

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

Revised March 2018

ARTICLE I. NAME

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

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 III. 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 its 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 Association is of eight classes: Professional, Associate, Student (Undergraduate, Graduate), Retired Professional, Inactive Music Therapist, Patron, Affiliate Organization, and Honorary Life.

Section 2. Professional membership is open to music therapists and other professionals interested in music therapy. Such membership provides the privilege of participation in the activities of the Association, on both national and regional levels, including but not limited to the right to vote, to hold office, and to receive the Journal of Music Therapy, Music Therapy Perspectives, and other selected national and regional publications of the Association.

Section 3. Associate membership is open to others, not including music therapists, who support the Association. Such membership provides the privilege of participation in the activities of the Association, on both national and regional levels, and the right to receive the Journal of Music Therapy, Music Therapy Perspectives, and other selected national and regional publications of the

Association. Such membership does not include the right to vote or to hold office on the national or regional level.

Section 4. Student membership is open to declared music therapy majors enrolled in AMTA-approved schools or other interested students. Such membership provides the privilege of participation in the activities of the Association, on both national and regional levels, and the right to receive *The Journal of Music Therapy*, *Music Therapy Perspectives*, and other selected national and regional publications of the Association. Student membership does not include the right to vote or to hold office at the national level. Such rights at the regional level are specified by the regional bylaws.

Section 5. Retired professional membership is open to professional members who have reached the age of 65. Such membership provides the privilege of participation in the activities of the Association, on both a national and regional level, including but not limited to the right to vote, to hold office, to receive the *Journal of Music Therapy*, *Music Therapy Perspectives*, and other selected national and regional publications of the Association. Eligible members must submit a request in writing for transfer to retired status.

Section 6. 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 the National Office. Inactive membership will provide the privileges of participation in the activities of the Association and the right to receive selected publications of the Association. Such membership does not include the right to vote or to hold office on the national and regional levels.

Section 7. Patron membership is open to individuals, organizations, institutions, business firms, or foundations contributing substantial sums to the Association. 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 Board of Directors. Patron membership may be assigned to a person designated by the organization, institution, firm, or foundation from which the funds are received. For each contributing year, the Association will confer upon that person the rights and privileges of associate membership.

Section 8. Affiliate organization membership is open to any organization interested in supporting the aims, objectives, and purposes of the Association. Rights and privileges for the designate of an organization are the same as those for associate membership.

Section 9. Honorary life membership may be conferred upon any person in recognition of distinguished service in the field of music therapy. Such election will be made by the Board of Directors. Honorary life members qualify for professional membership and will have all the rights and privileges of such membership without the payment of annual dues. Honorary life membership is conferred upon a maximum of two persons in any single fiscal year.

Section 10. Dues for all membership categories are reviewed annually by the Board of Directors and are established with the approval of the Assembly of Delegates.

Section 11. The membership year coincides with the calendar year, beginning January 1 and ending December 31.

Section 12. Members who pay membership dues after October 31 will be considered members for the following calendar year unless they request otherwise.

Section 13. Membership privileges may be revoked by a two-thirds majority vote of the Assembly of Delegates. However, before such action can be taken, all charges and any defense to be offered must be brought before the Ethics Board in the form of an appeal. If the Ethics Board rules that revocation should be considered, the case is forwarded to the Assembly of Delegates for action. Bases for revocation will be evidence that membership privileges have been abused or that the general good of the Association has been significantly harmed.

Section 14. Rights and privileges of membership are restricted to those who are in good financial standing with the Association.

Section 15. All appointed and elected Board of Directors, members, officers, and standing committee representatives must be current AMTA members.

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 Midwest Region are: President, President Elect, Immediate Past President, Vice President, Vice President Elect, Secretary, Treasurer, and Delegates to the Assembly of the National Organization. During the interim between their election to office and their assumption of that office, the newly elected officers are expected to contact the outgoing officers and to become fully apprised of the events and information associated with the office. Retiring officers will surrender all records related to their offices to their successors by the first day of the new officers' term of office. Terms of office shall be as specified in the Bylaws.

Section 3. No elective officers, with the exception of the treasurer and Assembly Delegates, 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 four appointive offices of the Midwestern Region shall be Online Media Coordinator, Archivist, Parliamentarian, and Student Affairs Advisory Board representative. The method of appointment and term of office shall be specified in the Bylaws.

Section 6. Any voting member of the Board of Directors and any elective officer may be recalled by vote of the body which elected them. Such a recall vote will act to remove the individual as a member of the MWR Board and/or as an officer of the MWR. A recall election is held when a quorum of members of the MWR Board request a recall in writing to the President of the Board.

ARTICLE VII. BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of the President, Immediate Past President, President-elect, Vice President, Vice President Elect, Secretary, and Treasurer. The Online Media Coordinator, Archivist, Parliamentarian, and the Student Affairs Advisor will be ex-officio members of the Board of Directors.

Section 2. The Board of Directors 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 duties as 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 Board of Directors.

Section 2. Two or more voting directors may call a meeting of the Board of Directors.

Section 3. The Board of Directors may take action without a meeting provided such action is taken by way of written (electronic or hard copy) consent by a majority of voting members of the Board. Such action may be taken only after a written statement in which the action is described has been sent to all members of the Board.

Section 4. Board of Directors meetings will be open to all professional members of the region unless a closed meeting is specified by the president.

ARTICLE X. AMENDMENT

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. DUES

Section 1. Annual dues will be set by the National Office and the Region will be granted a percentage.

Section 2. The membership year will coincide with the calendar year, beginning January 1 and ending December 31.

ARTICLE II. 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 Board of Directors, 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 may be requested by 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 Board of Directors; shall appoint all standing committees as well as representatives to committees of the National Organization, subject to approval of the Board of Directors; 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 Board of Directors, as a delegate to the Assembly of Delegates, and as nominating and election chair for one election cycle.

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 Board of Directors.

Section 6. The 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 Board of Directors. A vacancy in the office of Vice President is filled by the Vice President Elect.

Section 7. The duties of the Vice President Elect are to assist the Vice President as requested, to study the duties of the Vice President in anticipation of assuming the responsibilities of the Vice Presidency, and to assume all duties of the Vice President in case of resignation, disability, or absence of the Vice President. A vacancy in the office of Vice President Elect is filled by presidential appointment with approval of the Board of Directors. The Vice 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 Board of Directors; 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 Board of Directors 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 an ex-officio member~~(s)~~ of the Board of Directors and shall be responsible for the editing and supervision of the regional website, all social media accounts, and maintain an active email list for sending notifications to the membership.

Section 12. The President shall appoint, with the approval of the Board of Directors, a person to fill the unexpired terms of Vice President, Vice President Elect, Secretary, or Treasurer in the case of resignation, disability, or absence of the Vice President, Vice President Elect, Secretary or Treasurer respectively.

Section 13. All Board of Directors members will be required to find a replacement from the regional professional membership of AMTA in the event of being unable to attend Board of Directors meetings held at regional and national conferences.

ARTICLE III. ELECTIONS

Section 1. A nominating committee of not less than three (3) and not more than five (5) members, including the Past President as nominating chair, shall be appointed by the President, with the approval of the Board of Directors.

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 IV. FISCAL YEAR

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

ARTICLE V. RULES OF ORDER

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

ARTICLE VI. PUBLICATIONS

The official publication of the Region shall be the Regional Website.

ARTICLE VII. COMMITTEES

Section 1. The Auditing Committee shall consist of three (3) members, one to be designated as Chairperson, appointed by the President with the approval of the Board of Directors. This committee shall audit the Treasurer's report during the annual Regional Conference and report to the Board of Directors before the final business meeting.

Section 2. 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 Board of Directors for a term of one (1) year. This committee shall plan and submit to the Board of Directors and then to the Regional Business session of National Conference a proposed budget for the following fiscal year.

Section 3. The Local Conference Committee will be made up of local people interested in planning the regional conference. A local chair or two local co-chairs will be appointed by the President, or elected by simple majority of the local committee at the first local meeting.

Section 4. The blind review committee shall be led by the regional Continuing Education Committee (CEC) representative, who ensures 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. The CEC representative is responsible for assembling the committee with Board approval to review concurrent session proposals for the annual Regional Conference.

Section 5. The President may create ad hoc committees from time to time for which there is a special need.