eligible and has agreed to be a candidate. This consent must be given in writing or in person at the meeting. Election by members must be by vote, and each office must be voted on separately. Should there be only one nominee for an office, the President may recommend election by general consent. The election will take place at the Annual Meeting in June.
- Section 3.* The President-Elect, upon completion of his or her term of office, will become President of the NJMTA. Should the elected President-Elect be unable to assume the Presidency, the President will be elected, for that term only, in the same manner as that of the other officers.
- Section 4.* Each officer will be elected for a term of two (2) years. The President may not serve more than two (2) consecutive years.  
Officers, who are continuing for further terms under the incoming President, must have their names submitted in writing to the Nominating Committee.
- Section 5.* All terms of office officially begin on July 1 following the Annual Meeting and will be completed two (2) years later on June 30.  
All documents will be transferred to the newly elected officers by July 1 after the elections.
- Section 6.* A vacancy in any office, except that of President, will be filled by the President in consultation with the Executive Committee and with the approval of the Board of NJMTA. A President-Elect selected in this manner cannot assume the office of President without being elected to that office.

#### ARTICLE 6 – DUTIES OF NJMTA EXECUTIVE COMMITTEE MEMBERS

- Section 1.* **The President** will be the principal elective officer of NJMTA and will preside at all meetings of NJMTA, the Executive Committee and the NJMTA Board. The President will act as an *ex-officio* member of all committees except the Nominating Committee. The President will have the power to appoint Standing & *Ad Hoc* Committees and will perform other duties applicable to the office as prescribed by the parliamentary authority adopted by NJMTA.
- Section 2.* **The President-Elect** will preside in the absence of the President and will be the Coordinator of the State Conference.
- Section 3.* **The Recording Secretary** will record the minutes of all meetings of the Executive Committee, the NJMTA Board, maintain records of all meetings, and will distribute copies of the minutes in a legal form to all members of the Executive Committee and the NJMTA Board.
- Section 4.* **The Treasurer** will be responsible for overseeing, in cooperation with the President, all financial affairs of NJMTA, and will serve as Chairman of the Finance Committee. The Treasurer will be responsible for the preparation of periodic reports to the Executive Committee, a written annual report to the entire membership, and to forward financial information to the NJMTA accountant at the end of the fiscal year for tax preparation. After the return is prepared, the Treasurer shall review the return so that it accurately reflects the information held by the Treasurer. Upon the Treasurer's approval, the Auditor will sign and file the return.

- Section 5.* **The Immediate Past President** will serve as an advisor to the Board. If the Immediate Past President can no longer serve, the previous Past President will serve.
- Section 6.* **The Auditor** will be responsible for the preparation of all tax returns and other legal obligations required of the Association in the State of New Jersey. The Auditor will also forward copies of all legal filings with the MTNA National Office. The Auditor will also preside over the secret balloting during election of officers. Further duties will be dictated by the President and the Executive Committee.
- Section 7.* **The Membership Chairperson** shall keep records of all membership statistics and receive dues rebate checks from the National Office and forward the checks to the Treasurer. The Membership Chairperson is also responsible for Conference Registration and distribution of the Yearbook.
- Section 8.* **The MTNA Competitions Chair** is responsible for the planning and execution of the State level of MTNA Competitions per the MTNA Competitions Handbook, published annually by MTNA.

## ARTICLE 7 – AFFILIATED LOCAL ASSOCIATIONS

- Section 1.* Any city, town or district music teachers association may petition to the Executive Committee for affiliation in NJMTA by providing evidence that the following requirements have been fulfilled:
- a. That two (2) copies of the Local Association governing document(s) (e.g., Constitution, Bylaws, Articles of Incorporation) have been filed with the Secretary and that they are consistent with those of NJMTA.
  - b. That its fiscal and membership years coincide with those of NJMTA.
- Section 2.* Upon determining that a petitioning local music teachers association has fulfilled the requirements of Section one (1) of this Article, NJMTA will approve the petition.
- Section 3.* In referring to its affiliation, it will use the phrase "Affiliated with the New Jersey Music Teachers Association." This specified phrase will be included in the constitutions of all affiliated Local Associations.
- Section 4.* If a local music teachers association has affiliated with NJMTA as a Local Association, all members of that Local Association must be members of both NJMTA and MTNA.
- Section 5.* Annual renewal of a Local Association will be made without reconsideration by NJMTA provided:
- a. That the affiliate has not formally notified NJMTA that it wishes to discontinue affiliation.
  - b. That all changes in the Constitution and Bylaws of the affiliated Local Association have been filed with NJMTA, that they are consistent with the Constitution and Bylaws of NJMTA, and have been approved by NJMTA.
  - c. That all provisions of Section one (1) and four (4) of this Article continue to be fulfilled.

## ARTICLE 8 – COMMITTEES

- Section 1.* **The NJMTA Student Activities Committee** will consist of the President, the Student Activities Coordinator (Awards Coordinator), and the following chairs: Recital Auditions, Judging Coordinator, Young Musicians Competition, Concerto Competition, High School Scholarship, Composer Commission Competition, Master Class Coordinator, and Spring Piano Festival.
- Section 2.* **The Communications Committee** will consist of the Yearbook Editors, Newsletter Editor, Web Site Coordinator, Advertising Chairperson and Archivist.
- Section 3.* **The Past Presidents Advisory Committee** will consist of all Past Presidents of NJMTA who are active members of NJMTA. They will serve in an advisory capacity to the Executive Committee and will meet as is deemed necessary. The NJMTA Immediate Past President will be the Chairperson.
- Section 4.* **The Conference Committee** will consist of the President, the President-Elect, the NJMTA Young Musicians Competitions Coordinators, MTNA Competitions Chair. Membership Chair, Treasurer, Immediate Past President, and Advertising Chair. Ad Hoc members may be added as needed by the direction of the Conference Committee Chair.