

**BYLAWS
OF THE ORCHESTRA DIVISION
OF THE SOUTH CAROLINA MUSIC EDUCATORS ASSOCIATION**

ARTICLE I

NAME AND AFFILIATION

- Section 1.** The name of this organization shall be the Orchestra Division of the South Carolina Music Educators Association, hereafter called the "SCMEA Orchestra Division" or "Orchestra Division."
- Section 2.** Affiliation: The Orchestra Division is a non-profit organization that shall function daily as the string orchestra educational unit of the South Carolina Music Educators Association (SCMEA) and NAFME, and shall operate under these bylaws and the provisions of the SCMEA Constitution.

ARTICLE II

PURPOSE

- Section 1.** The purpose of the SCMEA Orchestra Division shall be to promote and support the development of string classes and orchestra programs in South Carolina schools. To fulfill this purpose, the Orchestra Division will:
- A. Organize regular meetings to provide a forum for the discussion and advancement of school string education and orchestra programs.
 - B. Provide professional development opportunities for school string orchestra teachers/directors.
 - C. Establish and facilitate activities and performance opportunities for the students of SCMEA Orchestra Division members that enrich school orchestra programs. Such activities include, but are not limited to, Region Orchestra, All-State Orchestra, Solo & Ensemble, Concert Performance Assessment, and Awards.

ARTICLE III

MEMBERSHIP

- Section 1.** There shall be four classifications of membership in the SCMEA Orchestra Division: Active, Associate, Collegiate, and Retired. To qualify for membership in the Orchestra Division, one must first be a current Active, Associate, Collegiate, or Retired member in good standing of NAFME and SCMEA.
- A. Active membership is open to string educators that are currently

teaching a string/orchestra class in a South Carolina public school, private school, or home school. Active members in good standing are eligible to attend and vote in business meetings, and hold any office or position in the Orchestra Division. They may only sponsor students that they teach in their string/orchestra class in their public school, private school, or home school orchestra. Exception: Private string teachers in good standing who have sponsored students in Orchestra Division events every year since 2018 may be grandfathered as Active Members; these teachers may keep their Active Member status for as many *subsequent consecutive* years as they choose to continue sponsorship until the year 2024.

- B. Associate membership is open to South Carolina string educators not currently teaching string/orchestra classes in a public school, private school, or home school. Associate members may attend Orchestra Division business meetings, and they may register for and attend the SCMEA State Professional Development Conference, but they may not vote or hold office, or sponsor students in Orchestra Division events.
- C. Retired membership is open to retired string educators who hold a current SCMEA Retired Membership and who have been members of NAFME for ten years preceding their retirement. Retired members may attend Orchestra Division business meetings, and they may register for and attend the SCMEA State Professional Development Conference. As per SCMEA Bylaws, retired members who pay active membership dues shall be eligible to vote and hold office, but they may not sponsor students in Orchestra Division activities. Retired members who pay retired membership dues may not vote, hold office, or sponsor students in Orchestra Division activities.
- D. Collegiate membership is open to collegiate string educators who hold a current SCMEA Collegiate Membership. Collegiate members may attend Orchestra Division business meetings, and they may register for and attend the SCMEA State Professional Development Conference. They may not vote, hold office, or sponsor students in Orchestra Division activities.

Section 2. A member of the Orchestra Division who has paid SCMEA dues and who is not under disciplinary suspension shall be considered a member in good standing. Members under disciplinary suspension for breaking Orchestra Division Rules as explained in Article VIII may register for and attend the SCMEA State Professional Development Conference, but they may be suspended from voting, holding office, or sponsoring students in Orchestra Division activities.

ARTICLE IV

OFFICERS

Section 1. The voting officers of the Orchestra Division Executive Board shall be the

President, President-elect, Past-president, and the State Chairpersons for Auditions, All-State Orchestra Event, Region Orchestra, Professional Development Conference, Concert Performance Assessment, Solo & Ensemble, Awards, and one Representative from each region. All officers of the Orchestra Division, elected or appointed, shall serve terms of two years. Officers will hold only one office at a time during a given term.

Section 2.

- The Executive Board shall consist of the above-named voting officers together with the Executive Director and a Parliamentarian.
- A. The Executive Director is a non-voting member of the board who is selected by the Executive Board and approved by the membership. The Executive Director will receive a salary determined by the Executive Board and paid at the end of each fiscal year served if funds allow.
 - B. The Parliamentarian will be selected by and serve at the pleasure of the president as a non-voting member on the board.

Section 3.

Agents of the Orchestra Division: The Orchestra Division Webmaster; the Membership Chair; the New Teacher Mentor; All-State Winds and Percussion Liaison; CPA Sight-Reading Composition Chair; Growth, Demographics and Zoning Chair and other appointees who are required to represent the association are appointed by the president with the approval of the Executive Board.

Section 4.

Elections:

- A. A Nominating Committee will be appointed by the President and should include at least two Past-presidents and at least one other person familiar with the responsibilities of the Orchestra Division Officers.
- B. Candidates for office in the Orchestra Division must be active members in good standing with full membership in NafME, with the exception of retired members who pay active membership dues.
- C. Orchestra Division Members in good standing may nominate other orchestra members in good standing for office in the Orchestra Division Executive Board. Members may nominate themselves.
- D. Nominations must be presented to the Nominating Committee at or before the September Meeting prior to the Conference Meeting when elections will occur.
- E. The Nominating Committee gathers their information on the nominees to present to the membership for a vote at the Conference Meeting in February. In the event that there are more than two nominees for one position, the committee will determine which two are most qualified for the office and will present these top two most qualified nominees for the elections at the Conference Meeting in February.
- F. Nominations should be finalized four weeks before the Conference Meeting, so that their names can be announced in the Call To Vote email that must go out two weeks before the vote.
- G. Officers shall be elected by the membership of the Orchestra Division

at the annual South Carolina Music Educators Professional Development Conference in odd-numbered years.

- H. A simple majority of the members present at the Conference membership meeting shall be sufficient for election.
- I. New officers shall assume their offices on July 1 following their election to office.
- J. At the end of their two-year terms:
 - 1. The President-elect shall become President of the Orchestra Division.
 - 2. The President shall become the immediate Past-president at the end of the term of office.
 - 3. State Chairpersons may hold office for multiple terms. In the event that a chair becomes vacant mid-year, the President may appoint an interim chairperson until a new chairperson can be elected.
- K. An Executive Director shall be selected by the Executive Board and approved by the membership. They will receive an annual salary in an amount determined by the Executive Board and approved by the membership if funds allow.
- L. Region Representatives are elected or re-elected every two years at their respective Region Meetings. They may hold office for multiple terms. In the event that a Region Representative position becomes vacant mid-year, or if a Region fails to elect a Representative for their Region, the President may appoint an interim Representative from that region until the region can elect a new Representative.

Section 5. Duties of the Executive Board Members:

- A. The Orchestra Division Executive Board shall have general power of administration of the affairs of the Orchestra Division except as contrary to the Bylaws.
- B. The President shall:
 - 1. Preside at all Orchestra Division Membership and Executive Board meetings.
 - 2. Send out a written notice to all Orchestra Division members announcing the date, time and location of each Division Membership Meeting, and a brief description of votes that will occur at the meeting.
 - 3. Attend all South Carolina Music Educators Association Executive Board Meetings to represent, and vote in the best interest of, the Orchestra Division;
 - 4. Appoint all special committees;
 - 5. Serve as an ex-officio member of all committees, except in cases where the Executive Board is reviewing the President's actions and possible sanctions.
 - 6. Formulate and coordinate the work of the division as a whole with the assistance of the Orchestra Division Executive Board;
 - 7. Serve as the immediate past-president at the end of their term.

- C. The Past-president shall:
1. Attend all Orchestra Division Board and Membership Meetings, and serve as a voting Officer of the Executive Board.
 2. Attend all South Carolina Music Educators Association Executive Board Meetings to represent, and vote in the best interest of, the Orchestra Division.
 3. Serve as chief counsel to the President.
 4. Assume the duties of the president if the president is absent, disabled or resigns.
 5. Serve as parliamentarian at meetings if and when the appointed parliamentarian is absent.
 6. Serve as an ex-officio member of all committees, except in cases where the Executive Board is reviewing the Past-president's actions and possible sanctions.
- D. The President-elect shall:
1. Act as an aide to the president and serve in coordinating activities and perform other duties as directed by the president.
 2. Update Orchestra Division Bylaws, Standing Rules and Handbook when additions and amendments are approved by the membership.
 3. Record the minutes of the meetings of the division and the Executive Committee and communicate any changes to the bylaws or standing rules to the Parliamentarian.
 4. Keep permanent records of all meeting minutes, correspondence and documents that record the history of the Orchestra Division, its events and decisions, until the end of their term when they will pass those records to the next President-elect.
 5. Attend all South Carolina Music Educators Association Executive Board Meetings to learn how to serve in the best interest of the Orchestra Division.
 6. Serve as an ex-officio member of all committees, except in cases where the Executive Board is reviewing the President-elect's actions and possible sanctions.
 7. Succeed to the presidency at the conclusion of their term of office.
- E. The Chairpersons for All-State Orchestra, Auditions, Region Orchestra, Concert Performance Assessment, Solo & Ensemble Festival, Awards, and the Professional Development Conference shall:
1. Attend all Orchestra Division Board and Membership Meetings and serve as voting Officers of the Executive Board.
 2. Appoint qualified members to their respective committees to organize and facilitate well-run events.
 3. Call and preside over their respective committee meetings at the Annual Conference and additional meetings as necessary to

- organize and facilitate well-run events.
4. Ensure that rules and procedures for registration and events are followed; hear proposals and supervise changes made to the event rules and procedures to allow the event to evolve and improve.
 5. Hear member requests to be excused from attending and working events in which they are sponsoring students, and— with a majority vote within the committee—approve or deny such requests.
Members may appeal a committee’s decision to the executive board.
 6. Complete—with the help of their committees—the duties described in the Standing Rules and Orchestra Division Handbook to ensure well-run events.
- F. The Region Representatives shall:
1. Attend all Orchestra Division Board and Membership Meetings and serve as ex-officio voting members of the Orchestra Division Executive Board.
 2. Preside over Region Meetings to determine the event chairpersons, site chairpersons, dates and locations of local Region Orchestra, Concert Performance Assessments, and Solo & Ensemble Events.
 3. Communicate Region information to the Executive Board and Region members, including information about the event chairpersons, site chairpersons, dates and locations of local Region Orchestra, Concert Performance Assessments, and Solo & Ensemble Events.
 4. Work together with the Representatives from the other regions as a special committee or for special projects with a state-wide scope that the President deems necessary.
- G. The Parliamentarian shall:
1. Attend all Orchestra Division Board and Membership Meetings, and serve as a non-voting member of the Executive Board.
 2. Ensure that Executive Board and Membership meetings follow parliamentary authority and run efficiently.
 3. Maintain a hardcopy of the Orchestra Division Bylaws, Standing Rules and Handbook, and ensure that the Bylaws posted on the website are the most current and correct version.
 4. Bring the most current version of the Orchestra Division Bylaws, Standing Rules and Handbook to the meetings, and provide counsel to members regarding SCMEA and Orchestra Division Rules and the process for creating and amending the Bylaws and Standing Rules.
- H. The Executive Director shall:

1. Serve as custodian of all Orchestra Division funds, which he/she shall disburse as directed by the division's Executive Board.
2. Meet as needed with the committee chairs to establish guidelines and budgets for all events sponsored by the SCMEA Orchestra Division.
3. Deposit Orchestra Division funds in a bank account, which the Executive Director shall establish. The Executive Director of the Orchestra Division or the Executive Director of the SCMEA Executive Board may sign checks. At the conclusion of their term of office, the account is to be closed and the funds delivered to their successor.
4. Keep accurate and complete records of all Orchestra Division funds received and disbursed. These records shall be the property of the Orchestra Division and shall be made available to Orchestra Division members upon request.
5. Give a financial report at each regular Orchestra Division meeting.
6. Prepare a year-end financial statement for the SCMEA Executive Board as required by the SCMEA.
7. Present the financial records to the auditor annually.
8. Appoint, with the approval of the President, an auditor or an auditing committee for the yearly audit of the Orchestra Division books.
9. Be bonded.
10. Archive all sanctions from the Executive Board.
11. The standard term for the Executive Director shall be four years. The Executive Director will meet annually with the Orchestra Division President and President-Elect to review the yearly progress of the goals set forth by the Executive Board and the Executive Director's job description. In the third year of this term, the Executive Board shall review the Executive Director's job performance and determine if the contract should be renewed. If the Board determines that the Executive Director is not adequately serving the organization, the Executive Director will be expected to make the necessary changes in the fourth year of their term. The Executive Board will meet in the last year to decide upon the renewal of contract.
12. If the Executive Director fails to perform the duties described in the job description to a degree that significantly impairs the functioning of Orchestra Division Events, the Executive Board can meet in special session and immediately remove the Executive Director with a 2/3 majority vote of all Orchestra Division Officers.

13. At the conclusion of the term of service, the outgoing Executive Director will transfer all records and signing authority to the new Executive Director.
- I. The Membership Chair shall:
 1. Create and update a current list of Orchestra Division members, their email addresses, phone numbers, primary/secondary instruments, the Region and Schools where they teach, the string orchestra classes and number of students they teach, the name and email address of the principal of the students they sponsor, and a list of the Orchestra Division events in which they are interested in participating.
 2. Provide updated email lists to the President and Committee Chairs upon request, so that officers can communicate with the membership.
 3. Take attendance and check membership at each meeting.
 - J. New Teacher Mentor shall:
 1. Create a handbook containing information explaining the registration process and rules for each event.
 2. Meet with and mentor new members to answer questions and guide them through the calendar deadlines and expectations.
 - K. Webmaster shall:
 1. Attend board meetings.
 2. Maintain Orchestra Division information on the SCMEA website.
 3. Work with the President-Elect and Parliamentarian to maintain updated Orchestra Division Bylaws and Standing Rules.
 4. Work with Event Chairs and the Growth, Demographics and Zoning Chair to maintain updated forms and information.
 - L. All-State Winds and Percussion Liaison shall:
 1. Work with All-State Orchestra Division Chair to determine instrumentation needs.
 2. Work with SCBDA All-State Band Chair to assign musicians for orchestra positions.
 3. Hire musicians to fill orchestra positions in the event that more musicians are needed.
 4. Coordinate with SCBDA All-State Band Chair and SCBDA webmaster to disseminate information.
 5. Coordinate logistics and scheduling for wind and percussion orchestra members at All-State Orchestra Events.
 - M. CPA Sight-Reading Composition Chair shall:
 1. Oversee and update guidelines for the Composition Contest.
 2. Advertise the Composition Contest.
 3. Delegate judging panels for the Composition Contest.

4. Work with the Executive Director to compensate winners of the Composition Contest.
 5. Prepare repertoire for CPA events.
 6. Work with CPA Chair to coordinate the logistics of music distribution to site hosts.
 7. Report to CPA Chair.
 8. Attend CPA Committee Meetings
- N. Growth, Demographics, and Zoning Committee Chair shall:
1. Work with Membership Chair to keep a database of programs and teachers across the state.
 2. Monitor growth patterns.
 3. Make recommendations to the executive board.
 4. Maintain a zoning map including all counties in the state.

Section 6. Vacancies in Office.

- A. In the event of the disability, absence, or resignation of the President, the immediate Past-president will fill the vacancy for the remainder of the term. If the immediate Past-president is unable to fill this vacancy, the Executive Board will ask former past-presidents to fill the vacancy, starting with those who have served most recently. If no past-president is willing to fill the vacancy, then the President-Elect will fill the vacancy. If the President-elect is unable to fill the vacancy, then the Executive Board will select and approve an Orchestra Division Officer who is willing to fill the office until the President-elect succeeds to the office of President, or a new President is elected, whichever comes first.
- a. If the office of the President-Elect becomes vacant, the Executive Board will accept, select and approve nominations for a new President-Elect. All nominees must be members in good standing with the SCMEA Orchestra Division. If the approved nominee accepts the position of President-Elect, they shall serve for the remainder of the original term required (no more than 2 years) until their term as President begins.
- B. Vacancies in any office other than the president may be filled for the remainder of the term by appointment of the president with the approval of the Executive Board.

ARTICLE V

REGIONS

- Section 1.** The state will be divided into functional administrative regions. Each region is responsible for holding events such as Region Orchestra, Solo & Ensemble Festival, and CPA, as well as periodically hosting SCMEA Orchestra state-wide events such as All-State Orchestra.

Section 2. Any and all changes to the zoning of Regions are to be recommended by the Growth, Demographics, and Zoning Committee Chair to the Executive Board for subsequent voting.

Section 3. Any concerns or suggestions concerning changes to the zoning of Regions are to be submitted to the Growth, Demographics, and Zoning Committee in writing for subsequent deliberation.

Region 1: Cherokee, Chester, Lancaster, Laurens, Newberry, Spartanburg, Union, and York Counties

Region 2: Abbeville, Anderson, Greenville, Greenwood, McCormick, Oconee, and Pickens Counties

Region 3: Aiken, Calhoun, Edgefield, Fairfield, Kershaw, Lexington, Richland, and Saluda Counties

Region 4: Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, and Orangeburg Counties

Region 5: Chesterfield, Clarendon, Darlington, Dillon, Florence, Georgetown, Horry, Lee, Marion, Marlboro, Sumter, and Williamsburg Counties

ARTICLE VI

MEETINGS

Section 1. There shall be a minimum of three meetings a year, typically held at the beginning of the school year, during the SCMEA In-Service Conference, and All-State weekend.

Section 2. In the absence of any officer other than president, the absent officer will appoint a member of their committee to be the acting officer for that meeting. This acting officer shall fulfill the duties of the vacant office to the best of their ability for that specified meeting of the Orchestra Division only.

Section 3. A quorum shall consist of those present at a duly called meeting.

Section 4. Executive Board meetings shall be called at the discretion of the president.

Section 5. Committee meetings shall be called at the discretion of the committee chair.

ARTICLE VII

COMMITTEES

Section 1. The following Committees shall organize and facilitate Orchestra Division events: All-State Orchestra Committee, Auditions Committee,

Region Orchestra Committee, Concert Performance Assessment Committee, Solo and Ensemble Committee, Professional Development Conference Committee, and Awards Committee.

- Section 2.** The Committees of the Orchestra Division shall be organized as follows:
- A. The Chairperson of each committee will serve as a voting officer of the Executive Board.
 - B. The Chairperson of the All-State Orchestra, All-State Auditions and Conference Committees will be authorized to appoint Orchestra Division members in good standing to committee positions that the chair deems necessary to run the event well.
 - C. The Committees for Region Orchestra, Concert Performance Assessment, and Solo & Ensemble Festival shall be comprised of and not limited to their respective Committee Chairs and the chairpersons of each of their respective local events, and consultants as appointed by the Chairperson.
- Section 3.** Organization and duties of the Standing Committees:
- A. Each Committee shall formulate its own rules, regulations, and procedures to be submitted to the Orchestra Division for adoption.
 - B. Each Committee shall administer its event according to its own rules, regulations and procedures as approved by the Orchestra Division.
 - C. The chairperson of each Committee or their authorized representative shall have executive authority of administration of the event and is responsible to meet with the Executive Director to determine fiscal administration of events they chair.
 - D. The Committee chairperson is responsible for notifying all committee members at least two weeks in advance of the meeting date and is instructed to replace any member of their committee who has missed two meetings within one operational year without due cause.
- Section 4.** Committee Meetings:
- A. Any member of the Orchestra Division may attend committee meetings and present proposals to the committee, providing the committee chairperson has received the proposal in writing prior to the meeting date. Any Orchestra Division member who wishes to propose changes to the Orchestra Division rules, regulations, or procedures must present these recommendations in writing to the chairperson of the committee concerned.
 - B. If the committee rejects the proposal of a member, the member may appeal to the President by producing a petition with 20 or more signatures of Orchestra Division members in good standing. Upon meeting this threshold, the member will be allowed to present the proposal directly to the membership at the next membership meeting.

ARTICLE VIII

PARTICIPATION IN EVENTS

- Section 1.** Only public school, private school, and homeschool string orchestra teachers who are active members in good standing with the Orchestra Division may participate or sponsor students in Orchestra Division events, with the exception mentioned in Article III, Section 1, Paragraph A.
- Section 2.** Public school, private school, and homeschool string orchestra teachers may only sponsor students who are enrolled in the sponsor's orchestra class. No teacher may use their name to enter students that are not enrolled in their own orchestra class.
- Section 3.** Homeschool students may participate in Orchestra Division events only if all of the following conditions are met:
- A. The homeschool student participates in a homeschool orchestra program for a unit of credit toward graduation or the equivalent of 60 hours of direct instruction per semester.
 - B. The homeschool student's family is a current member of a South Carolina homeschool association.
 - C. The homeschool orchestra teacher is an active member of the SCMEA Orchestra Division in good standing and is willing to sponsor the homeschool student and work the events in which the home school student participates. Parents and private studio teachers of homeschool students may not register students for Orchestra Division events.
 - D. The homeschool orchestra teacher must send documentation of the home school student's South Carolina homeschool association membership in lieu of a principal's signature on the registration form.
- Section 4.** Students and sponsors are required to follow instructions, dress appropriately, and be professional and respectful toward others at all SCMEA events. Sponsors are responsible for the behavior and safety of their students, and they are responsible for ensuring that their students are properly supervised by the student's parent/guardian, the sponsor themselves, or a chaperone that has been approved by the student's school administration.
- Section 5.** Sponsors must work the events in which their students participate.
- A. For their students to participate, sponsors must agree to be present at the event to complete tasks assigned by the event chairperson. Sponsors who do not show up and/or complete the jobs assigned to them may be placed under disciplinary sanctions as specified in Article IX.
 - B. SCMEA sponsors who teach multiple music subjects such as orchestra, band and/or chorus may have two SCMEA events that occur on the same day. The sponsor is to work the event in which more students are participating. This sponsor may request to be excused from working the event with fewer students as long as they have approval from the event chairperson and their district and find another teacher or parent from their program or district to work the event and chaperone their students. Teachers must complete the

appropriate request to be excused, and must obtain approval from the event chairperson before the absence is excused. Sponsors who are excused from one event and then do not work the second event may be placed under disciplinary sanctions as specified in Article IX.

Section 6. When standards of appropriate behavior are violated, or rules of the Orchestra Division are broken by a student or if financial obligations are not met, the student - and in extreme cases, the student's sponsor - may be placed under disciplinary sanctions as specified in Article IX, which may include restrictions from participating in the event(s) from which they are suspended for a full calendar year from the date of the infraction.

ARTICLE IX

MEMBERSHIP SANCTIONS AND APPEALS

Section 1. The Executive Board may impose sanctions against members who break Orchestra Division rules. Members under sanctions are no longer considered to be "in good standing." Infractions that may result in membership sanctions include, but are not limited to the following:

- Misconduct toward a student or another SCMEA member
- Sponsoring or attempting to sponsor an ineligible student
- Sponsoring a student at auditions/events without fulfilling required duties
- Sponsoring a student that is not chaperoned at an event
- Misconduct that intentionally disrupts an Orchestra Division meeting or event
- Failure to meet financial obligations for event fees or membership dues.

Section 2. Sanctions:

- A. When the Executive Board determines that sanctions are appropriate, the board may suspend or revoke the member's rights to attend business meetings, vote, hold office, or participate in or sponsor students in Orchestra Division activities.
- B. Sanctions must be approved by a two-thirds majority of the Executive Board.
- C. Sanctions may apply to a single event or meeting, or for a specified duration, such as a year. In extreme cases, a teacher's membership in the Orchestra Division may be revoked indefinitely.
- D. When a member's right to sponsor students in Orchestra Division activities is suspended or revoked, the teacher's students shall not be allowed to attend Orchestra Division auditions, events and activities until
 1. The member's suspension is lifted

2. The student or students move to a string orchestra class taught by an Orchestra Division member in good standing.
 3. The suspended member leaves their school and is replaced by a member in good standing.
- E. A member's right to attend business meetings may be suspended or revoked if the member engages in misconduct toward another member or engages in misconduct that intentionally disrupts an Orchestra Division meeting.

Section 3. Initiating a Complaint:

- A. Any member in good standing may initiate a complaint against another member by writing an official complaint to the Orchestra Division President identifying the offending member and providing the evidence of the rules that the member broke.
 - B. The President shall forward a copy of the written notice of the act in question to the alleged offending parties and the Chair of the committee that facilitates the event in which the infraction occurred. The alleged offending party must answer the complaint in writing describing in detail why the complaint is contested. If no written response to the allegation is received by the Committee Chair within one week, the act in question will be deemed non-contested.
 - C. Once the Committee Chair has either received a written answer from the alleged offending party, or seven days have passed with no written answer having been received by the Chair, then the Committee Chair shall share all information presented by both parties to the entire Committee. Committee members may ask questions to either party, but must share all findings with all committee members and the other party.
 - D. The Committee will determine whether the alleged offending party is guilty of the act in question, and if necessary, will also determine the appropriate sanctions. The Committee's finding, along with the supporting facts and sanctions if applicable, shall be mailed to the President, the complaining party, and the alleged offending party.
- Section 4.** Appeals to the Executive Board:

- A. If either party disagrees with the findings or the applicable sanctions determined by the Committee, either or both parties may appeal to the Orchestra Division Executive Board by writing a request for appeal to the President within ten (10) days after receiving the Committee Chair's decision.
- B. Once the President receives a request for appeal, they will send notifications to each of the executive board members, and to all parties involved with the original grievance. Said notification must include all evidence and the findings of the Committee's decision, and will specify a date when the Executive Board shall make its final decision.
- C. Executive Board members may ask questions to either party, but must share all answers and information with all Executive Board

- members, committee members, and the other party.
- D. The Executive Board will determine the validity of the original committee's decision, and if necessary, will modify the committee's sanctions. The Executive Board's finding, along with the supporting facts and sanctions if applicable, shall be mailed to both the complaining party, the offending party, and if appropriate, the party's school administration. A copy of the same will be retained by the Executive Director as a part of the permanent record. Under no circumstances shall the decision of the Executive Board take longer than ninety (90) days after the original request for the review is received by the President.
 - E. The Executive Board's decision on member sanctions is final.

ARTICLE X

FISCAL POLICY

- Section 1.** All disbursements shall be made according to the fiscal procedures approved by the Executive Board. The division shall assume no obligation without adequate money in the treasury for full payment.
- Section 2.** The Executive Committee shall review division accounts prior to the business meeting at the South Carolina Music Educators Association Inservice Conference.
- Section 3.** Money shall be provided, if funds are available, to assist the president, or their alternate, in attending one national or regional meeting a year.
- Section 4.** The Orchestra Division shall turn over to the South Carolina Music Educators Association whatever funds are required by the South Carolina Music Educators Association Constitution and Board Policy.
- Section 5.** All fees and forms must be paid by the deadlines on the forms for all Orchestra Division events, and they must be mailed to the person designated on the form. All monies should be paid by check or electronic transfer to SCMEA Orchestra Division. Deadlines will be extended only in the event of inclement weather requiring out-of-school time. The day(s) extension will be equal to the number of out-of-school day(s) the school system experiences.

ARTICLE XI

LIMITATIONS OF RESPONSIBILITIES OF THE OFFICERS

The authority and responsibility for the management and for the maintenance of the goodwill and credit of the Orchestra Division is vested in the Executive Board, but it is expressly understood that neither the board, nor any member thereof, nor any member of SCMEA shall be required to accept personal financial responsibility for duly authorized bills or obligations, or for suits or litigations which 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 SCMEA or the Orchestra Division. The Executive Board of SCMEA shall maintain liability insurance which bonds all members who manage funds on behalf of SCMEA.

ARTICLE XII

REGARDING TAX EXEMPT STATUS

- Section 1.** This organization is organized exclusively for charitable, religious, educational or scientific purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.
- Section 2.** No part of the net earnings of the organization shall inure to the benefit of, or be distributed to its 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 in furtherance of these purposes.
- Section 3.** 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.
- Section 4.** Notwithstanding any other provision of these Articles, the organization shall not carry on any other activities not permitted to be carried on
- A. By an organization exempt from 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, or corresponding section of any future Federal tax code.
- Section 5.** Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3), of the Internal Revenue Code, or corresponding section of any future Federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed exclusively for such purposes or to such organization or organizations that are organized and operated exclusively for 501(c)(3) purposes.

ARTICLE XIII

PARLIAMENTARY AUTHORITY

The parliamentary principles set forth in *Robert's Rules of Order, Newly Revised*, shall govern in all cases not covered by the Bylaws. All meetings shall be conducted by Robert's Rules of Order, Revised, except when they are in conflict with the South Carolina Music Educators Association Constitution and Bylaws, or the Bylaws of the

Orchestra Division.

ARTICLE XIV

ORCHESTRA DIVISION HANDBOOK

- Section 1.** The Orchestra Division Handbook contains current Bylaws, Standing Rules, Procedures for Events, and all Forms pertaining to SCMEA Orchestra Division events and operations.
- Section 2.** The President-Elect is to update the Handbook when additions and amendments are approved by the membership and/or appropriate committee. The individual committee chairs are responsible for submitting all Standing Rules, Procedures and Forms for the events within their purview.
- Section 3.** The Parliamentarian is responsible for having the most recent version of the Handbook for reference during Executive Board and Membership Meetings.
- Section 4.** The Standing Rules, Procedures for Events, and Forms pertaining to SCMEA Orchestra Division events found in the Orchestra Division Handbook should be available on the SCMEA Orchestra Division website and all subsidiary Region websites.
- Section 5.** Changes and updates to the Handbook should be relayed in the report of the President-Elect in each meeting.

ARTICLE XV

AMENDING THE BYLAWS

- Section 1.** Proposed amendments must be emailed by the President to the membership at least two weeks before the vote. Votes to amend the bylaws will occur at the Membership Meeting held at the Annual SCMEA Professional Development Conference. Amendments will not go into effect until July 1 of that year.
- Section 2.** These bylaws may be amended by a two-thirds majority of the members present.
- Section 3.** The Orchestra Division Standing Rules may be amended by a simple majority of the members present.
- Section 4.** The Orchestra Division Handbook may be amended by a two-thirds majority of the Executive Board.
- Section 5.** In extreme emergency situations (such as global pandemic) or any other circumstance that may preclude gathering the membership due to safety, health, or time constraints; Standing Rules, Handbook, and Bylaws may be amended provisionally by a two-thirds majority of the Executive Board.

ARTICLE XVI

SUSPENSION OF THE BYLAWS

- Section 1.** In the event of unforeseen circumstances that would prevent the effective functioning of the Orchestra Division, these Bylaws may be temporarily set aside, providing that such action is:
- A. Recommended by the Executive Board
 - B. An email announcing the recommended suspension of the Bylaws and calling for a vote from Orchestra Division membership will be sent at least 30 days prior to the time that the Constitution and Bylaws are to be set aside.
 - C. Approved by a simple majority of the membership voting on the proposal.

ARTICLE XVII

DISSOLUTION

This Association shall not be dissolved without the written consent of nine-tenths of its members in good standing; and when such dissolution occurs, all assets of the Orchestra Division will be distributed in accordance with the provisions of the Internal Revenue Code. No members or groups of members shall benefit therefrom.