

CONSTITUTION AND BYLAWS OF THE MIDWESTERN REGION OF THE AMERICAN MUSIC THERAPY ASSOCIATION, INC.

Revised March 2023

ARTICLE I NAME

a. The name of the organization shall be Midwestern Region of the American Music Therapy Association hereinafter referred to as the 'Region'.

b. The American Music Therapy Association is hereinafter referred to as the 'Association.'

ARTICLE II PURPOSE

The purposes for which this organization is formed and for which it shall exclusively administer and operate are to receive, administer, and spend funds for charitable and educational purposes, specifically: 1. To advance the use of music for restoring, maintaining, and improving mental and physical health; 2. To train and educate music therapists; 3. To advance and support research about music therapy; 4. To advance a forum for the exchange and publication of information about music therapy; and 5. To engage in any other lawful activity incidental to the foregoing purposes, except as otherwise restricted herein.

In order to accomplish the foregoing charitable and educational purposes, and for no other purpose or purposes, this organization shall also have the power to:

- a. sue and be sued;
- b. make contracts;
- c. receive property by devise or bequest, subject to the laws regulating the transfer of property by will, and otherwise acquire and hold all property, real or personal including shares of stock, bonds, and securities of corporations;
- d. act as trustee under any trust whose objects are related to the principal objects of the corporation, and to receive, hold, administer and expend funds and property subject to such trust;
- e. convey, exchange, lease, mortgage, encumber, transfer upon trust or otherwise dispose all property, real or personal;
- f. borrow money, contract debts and issue bonds, notes, and debentures, and secure the payment of any performance of its obligations; and
- g. do all other acts necessary or expedient for the administration of the affairs and attainment of the purposes of this organization; provided, however, that this organization shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this organization.

ARTICLE II CHARITABLE ACTIVITY RESTRICTIONS

No part of the net income of the organization shall inure to the benefit of or be distributable to its directors, officers, or other private persons, except that the

organization shall be authorized and empowered to pay reasonable compensation for services actually rendered and to make payments and distributions in furtherance of the purposes and objects of this organization. No substantial part of the activities of the organization shall be the carrying on or propaganda or otherwise attempting to influence legislation, and the organization shall not participate in or intervene in any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions set forth in this constitution, at any time during which it is deemed a private foundation, this organization shall not engage in any act of self-dealing as defined in Section 4941 (d) of the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax laws; the organization shall distribute its income for each taxable year at such time in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax law; the organization shall not own any excess business holdings that would subject it to tax under Section 4943 of the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax laws; the organization shall not make any investments in such manner as to subject the organization to the tax imposed by 4944 of the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax laws; and the organization shall not make any taxable expenditures as defined in Section 4945 (d) of the Internal Revenue Code of 1986 or corresponding provisions of any subsequent federal tax law.

Notwithstanding any other provision of this constitution, the organization shall not conduct or carry on any

activities not permitted to be conducted or carried on by an organization exempt from tax under Section 501c (3) of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws, or by an organizations contributions to which are to be deductible under Section 170C (2) of such Code or corresponding provisions of any subsequent federal tax laws.

ARTICLE IV DISSOLUTION

Upon the dissolution of the organization or the winding up of it's affairs, the assets of the organization shall be distributed exclusively for charitable or educational purposes or to organizations which are then exempt from federal tax under Section 501c (3) of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax laws and to which contributions are then deductible under Section 170c (2) of such Code or corresponding provisions of any subsequent federal tax laws. Organizations having purposes similar to those of this organization shall be preferred.

ARTICLE V MEMBERSHIP

Section 1. Membership in the Midwestern Region will be of eight classes: Professional, Associate, Student, Retired Professional, Inactive Music Therapist, Patron, Honorary, and Affiliate Organization.

Section 2. Membership privileges, annual dues, and registration fees shall be as specified in the Bylaws.

ARTICLE VI OFFICERS

Section 1. The officers of the Midwestern Region shall

be elective and appointive. The authority and duty of each officer shall be as defined in the Bylaws.

Section 2. The elective officers of the Midwestern Region shall be a President, President- elect, First Vice-president, Second Vice-president, Secretary, Treasurer, and Delegates to the Assembly of the National Organization. Terms of office shall be as specified in the Bylaws.

Section 3. No elective officers, with the exception of the treasurer, shall hold the same office for more than two consecutive terms.

Section 4. Election shall be conducted as stated in the Bylaws.

Section 5. The three appointive offices of the Midwestern Region shall be Online Media Coordinator, Archivist, and Parliamentarian. The method of appointment and term of office shall be specified in the Bylaws.

ARTICLE VII EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall consist of the President, Immediate Past President, President-elect, First Vice-president, Second Vice- president, Secretary, and treasurer. The Online Media Coordinator, Archivist, Government Relations Representative, and the Student Affairs Advisor will be ex-officio members of the Executive Committee.

Section 2. The Executive Committee shall have the power to transact the general business of the Midwestern Region and shall be responsible for the control of its funds as specified in the Bylaws.

ARTICLE VIII COMMITTEES

Section 1. The Standing Committees, as prescribed in the Bylaws, shall perform such duties as may be defined in the Bylaws.

Section 2. Special Committees shall be appointed by the President, and they shall perform such duties as may be authorized.

ARTICLE IX MEETINGS

Section 1. The annual meeting of the Midwestern Region shall be held at such time and place as shall be determined by the Executive Committee.

Section 2. Additional meetings may be called in the manner specified in the Bylaws.

Section 3. Executive Committee Meetings will be open to all professional members of the region unless a closed meeting is specified by the president.

ARTICLE X AMENDMENTS

Section 1. This constitution may be amended at any annual meeting by a two-thirds vote of the members present, or by an electronic vote of two-thirds of returned ballots. In either case, the proposed amendments have been submitted to the membership at least twenty-four (24) hours prior to said session.

BYLAWS OF THE MIDWESTERN REGION

ARTICLE I MEMBERSHIP

Section 1. Professional membership shall be open to all music therapists and other professionals interested in music therapy. Such membership will provide the privilege of participation in activities, meetings and programs of the Region, including but not limited to the right to vote, to hold office, and to receive selected publications of the Association.

Section 2. Associate membership shall be open to others, not including music therapists who support the Region. Such membership will provide the privilege of participation in the activities of the Region and the right to receive selected publications of the Association. Such membership does not include the right to vote or hold office.

Section 3. Student membership will be open to declared music therapy majors enrolled in AMTA-approved schools, or other interested students. Such membership will include the right to participate in the activities, meetings and programs of the Region and the right to receive selected publications of the Association, but does not include the right to vote or hold office at the national or regional level.

Section 4. Retired professional membership will be open to professional membership who have reached the legal age of retirement as defined by the Social Security Administration, and whose retirement is a fact. Rights and privileges will be the same as those of Professional membership. The dues rate will be set annually, and will

be based on the cost of services provided for this category of membership. This membership status will be available as long as the member remains eligible for Social Security or other retirement benefits.

Section 5. Inactive music therapist membership is open to professional music therapists who are not currently practicing music therapy. Music therapists seeking inactive membership must complete an application available from National Office. Inactive membership will provide the privileges of participation in the activities of the Region and the right to receive selected publications of the association, but does not include right to vote or to hold office.

Section 6. Patron membership will be open to individuals, organizations, institutions, business firms or foundations contributing substantial sums (minimum of \$200.00) to the Region. If the amount of these sums is sufficient, they may be used by the association for scholarships, endowments, research, or special projects as designated by the donor with the approval of the Executive Board. Patron membership may be assigned to a person designated by the organization, institution, firm or foundation for which the funds are received. For each contributing year, the association will confer upon that person the rights and privileges of the type of membership for which the designate would qualify.

Section 7. Affiliate organization membership will be open to any organization interested in supporting the aims, objectives, and purposes of the Region and contributing \$65.00 or more annually to the Region. Rights and privileges for the designate of an organization will be the same as those for Associate membership unless that member qualifies for

Professional membership status.

Section 8. Honorary Life membership may be conferred upon any person in recognition of distinguished service in the field of music therapy. Such election shall be made by the Executive Committee. Honorary Life members who qualify for Professional membership shall have all rights and privileges of such membership without the payment of annual dues. Honorary Life membership will be conferred upon a maximum of two (2) persons in any fiscal year.

Section 9. Membership privileges will be extended to persons employed or residing within the states of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming.

Section 10. Rights and privileges of membership shall be restricted to those who are in good financial standing with the Region.

ARTICLE II DUES

Section 1. Annual dues will be set by the National Office and will be based on a percentage of the National dues.

Section 2. The membership year will coincide with the fiscal year, beginning July 1 and ending June 30.

ARTICLE III OFFICERS AND ASSEMBLY

Section 1. The elective officers of the Region shall be elected by ballot following a regular annual meeting and shall continue in office for a term of two years, or until the next subsequent election. The regular term for office shall commence the next fiscal year (July 1) following

the completion of the election. For each delegate position authorized, a primary and alternate delegate shall be elected, the alternate to function in the event of the unavailability of the primary delegate. In the event of the unavailability of any delegate, the president may appoint a Regional member as a temporary delegate.

Section 2. The appointive officers of the Region shall be appointed by the President, with the approval of the Executive Committee, during the first month following the annual meeting. Appointive officers may hold the same office for more than one term of two (2) years at the discretion of the succeeding administration. Appointive officers may concurrently hold an elective office. An annual report will be presented to the President outlining current progress and future goals for each committee.

Section 3. The President shall preside at annual meetings, or additional meetings of the Region; shall call and preside at meetings of the Executive Committee; shall appoint all standing committees as well as representatives to committees of the National Organization, subject to approval of the Executive Committee; shall be an ex-officio member of all Regional committees without the Right to Vote; shall serve as a delegate to the Assembly of Delegates; shall approve all expenditures of the Region; and shall perform the other duties implied by the title.

Section 4. The immediate Past President shall serve as advisor to the President and Executive Committee, and shall serve as a delegate to the Assembly of Delegates.

Section 5. The President-elect shall assume all the duties of the President in the case of the resignation,

disability, or absence of the President; shall act as chairperson of constitution and bylaws revisions; shall act as chairperson of membership, coordinating efforts with National Office; shall serve as a delegate to the Assembly of Delegates; and shall have such other duties as may be assigned by the President and the Executive Committee.

Section 6. The First Vice-President shall assume all the duties of the President-elect in case of resignation, disability, or absence of the President-elect; shall act as program chairperson; shall serve as an alternate delegate to the Assembly of Delegates; and have such other duties as may be assigned by the President and the Executive Committee.

Section 7. The Second Vice-President shall assume all duties of the First Vice-President in case of resignation, disability, or absence of the President-elect; shall serve as Regional Information Coordinator, assuming responsibility for coordinating efforts of state contact persons to facilitate flow of information to the Online Media Coordinator.

Section 8. The Secretary shall keep the minutes of all business meetings of the Region and all meetings of the Executive Committee; shall send copies to each member of the Committee within thirty (30) days after the meeting; shall report the annual meetings to the Executive Director of the National Organization; shall notify all officers of their election and committees of their appointment; and, in general conduct the correspondence of the Chapter.

Section 9. The Treasurer shall pay all bills upon authorization of the President; shall keep an itemized

account of all receipts and disbursements; shall present a financial report to the President at any time upon request; shall submit a Region fiscal report to AMTA; shall submit a written financial report to the Executive Committee and the General membership at the annual regional conferences shall close the books at midnight on the last day of the fiscal year.

Section 10. The Delegates to the Assembly will represent the Region on the legislative body of the American Music Therapy Association, Inc.

Section 11. The Online Media Coordinator shall serve as ex-officio member(s) of the Executive Committee and shall be responsible for the editing and supervision of the regional website.

Section 12. The retiring officers shall deliver to their successors all record books, papers, or other property belonging to the Region within ten (10) days.

Section 13. The President shall appoint, with the approval of the Executive Committee, a person to fill the unexpired terms of First Vice-President, Second Vice-President, Secretary, or Treasurer in the case of resignation, disability, or absence of the First Vice-President, Second Vice-President, Secretary or Treasurer respectively.

Section 14. All executive board members will be required to find a replacement from the regional professional membership of AMTA in the event of being unable to attend executive board meetings held at regional and national conferences.

ARTICLE IV ELECTIONS

Section 1. A nominating committee of not less than three (3) and not more than five (5) members shall be appointed by the President, with the approval of the Executive committee, one of who shall be designated as Chairperson.

Section 2. The nominating committee shall present to the membership for vote the names of two (2) nominees for each elective executive office and for Delegates to the Assembly. In the latter case, the committee shall present twice as many nominees as there are Delegate positions to be filled. The membership shall vote for one nominee for each Delegate position. Total votes will be tabulated and nominees ranked from highest to the lowest. Primary delegates will be those persons receiving the highest ranks in descending order to include the number of persons required to fill the Delegate positions. Alternate delegates will be those receiving the next higher ranks. Elections will be held by vote and persons will be elected by simple majority of returned ballots.

ARTICLE V FISCAL YEAR

The fiscal year shall be from July 1 through June 30.

ARTICLE VI RULES OF ORDER

Robert's Rules of Order shall be the authority for all questions not covered by these Bylaws.

ARTICLE VII PUBLICATIONS

The official publication of the Region shall be the

Regional Website.

ARTICLE VII COMMITTEES

Section 1. There shall be five (5) Standing Committees: Auditing, Budget, Regional Information, Local Conference, and Continuing Education Review.

Section 2. The Auditing Committee shall consist of three (3) members, one to be designated as Chairperson, appointed by the President with the approval of the Executive Committee for a term of one (1) year. This committee shall audit the Treasurer's during the annual Regional Conference and shall report to the final business books session.

Section 3. The Budget Committee shall consist of three (3) members, one of who is the Treasurer, two (2) will be appointed (one as Chairperson) by the President with the approval of the Executive Committee for a term of one (1) year. This committee shall plan and submit to the Executive Board and then to the Regional Business session of National Conference a proposed budget for the following fiscal year.

Section 4. The Regional Information Committee shall consist of one (1) contact person from each state to be appointed by the President with the approval of the Executive Committee. The state contact persons shall assist the Second Vice-President in facilitating the flow of newsworthy information to the Online Media Coordinator and the gathering of pertinent photographs, news items, etc. to be included in the regional website.

Section 5. The Local Conference Committee will be made up of local people interested in planning the regional conference. A local chair will be appointed by

the President, or elected by simple majority at the first local meeting. There must be at least two (2) nominees for local chairperson in order for the local committee to vote.

Section 6. The Continuing Education Review Committee shall consist of seven (7) members. The coordinator shall be the continuing education committee representative. The six other members shall be the following officers from the regional executive boards the treasurer, the 1st VP, the 2nd VP, the president, the president-elect, and the past president. In addition, there is the possibility of an additional advisory member if a Midwestern regional member is on the Continuing Education Committee (CEC) of the Certification Board for Music Therapy (CBMT). The Continuing Education Review Committee shall ensure that all policies, documentation and fees regarding CMTE activities submitted to CBMT are adhered to in a timely manner, and shall have the right to amend policies to ensure compliance with CBMT.

Section 7. The President may select other committees from time to time for which there is a special need.