

PMEA DISTRICT 9  
CONSTITUTION AND BYLAWS  
REVISED 1994

PART ONE: Constitution (to be approved now)  
PART TWO: Organizational Bylaws (to be approved now)  
PART THREE: General Festival Bylaws (things common to all festivals)  
PART FOUR: Specific Festival Bylaws (Band, Chorus, Orchestra)

CONSTITUTION

ARTICLE I – NAME

The name of this organization shall be “PMEA DISTRICT 9” and shall function as an affiliate of the PENNSYLVANIA MUSIC EDUCATORS ASSOCIATION, hereafter referred to as “PMEA”.

Article II – MEMBERSHIP

Membership in district 9 will be consistent with the membership policies of PMEAA.

Article III – GOVERNMENT

The EXECUTIVE COMMITTEE of DISTRICT 9 shall be the legal representative of DISTRICT 9 and as such shall have, hold, and administer all the property, funds, and affairs of DISTRICT 9. Provision for the regulation of the internal affairs of DISTRICT 9 shall be provided for in the bylaws.

Article IV – ELECTIONS

The manner of the election or appointment of the members of the DISTRICT 9 EXECUTIVE COMMITTEE shall be provided for in the bylaws.

Article V - DISPOSITION OF ASSETS

In the event of dissolution or termination of DISTRICT 9, the EXECUTIVE COMMITTEE shall, after payment of all liabilities of DISTRICT 9, dispose of all assets of DISTRICT 9 exclusively for charitable, educational or scientific purposes as shall at the time qualify as an exempt organization or organizations under section on 501 (c) (3) or the Internal Revenue Code of 1954 (or corresponding provision of any other United States IRS law) as the EXECUTIVE COMMITTEE shall determine. Any of such assets not disposed of shall be disposed of by the court of proper jurisdiction exclusively for the purposes or to such organizations as said court shall determine, which are organized and operated exclusively for such purposes.

## Article VI – AMENDMENTS

This constitution may be altered or amended by a majority of eligible members voting. Voting shall be conducted in accordance with the rules governing election of officers.

## ORGANIZATIONAL BYLAWS

### Bylaw I – MEMBERSHIP

Section 1. Active Membership. Active Membership shall be open to persons engaged in music teaching or other related educational work in the counties of Lackawanna, Wayne, Susquehanna, Luzerne, Pike, Or Wyoming. Each active member shall have the right to vote and hold office. Each active member shall hold concurrent membership in MENC And PMEA. All memberships recognized by PMEA are also recognized by DISTRICT 9.

### Bylaw II - DUES AND FEES

Section 1. Membership Dues. Membership Dues paid to MENC and PMEA shall constitute all membership dues necessary for membership in DISTRICT 9.

### Bylaw III - GOVERNMENT

Section 1. Authority. The authority of management, policies and actions of DISTRICT 9 is vested in the EXECUTIVE COMMITTEE. As Presiding Officer of the EXECUTIVE COMMITTEE, The DISTRICT 9 President Is Responsible For The Leadership of DISTRICT 9. Individual members may make recommendations to the EXECUTIVE COMMITTEE regarding Management, Policies and Actions.

Section 2. Officers. The elected officers and their respective terms of office shall consist of the following:

PRESIDENT - A Series Of Consecutively Run Two Year Terms (First Vice President, President, Second Vice President)

SECRETARY/TREASURER - Four Years

CURRICULUM/INSTRUCTION REPRESENTATIVES - Four Years

CHAIRPERSON - Is elected by the C/I Representatives to serve as the DISTRICT 9 Representative at the PMEA State Level And also fills one of these positions:

Elementary -

Junior/Middle School -

Secondary -

Higher Education -

The PRESIDENT shall be elected in odd numbered years (i.e. 1993-1994). The Higher Education and Junior/Middle CI positions shall be elected in every other odd year. The Secretary/Treasurer, Senior High CI, Elementary CI, and Government Relations Chairperson shall be elected in the even years (i.e. 1994-95). The CI and Sec/Treas positions being elected every other even year.

The PRESIDENT shall perform the usual duties of the office as specified in the PMEA President Manual and plan and preside at all meetings, the President shall have power to appoint committees and ex-officio executive committee members. Such committees and ex-officio members shall be responsible to the EXECUTIVE COMMITTEE. The President shall have the authority to call special meetings and shall be an ex-officio member of all committees. The President is entitled to reimbursement of all expenses incurred in the line of duty and to an honorarium, the amount of which will be established by the membership.

The FIRST VICE-PRESIDENT shall be responsible for the organization and maintenance of the DISTRICT 9 Constitution and Bylaws, and run and supervise elections. In the event of the disabilities of the President, the First Vice-President shall assume the duties of the President during the President's second year of office. The First Vice-President also chairs the nominating committee. The SECOND VICE PRESIDENT shall serve as an advisor to the President, and in the event of the disability of the President, shall assume the duties of the President during the President's first year of office, and shall serve as a member of the nominating committee.

The SECRETARY/TREASURER shall keep the minutes and records of DISTRICT 9, and shall be the custodian of the funds. The SECRETARY/TREASURER shall devise and keep such records as may be necessary for the efficient conduct of his/her office. Checks must be signed by the SECRETARY/TREASURER, the SECRETARY/TREASURER is entitled to the same reimbursement and honorarium as the President.

At the end of each fiscal year, the SECRETARY/TREASURER shall submit all records of accounts and expenditures to an auditing committee appointed by the President. At the expiration of his/her term, the SECRETARY/TREASURER shall hand over all checks, receipts, documents and records in their complete form, together with all correspondence and other Properties of DISTRICT 9 entrusted to them for the term of office, to their successor. The SECRETARY/TREASURER shall be bonded to the minimum of that amount sufficient to cover the amount on hand.

The SECRETARY/TREASURER will prepare a DETAILED Annual Financial Statement. The Statement shall be presented at District Festival Meetings.

The CURRICULUM/INSTRUCTION CHAIRPERSON, and Representatives, shall perform the usual duties of their offices as specified in the PMEA Curriculum/Instruction Representative Manual.

Section 3. Committees. Committees, standing and special, shall be appointed by the President with the exception of the nominating committee ( see below ).

The EXECUTIVE COMMITTEE is comprised of officers and all nonvoting ex-officio members.

The NOMINATING COMMITTEE shall be chaired by the FIRST VICE PRESIDENT and include the SECOND VICE PRESIDENT as well as two other President-appointed members. The CHAIRPERSON will be responsible for contacting the perspective nominees and running the elections.

#### BYLAW IV– MEETINGS

Section 1. Executive Committee Meetings. The EXECUTIVE COMMITTEE shall meet three times annually. Additional meetings may be called by the President or by a majority vote of the Ex. Comm.

Section 2. General Meetings. A general membership meeting, if necessary, shall be held at such a time and place as determined by the EXECUTIVE COMMITTEE.

Section 3. Proxies. In case the President or CI Chairperson can not attend a PMEA State Executive Board Meeting, they shall send a proxy.

#### BYLAW V - ELECTION BALLOTING

Section 1. Balloting. Balloting shall be conducted at each festival. Any member not voting at a festival or general meeting will receive a ballot by mail from the Secretary/Treasurer. These ballots are to be mailed to the First Vice-President to be tallied along with the others. All ballots received before May 1st will determine the official results. The First Vice-President shall count the ballots in the presence of the Nominating Committee or at least two other tellers. New officers assume their offices July 1st.

#### BYLAW VI - PARLIAMENTARY PRINCIPLES

Section 1. Roberts Rules Of Order. Principles set forth in Roberts Rules Of Order, Current Edition, shall govern in all cases not covered by the Constitution or Bylaws.

## BYLAW VII - FINANCIAL RESPONSIBILITY

Section 1. Financial Responsibility. The authority and responsibility for the management and maintenance of the good will and credit of DISTRICT 9 is vested in the executive committee, but it is expressly understood that neither the committee nor any member thereof, nor any staff member of DISTRICT 9 shall be required to accept personal financial responsibility for duly authorized bills or obligations that may develop from authorized activities of the organization carried on in good faith and in pursuit of the objectives, purposes and activities prescribed or authorized by the constitution and bylaws of DISTRICT 9.

## BYLAW VIII - AMENDMENTS

Section 1. Amendments. These bylaws may be amended or altered by a majority vote of the eligible members voting in accordance with the balloting procedures described herein.

Appendix A: Scholarship Forms and Information

Appendix B: Service Award Information and Selection Process

Appendix C: Citation Of Excellence Forms and Information

## **PMEA DISTRICT 9 DISTRICT BAND, CHORUS & ORCHESTRA PROCEDURES**

### Section 1:

A) a statement of principles governing participation in  
PMEA Festivals (adopted by the PMEA STATE EXECUTIVE COUNCIL on June 16, 1984)

The system of band, chorus, and orchestra festivals --district, regional, and all-state levels-- is organized and maintained by PMEA as one of its principal vehicles for implementation of its goals to further music education and encourage the development of music programs in the schools. PMEA members who are directors of bands, choruses, or orchestras in their schools have the privilege of sponsoring students from their organizations to participate in the various festivals, subject to the regulatory policies of the state executive council, the individual District and whatever powers the individual District delegates to the collective policy of participating directors to establish procedures.

PMEA is a private association of individual professionals, and as such, “may restrict participation in its activities and may impose restraints providing they do not violate the 1964 Civil Rights Act, i.e. restrictions based on race, creed, or sex”. PMEA adopts officially the MENC policy from their legal advisors relative to the exclusion of students of non-members from participation in events sponsored by MENC, and in so adopting, we substitute “PMEA” for “MENC”. The statement therefore reads: since PMEA, rather than the school systems, is the sponsor of these events, we assume that there would be some financial and other support given to the event by PMEA. This would appear to us to establish a “rational justification” for the exclusion. If there is this rational justification the exclusion would not violate the federal civil rights law. The Supreme Court has distinguished two kinds of classifications: so-called suspect classifications, like race or alienage; and other classifications. The classifications of students based on whether or not their teachers are PMEA members is obviously not a suspect classification. Accordingly, to sustain the legality of such a classification, we need only show that it has a rational justification and, as indicated above, the PMEA sponsorship and support appears to us to be sufficient for this purpose.

PMEA holds that participation by a student in a PMEA festival is a privilege granted by, and authorized through, the membership and active participation of the individual participation of the individual teacher/member who is the director of the given organization in the student’s school. It rejects the concepts of institutional membership; of memberships by a school administrator who is not the director of the school musical organization intended as a method of qualifying students for festivals; or of sponsorship of a student by another PMEA member who is not the director of the specific school performing group in that student’s school. Exceptions, due to legitimate, specific, extenuating circumstance will be detailed later in this document.

### **B) ROTATION SEQUENCE**

Schools within District 9 have been placed in one of four groups. As the rotation sequence progresses to the next group, schools within that group must make a commitment to host a festival. If a school does not commit to a festival during the sequence, that school becomes ineligible to participate in PMEA festivals until such time as that school does commit to host a

festival. Hosting pre-auditions is not a substitute for hosting a festival. In situations where schools have dropped out of PMEA festivals and now have new teachers/members who wish to participate in pmea festivals, the school will be placed in the next group to commit to a festival according to the rotating sequence and the new teacher/member will be allowed to sponsor students for PMEA festivals.

See Appendix 1

#### C) FEES

The host school will be entitled to retain up to four hundred dollars in excess funds from a District festival budget. If proceeds from a festival budget exceed four hundred dollars, the host school will be obligated to transfer any excess profit to the District 9 treasury.

#### D) HOST FAMILY RESPONSIBILITIES

**HOUSING:** The Host school will assign student housing. No changes to the housing assignments may be made without the permission of the host school. Comfortable and adequate sleeping accommodations should be provided for each student.

**MEALS:** the host family will provide breakfast for the students. All other meals will be provided by the host school.

**SUPERVISION:** Host families are to provide adequate adult supervision when students are not involved with festival activities. Student dress, behavior and moral conduct should be above reproach at all times. Students are not to use tobacco products, drugs or alcohol. Any violation of festival rules should be reported to the Festival Host immediately.

**TRANSPORTATION:** Host families are to provide transportation for students during the festival. **ALL TRANSPORTATION MUST BE PROVIDED BY ADULT DRIVERS. STUDENTS ARE NOT TO TRANSPORT STUDENTS!**

**MEDICAL EMERGENCY:** PMEA student medical forms will be on file with the Festival Host. In case of medical emergency, host families should contact the Festival Host.

**STUDENT SCHEDULE:** The festival host will provide each host family with a student schedule. Students are to attend all festival activities as scheduled by the Festival Host. Check the schedule carefully and have your students at all activities on time.

**STUDENT RULES AND REGULATIONS:** The Festival Host will provide each host family with a copy of student rules and regulations. Students found to violate PMEA rules may be dismissed from the festival and sent home. Please acquaint yourself with these rules and help with positive enforcement.

#### SECTION 2: DIRECTOR'S RESPONSIBILITIES

a) the student's director must be a current member of PMEA. Proof of membership shall be a routine requirement at all acceptance auditions and festivals.

b) the sponsoring directors must be present and participate at acceptance and br festival auditions. The director has three basic responsibilities:

1. As the official legal representative of his/her school and his/her students' parents, the director must be available in event of an emergency and the director must also assist the host in any and all disciplinary measures affecting his/her student(s).

2. The director must serve on assigned audition committees, tally committees, etc.

3. The director should represent the best interests of his/her students and the directors school at all official festival Directors Meeting(s). Note: in school districts where there are multiple eligible schools and participating students, each school's directors must be present for festival auditions and functions.

c) Once selected, if the student cannot participate in the festival, it is the responsibility of the director to contact the host before the registration deadline of the event in order that an alternate may be selected.

d) An official form will be sent by the Host Director requiring the signatures of the director, principal, the student's parent/guardian and the student. These typed registration & medical forms must be returned by a specified date with the student's registration fee(s) to the Host Director or the first alternate of that voice/instrumental part will be accepted. A verbal agreement between the host director and the participating director may acceptably fulfill this obligation.

e) Student fee's must be paid prior to student auditions.

f) Alternates

1. Host director shall contact District President prior to notifying any alternate in their section.

2. Directors will be expected to send only alternates that have prepared the music, thereby insuring that the student fulfills the audition requirements.

3. If the first alternate is not prepared, the second alternate will be contacted. If no alternates are adequately prepared, that section is complete without the alternates.

g) Substitute Director

1. The District President with the Festival Host may jointly approve a qualified substitute for the sponsoring director when unique circumstances occur. Request for substitute approval must be made prior to the Acceptance Auditions or the Festival itself. The use of a substitute should be prompted by extenuating circumstances and not personal convenience or preference.

2. If the sponsoring director, or qualified substitute, does not meet the required prerequisites and responsibilities, no student from that school may audition and/or participate in either the auditions or the festival.

3. A substitute director may not sponsor other students at the auditions.

### SECTION 3: STUDENT RESPONSIBILITIES

a) Student eligibility for membership in the District 9 PMEA festival events shall be determined by an acceptance audition. Any student who declines/refuses to audition automatically excludes him/herself from participation.

Students should not apply to participate in festivals if, for any reason (including religious activities), they plan to miss part of the affair.

a) Only 10th, 11th and 12th grade students who are members of their school ensembles may audition for a place in the district festivals. The only exception will be if a school does not have a band or orchestra, but instead offers a recognized instrumental musical ensemble which rehearses on a regular basis and performs publicly. All eligible schools are guaranteed one representative at district festivals chosen from auditioning students.

b) All student members must be housed within the community of the festival unless prior arrangements are made with the host director.

c) A student must participate in the complete festival program commencing with registration and concluding with the final concert, except in the case of illness. Any further exception must be cleared with the host and the District President.

d) All student participants are to be required to sign the application. It is also required that the application be signed by the student's parent/guardian, director and school principal

e) Guidelines For Granting An Exception

1. The conflict must have developed after the date on which the student was selected for the festival

2. The nature of the conflict must be unique (a "once-in-a lifetime" opportunity that can not be rescheduled)

3. Maximum rehearsal time missed may be no more than four hours

4. The student may not miss a concert.

5. No exceptions will be granted once the festival has begun

f) Procedure For Requesting An Exception Procedure:

1. Student's Director confers with District President

2. District President confers with at least one Vice-President before granting exception.

g) A student sent home for disciplinary action will not participate in any subsequent PMEA festival for the remainder of the current school term, but may be eligible to participate in the following year.

h) A student must participate in his/her own school organization in order to be eligible to participate in any PMEA or MENC festival (band for band, orchestra for orchestra, chorus for chorus). The only exception to this rule may come if his/her high school lacks said organizations. (The original intent of this provision was to disqualify a wind or percussion student from participating in an orchestra festival, when, although continuing membership in his school band, he/she chose not to participate in an active orchestra in his home school. PMEA feels that to do otherwise would tend to undercut the efforts of the director/member in his/her home school program. If there is an orchestra in the school, the orchestra director/member must be the sponsoring director/member; if there is no orchestra, the director of the band may sponsor students for an orchestra festival, subject to the rules of the individual district.