

BYLAWS OF THE INDIANA STATE SCHOOL MUSIC ASSOCIATION, INC.

ARTICLE I: NAME

Section 1: The name of the organization shall be the Indiana State School Music Association, Inc. (ISSMA, Inc.).

ARTICLE II: STATEMENT OF PURPOSE

Section 1: The mission of the Indiana State School Music Association, Inc. is to provide educationally evaluated music performance opportunities for students and teachers of school music ensembles from member schools in Indiana, to assist in the development of performance oriented assessment of standards for music education, to promote the inclusion of music ensembles as part of each school's core curriculum, and to offer educational support to fulfill this mission.

ARTICLE III: MEMBERSHIP

Section 1: Any state accredited public or private elementary or secondary school in the State of Indiana is eligible for membership.

Section 2: Public and Private elementary and secondary schools that are not state accredited and desire membership must submit written documentation providing the Indiana Department of Education (IDOE) approved music education course titles, course descriptions, and music education standards. Member schools are expected to follow the State's prescribed core music education requirements and to include their performing music curriculum within the scope and sequence of approved course titles and descriptions. Initial acceptance of a school by ISSMA will be contingent upon review and approval by the ISSMA Executive Committee. Non-accredited schools shall resubmit all of the above mentioned materials following the revision(s) of Music Education standards by the IDOE/PBA to maintain membership privileges. All submissions for membership consideration must be submitted prior to September 20 of the year of requested membership.

Section 3: An annual membership fee shall be charged by ISSMA, Inc. as set and determined by the State Board.

Section 4: Violation of any ISSMA policy may result in sanctions by the ISSMA Executive Committee against the offending parties, including probation, suspension, or expulsion from ISSMA events of any school program, director, or student, or such other sanction as the ISSMA Executive Committee might determine.

ARTICLE IV: FISCAL YEAR

Section 1: The organization shall function on a fiscal year of July 1st through June 30th of the following year.

ARTICLE V: BOARD OF DIRECTORS (hereby referred to as the STATE BOARD)

Section 1: The state shall be divided into geographic zones.

Section 2: The State Board of the organization shall consist of four representatives of member schools in good standing from each zone, plus the Past President, the Executive Director, and the Assistant Executive Director.

Section 3: The State Board shall include an appointed administrator from each zone representing a member school in good standing.

Section 4: The State Board shall be responsible for the development of policies that:

- a. Fulfill the mission of the organization.
- b. Strengthen programs and services.
- c. Provide adequate financial resources.
- d. Protect assets.
- e. Ensure legal and ethical integrity.
- f. Enhance the organization's public standing.
- g. Support the Executive Director in the operations of the organization.
- h. Provide for a competent board.

Section 5: The State Board shall advise the Executive Director in matters of policy, program, and budget.

Section 6: The State Board shall be responsible for the creation of committees.

Section 7: The State Board shall have an active role in the hiring of the Executive Director and the Assistant Executive Director.

Section 8: The State Board shall review and approve a budget at the Spring State Board meeting.

Section 9: Each member of the State Board shall agree to abide by all board policies adopted by the State Board including, but not limited to, a Conflict of Interest policy and a Whistleblower Protection policy.

ARTICLE VI: ELECTION OF OFFICERS

Section 1: The officers of the State Board shall be the President, Vice President, and the Past President.

Section 2: A Vice President (President-Elect) shall be elected from among the second vice chairmen of the Board at the spring board meeting.

Section 3: The Vice President shall follow a progression to the office of President and then Past President with all terms of office being for one calendar year commencing on July 1.

Section 4: All elected officers shall come from the elected representatives of the State Board.

ARTICLE VII: TERMS OF OFFICE

Section 1: Terms of office will begin on July 1st and terminate on June 30th of the following year.

Section 2: Any Member of the State Board or Executive Committee may resign at any time by giving written notice to the Executive Committee. Such resignation shall take effect at the time specified therein or, if no time is specified, at the time of acceptance thereof as determined by the Executive Committee.

Section 3: Any Voting Member of the State Board or Executive Committee may be removed from such office by a 2/3 majority vote of the State Board.

ARTICLE VIII: VACANCIES ON THE STATE BOARD

Section 1: The Executive Director shall make appointments to fill any vacancies on the State Board for the remainder of that term of office with the approval of the remaining members of the State Board.

Section 2: If a vacancy occurs in the office of Vice President, President, or Past President due to that person accepting a music teaching position in another zone, said officer will complete the term of office. The zone representative duties would be filled per above statement in Section 1. If such a vacancy occurs due to the fact that the individual no longer teaches music in Indiana, or due to removal (see Article VII, Section 3), the Executive Director will appoint a current member of the ISSMA State Board to complete the term.

Section 3: If a vacancy occurs in the office of Past President, due to that person retiring or leaving the teaching profession, said person will have the option to complete the term of office.

ARTICLE IX: MEETINGS

Section 1: There shall be two semi-annual zone meetings, one in the fall and one in the spring.

Section 2: There shall be two semi-annual meetings of the State Board. These meetings will be held in the fall and in the spring after the zone meetings. The fall State Board meeting shall serve as the Annual Meeting.

Section 3: A quorum shall consist of 1/3 of the State Board.

Section 4: Additional meetings of the State Board or the zones may be called as deemed necessary by the President.

ARTICLE X: VOTING RIGHTS

Section 1: Only music teachers and administrators from member schools in good standing present at a zone meeting shall have voting rights.

Section 2: All elected and appointed members of the State Board shall be voting members.

Section 3: The Past President shall have voting rights if concurrently serving as a zone representative at State Board meetings.

Section 4: Only appointed members to a committee, or proxies approved by the president, shall have voting rights for committee recommendations.

ARTICLE XI: THE EXECUTIVE DIRECTOR

Section 1: The Executive Director shall be selected by the State Board.

Section 2: The Executive Director shall be directly responsible to the State Board in the fulfillment of board policies and in all legal and fiscal matters.

Section 3: The Executive Director shall be responsible for the day-to-day operation of the organization, all expenditures as well as the development of an annual budget, and management of all ISSMA programs including music contests, festivals, and other activities that support the ISSMA mission.

Section 4: ISSMA employees will be hired and evaluated by the Executive Director.

Section 5: The Executive Director shall be responsible for evaluating the Assistant Executive Director.

ARTICLE XII: THE ASSISTANT EXECUTIVE DIRECTOR

Section 1: The Assistant Executive Director shall be selected by the State Board.

Section 2: The Assistant Executive Director will be directly responsible to the Executive Director, and shall assist in the day-to-day operations of ISSMA.

Section 3: Upon recommendation from the Executive Director, the Executive Committee may elect to leave the Assistant Executive Director position vacant.

ARTICLE XIII: AMENDMENTS

Section 1: Any member of the State Board may make a motion to amend the bylaws, policies, or rules and regulations. The motion to amend will be considered the first reading of the amendment.

Section 2: A second reading on the proposed amendment will be presented at the next regularly scheduled State Board meeting.

- Section 3: The final reading and vote on the proposed amendment will be held at the next regularly scheduled State Board meeting.
- Section 4: A quorum of the State Board is necessary for a vote to be held on the amendment. A 2/3 majority of those present is necessary for passage of an amendment to the bylaws.
- Section 5: Committee and Executive Director Recommendations for changes in rules and regulations shall be discussed and voted on by the members present at a zone meeting. Recommendations for changes in rules and regulations may also be made in the form of a motion from any member present at a zone meeting. Only those changes presented in the form of a motion by a member of the State Board at a meeting of the board will be considered by the State Board. A majority of those board members present is necessary for passage of changes to rules and regulations.
- Section 6: Policies governing the State Board may be presented in the form of a resolution. Such policies shall be adopted by a 2/3 majority of those board members present.

ARTICLE XIV: PARLIAMENTARY PROCEDURE

- Section 1: The parliamentary principles set forth in Robert's Rules of Order shall prevail in all cases not covered by the Policies.

ARTICLE XV: DUTIES OF THE OFFICERS (EXECUTIVE COMMITTEE)

- Section 1: The President shall preside at all State Board meetings, appoint members to committees, enforce the policies, call all regular and special meetings of the State Board, Executive Committee, Standing and ad hoc Committees and Zones, exercise general supervision of the affairs of the organization, and be an ex-officio (non-voting) member of all committees. The president shall also be a member of the Executive Committee, approve the agenda of all State Board meetings and shall authorize the Executive Director to carry out the directives of the State Board.
- Section 2: The Vice President shall assume the duties of the President in case of the President's absence. The Vice President shall be an ex-officio (non-voting) member of all committees, and shall serve as a member of the Executive Committee.
- Section 3: The Past President shall serve as an advisor to the President and shall be an ex-officio (non-voting) member of all committees. The Past President shall serve as a member of the Executive Committee, and will also serve as the Secretary Treasurer of the Corporation.
- Section 4: The Executive Committee shall consist of the President, Vice President, Past President, the Executive Director, and the Assistant Executive Director. The latter two will serve as ex-officio (non-voting) members.
- Section 5: The Executive Committee shall be responsible for an annual evaluation of the Executive Director, and shall report to the State Board the evaluation and any salary recommendations pertinent thereto.
- Section 6: The Executive Committee shall serve as the audit committee.

ARTICLE XVI: GEOGRAPHIC ZONES

- Section 1: The state will be divided into eight zones with each zone containing as near equal number of high schools as possible.

ARTICLE XVII: ELECTION OF ZONE REPRESENTATIVES

- Section 1: The zone chairman shall present at least one candidate for the office of 2nd vice chairman of each zone at the annual spring zone meeting. The floor will be open for additional nominations. The candidate receiving the majority of votes shall be elected.

ARTICLE XVIII: TENURE AND PROGRESSION OF ELECTED ZONE REPRESENTATIVES

- Section 1: Each elected zone representative shall serve for a three year term, with one new and one retiring member from each zone each year. The zone representative will serve as chairman during the representative's third year in office. The zone representative will serve as vice chairman during the second year in office, and as 2nd vice chairman during the first year in office. All representatives must be current certified music teachers.

ARTICLE XIX: TENURE AND PROGRESSION OF ADMINISTRATIVE REPRESENTATIVES

- Section 1: Each zone shall include an appointed administrator from each zone representing a member school in good standing.
- Section 2: The term of representation shall be for three years.
- Section 3: Nominations for the Administrative Representative will be taken in the respective zone during the spring zone meeting of the year of termination of office.
- Section 4: The rotation for term of office shall be as follows: Zones 1, 3, 5, and 7 shall begin in 2001-2002. Zones 2, 4, 6, and 8 shall begin in 2002-2003. No nominations during the 2003-2004 year. This rotation will continue in the prescribed three-year sequence.
- Section 5: Appointment will be the responsibility of the ISSMA, Inc. President.

ARTICLE XX: FINANCES

- Section 1: There shall be an accumulation and establishment of an adequate working balance in the association treasury. This amount is to be established and maintained as a guarantee that existing obligations be met; that expansions in the program of service may be made if so decided by the governing body; and in the event of any unforeseen emergencies.
- Section 2: There is granted power and authority to the State Board to make financial adjustments, as deemed necessary, in expenditures and the holding of monies connected with the association.
- Section 3: All financial records of the organization will be audited at the end of the fiscal year with a balance report to be presented at the fall zone meetings.
- Section 4: The organization shall not directly carry on any activity which would prevent it from obtaining exemption from Federal Income taxation as a corporation described in Section 501(c)(3) of the Code, or cause it to lose such exempt status.

ARTICLE XXI: COMMITTEES

- Section 1: The following standing committees shall exist: Executive Committee; Required Music Selection Committee; Marching Band Committee; Show Choir and Jazz Committee; and Concert Organization Committee.
- Section 2: The Executive Committee will deal with any requests by other organizations for representation from ISSMA, through appointment.

ARTICLE XXII: APPEALS PROCESS

If a circumstance develops when a rule and/or regulation has a questionable interpretation at a contest center, the music director of the affected school must use the following appeal procedure:

- Section 1: The music director (affected party) shall confer with the event manager, or the event host when an event manager has not been assigned, to present the case in question. The decision must be made after verification of the point in question with the ISSMA Music Festivals Manual on the day of the event.
- Section 2: If there is not a satisfactory decision reached, the music director must contact the Executive Director of ISSMA and present all details, in writing, within 48 hours after the event for a decision. The Executive Director of ISSMA will review the facts and render a prompt decision.
- Section 3: If there is still not a satisfactory decision reached, the music director may request a hearing with the ISSMA Executive Committee to review the Executive Director's decision. This request must be made within five calendar days after the event.
- Section 4: Hearing Procedure
- a. The President may appoint a hearing officer or may act as such. The hearing officer may prepare an agenda for the hearing and if so, a copy thereof shall be furnished to the affected parties present. The hearing officer shall have the power to administer oaths and affirmations, rule upon offers of proof and receive relevant oral and documentary evidence, regulate the course of the hearing and conduct of the parties and witnesses, and such other legal powers necessary to effectuate the purposes of ISSMA.
 - b. The ISSMA Executive Director, or the individual who conducted the investigation and made the decision from which the appeal is taken, is required to attend the hearing. All other parties are entitled to attend the hearing if they desire. Each party may be represented by counsel of their choice, present all pertinent facts, and examine and cross-examine witnesses. Counsel for ISSMA may attend the hearing, assist the hearing officer in the conduct of the hearing, and examine and cross-examine witnesses.
 - c. The technical rule of evidence will not be applicable, and therefore any oral or documentary information may be received, but the hearing officer reserves the right to exclude any information which it determines to be irrelevant, immaterial or unduly repetitious.
 - d. If requested within a reasonable time prior to the hearing (not less than 24 hours), the ISSMA Executive Director shall supply the affected party or parties with a list of witnesses the Executive Director expects to have present at the hearing and, if requested within a reasonable time prior to the hearing (not less than 24 hours), the affected party or parties shall supply to the ISSMA Executive Director a list of the witnesses that they expect to have present at the hearing. Failure to comply with this rule shall entitle the hearing officer to exclude any such statement or affidavit unless good cause for failure to do so is shown.
 - e. Any written statement or affidavit of a person not in attendance at the hearing that is offered in evidence shall be considered only when the party not offering the written statement or affidavit is given notice of the existence and contents of the affidavit or written statement at least twenty-four (24) hours prior to the hearing. Failure to comply with this rule shall entitle the hearing officer to exclude any such statement or affidavit unless good cause for failure to do so is shown.
 - f. All written information that any party wishes to have part of the official record must be marked and introduced during the hearing as an exhibit.
 - g. The hearing officer shall require that the examination of witnesses be orderly. When examination is disorderly, such may be terminated and the disruptive individuals may be excluded from the hearing.

- h. When more than one (1) party has requested an appeal, and where the facts are substantially the same for all parties, a single hearing may be conducted when deemed advisable by the hearing officer.
- i. The Committee is not bound by the decision of the ISSMA Executive Director, event manager, event host or head judge and shall make its decision in the matter based upon the facts and information presented to them. The Committee shall base its findings on information presented to it at the hearing, which it determines to be substantial, credible and of probative value. The Committee's decision may be based upon different facts and/or upon different rules and regulations than those cited by either the ISSMA Executive Director, event manager, event host or head judge. The Committee's decision shall be promptly mailed to the school and the affected party or parties.
- j. A record of the procedures shall be kept and, when so directed by the hearing officer, a transcript thereof prepared. Such a transcript, when signed by the hearing officer and the person who prepared the same, as being correct, shall be the best evidence of the proceeding, prima facie evidence of all facts contained therein, and shall be the official record in the matter. Any party may obtain a copy thereof at the said party's expense, said expense to be paid in advance.

Section 5: The decision of the Committee shall be final.

Section 6: In case of a questionable situation not directly connected with a contest center, the appeal process should begin with Section 2 above.

ARTICLE XXIII: DISSOLUTION

Section 1: In the event of dissolution or final liquidation of the Corporation, all of the remaining assets and property of the corporation shall, after paying or making provision for the payment of all of the liabilities and obligations of the Corporation and for necessary expenses thereof, be distributed by the State Board for one or more exempt purposes within the meaning of Section 501(c)(3) of the Code, or shall be distributed to the federal government, or to a state or local government, for public purposes. In no event shall any of such assets or property be distributed to any board member, officer, or director, or to any private individual.

Adopted November 15, 2018