

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.