

# **CONSTITUTION OF THE IOWA HIGH SCHOOL MUSIC ASSOCIATION**

## **Amended July 17, 2023**

### **ARTICLE I**

#### **Name**

**Section 1.** This Association shall be known as the Iowa High School Music Association.

#### **Purpose**

**Section 2.** It shall exist for the purpose of furthering interest and establishing standards in all forms of high school music.

#### **Membership**

**Section 3.** Only high schools accredited or approved by the State Department of Education and meeting the requirements of this Constitution are eligible for membership in this Association. Junior high schools are not accepted for membership in this Association. Students enrolled in a junior high school may participate under the auspices of the senior high schools of the school district in which it is located. In case the district includes more than one senior high school, the Superintendent of the school shall designate the high school with which the junior high school is to be affiliated for participation in the activities of the Association.

#### **Annual Meeting**

**Section 4.** The Annual Meeting shall be held during the month of July. Special meetings may be called by the Executive Committee.

### **ARTICLE II**

#### **Festivals**

**Section 1.** The Executive Committee shall have authority to arrange such festivals as they may deem necessary.

### **ARTICLE III**

#### **Dues**

**Section 1.** Annual dues of \$25 shall be sent to the Executive Director of the Association on or before September 15. Dues shall be \$37.50 (\$25 dues plus \$12.50 penalty) until January 1. After January 1, schools will not be admitted for membership. The postmark on the envelope containing the letter shall determine the date the fee is received.

### **ARTICLE IV**

#### **Administration**

#### **A. Executive Committee: Nomination and election, powers and duties.**

**Section 1.** The Executive Committee composed of 5 members shall be elected at-large for a 5-year term: Three members of the committee shall be Superintendents or Principals of senior high member schools; one member shall represent the instrumental field and one member shall represent the vocal field of senior high member schools. **Note:** The Executive Committee has an additional member appointed by the State School Board Association. This is to meet the new statute 257.25, Chapter 9.4, Code 1966. The total membership of the committee is 6.

**Section 2.** A member of the Executive Committee shall be eligible to succeed him(her)-self but once and serve a total of two (2) terms (either partial or full).

**Section 3.** Only the Superintendent or his/her designated senior high school Principal shall have the right to vote in the nomination and election of Executive Committee members.

**Section 4.** Nomination and Election - When an election is to take place, the Executive Director of the Iowa High School Music Association shall electronically send an official nomination ballot to each member school by the first Friday in September. This ballot shall be a secure electronic ballot, and shall include a place on the ballot for the member submitting the ballot to key his/her name. This keyed name must be on the ballot for the ballot to count. The electronic ballots, when voted, shall be transmitted to a secure website, with the results being tallied automatically. Those results will then be provided to the Election Board. The member of the District Advisory Group from the North Central District shall serve as Elections Chair. The Election Board shall be comprised of three (3) members: The member of the District Advisory Group from the North Central District; the Executive Director of this association; and one other person designated by the Elections Chair.

On the third Friday in September, the Election Board shall meet by telephone conference for the official canvass of the ballots. The electronic results database shall be reviewed by the Election Board. The two receiving the highest number of votes shall be considered the nominees. In case

of a tie of more than two, all those in the tie shall be considered nominees. In case the number of nomination ballots for any one of the nominees is a majority of the number of member schools, that candidate shall be declared elected.

A list of schools voting shall be made from the returned electronic ballots, and together with the results of the election, be certified by the Election Board conducting the election and forwarded to the Executive Committee for publication in the next regular bulletin. The Executive Director shall then prepare and electronically send official election ballots to the member schools by last Friday in September. A place shall be provided on the ballot for the member submitting the ballot to key his/her name. This keyed name must be on the ballot for the ballot to count. These ballots shall be the same kind as those used for nominations and, when voted, shall be transmitted to a secure website, with the results being tallied automatically. Those results will then be provided to the same Election Board Chair who received the nomination ballots except when he/she is a candidate. In that case the Executive Committee shall designate some other District Advisory Group member as Elections Chair. This ballot shall only contain the names of those individuals declared nominees through the process described above. On the second Friday of October, the Election Board shall meet by telephone conference to canvass the election ballots. The procedure in canvassing shall be the same as in canvassing nomination ballots. The candidate receiving the highest number of votes shall be declared elected. A list of schools voting shall be made from the returned electronic ballots, and together with the results of the election, be certified by the Election Board conducting the election and forwarded to the Executive Committee for publication in the next regular bulletin of the Music Association. In case of a tie, election shall be decided by lot by the candidates in the presence of the Executive Committee.

**Section 5.** Each newly-elected officer becomes a member of the Executive Committee upon notification from the Executive Director of his/her election.

**Section 6.** A vacancy will occur whenever a member of the Executive Committee ceases to be an executive officer or a teacher of music, as earlier defined, of a member senior high school. In case of a vacancy, the Executive Committee shall conduct an election in the prescribed manner within two weeks (except during the summer) after the vacancy has occurred to fill and complete the unexpired term. When a vacancy occurs during the summer vacation, the Executive Committee may, at its discretion, delay an election to fill the vacancy until the regular time in the fall.

**Section 7.** At their October meeting, the Executive Committee shall elect a President, Vice-President and Treasurer from its membership for a term of office for one year. Other officers may be elected by the Executive Committee from within its own group to carry on the business of the Association.

**Item 1.** The President of the Executive Committee shall, in addition to his regular duties, preside at all meetings of the District Advisory Group.

**Item 2.** Three members of the Executive Committee shall constitute a quorum for any meeting.

#### **Powers and Duties of the Executive Committee**

**Section 8.** The Executive Committee shall have the following powers and duties.

- a. The Executive Committee shall annually negotiate for an extension of the agreement with the Iowa High School Athletic Association to act as a service agent for the Music Association in accordance with the provisions set forth in the resolution adopted by the Music Association on November 14, 1965, and amended on January 14, 1966. Modifications from the original resolution may be made from time to time by mutual agreement of both Executive Boards or the Executive Committee may, at its discretion, determine other conditions under which its Executive Director may serve.
- b. The Executive Committee shall have general supervision over all music festivals and related music activities of member schools.
- c. It shall interpret the rules of the Association.
- d. It shall provide for and supervise the purchase of suitable awards by member schools for participants.
- e. It shall decide all protests and shall fix the penalty unless otherwise provided in the rules.

**Section 9.** The Executive Committee shall present a full report of all official business through a bulletin distributed to all members of the Association. The Executive Director and Treasurer shall annually present a financial statement to the Association, together with an audit by a Certified Public Accountant of the previous fiscal year. An Audit Committee consisting of 3 to 5 representatives of member schools shall be appointed by the President if such action is requested.

**Section 10.** In matters not herein determined, the Executive Committee shall have absolute authority.

**Section 11.** The Executive Committee may create and place on interest a sinking fund, which shall be used only to pay a deficit in the finances of the Association, unless otherwise specifically designated for other use by the electorate.

**Section 12.** The Association, acting by and through the Executive Committee, may accept contributions and bequests for the purpose of awarding scholarships that conform to the standards promulgated by the Internal Revenue Service and the Iowa Department of Revenue. The requirements and qualifications of the scholarship award will be communicated annually to the member schools.

**B. District Advisory Group: Nomination and election powers and duties.**

**Section 1.** There is hereby created a District Advisory Group and for the purpose of election and administration of said District Advisory Group, there shall be 6 districts as at present provided. The Districts as established as follows:

**Northwest District** comprising the following counties: Buena Vista, Carroll, Cherokee, Clay, Crawford, Dickinson, Ida, Lyon, Monona, O'Brien, Osceola, Plymouth, Sac, Sioux, Woodbury.

**North Central District** comprising the following counties: Butler, Calhoun, Cerro Gordo, Emmet, Floyd, Franklin, Grundy, Hamilton, Hancock, Hardin, Humboldt, Kossuth, Mitchell, Palo Alto, Pocahontas, Webster, Winnebago, Worth, Wright.

**Northeast District** comprising the following counties: Allamakee, Benton, Black Hawk, Bremer, Buchanan, Chickasaw, Clayton, Clinton, Delaware, Dubuque, Fayette, Howard, Jackson, Jones, Linn, Tama, Winneshiek.

**Southwest District** comprising the following counties: Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawattamie, Ringgold, Shelby, Taylor, Union.

**South Central District** comprising the following counties: Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Jasper, Lucas, Madison, Marion, Marshall, Monroe, Polk, Story, Warren, Wayne.

**Southeast District** comprising the following counties: Cedar, Davis, Des Moines, Henry, Iowa, Jefferson, Johnson, Keokuk, Lee, Louisa, Mahaska, Muscatine, Poweshiek, Scott, Van Buren, Wapello, Washington.

**Section 2.** Any certified employee serving as a high school administrator or high school music instructor is eligible to be elected to the District Advisory Group.

**Section 3.** A District Advisory Group member shall be eligible for only one elected term in office.

**Section 4.** Only the Superintendent or his delegated Principal of the senior high school shall have the right to vote in the nomination and election of District Advisory Group members.

**Section 5.** The term of office for members of the District Advisory Group shall be for 3 years. The areas of representation shall be rotated so that each district will be represented, in turn, by an administrator, an instrumental music director and a vocal music director. Beginning with the 1981 election, the Southwest District shall elect an administrator, the South Central District shall elect an instrumental music director and the Southeast District shall elect a vocal music director. The 1982 election shall direct the Northwest District to elect an instrumental music director, the North Central District shall elect a vocal music director and the Northeast District shall elect an administrator.

**Section 6.** Procedures for nomination and election of members to the District Advisory Group shall be identical to that prescribed in the nomination and election of members to the Executive Committee, except that members to the District Advisory Group shall be elected by Districts and voting shall be by Districts and not at-large.

**Section 7.** The District Advisory Group shall meet with the Executive Committee at their October and April meetings. The Executive Committee may call other meetings of the Advisory Group.

## **ARTICLE V**

### **State Festivals**

**Section 1.** The State Festivals shall be held on dates established by the Iowa High School Activities Federation.

**Section 2.** Registration for any Association festival must be completed by at least 30 days prior to the festival in which the school is participating.

### **Program and Certification**

**Section 3.** The certification of eligibility of participating pupils must be sent to the Executive Director with the official registration.

### **Judges for Festivals**

**Section 4.** All judges will be selected and employed by the Executive Committee. No person shall

be selected as a judge for an event who has coached any of the participants, or who is in any way connected with the schools represented by the participants.

All solo and small group events shall be judged by one judge. The Executive Committee shall determine the appropriate number of judges required by each of the large group events.

#### **Rating of Participants**

**Section 5.** The Executive Committee of the Iowa High School Music Association retains the authority to establish the rating system that will be utilized for each festival event.

#### **Festival Reports**

**Section 6.** A complete report giving the final ratings of all participants must be mailed to the Executive Director of the Association by the manager of each festival promptly following the completion of the event.

### **ARTICLE VI**

#### **Eligibility**

**Section 1.** All participants must be enrolled and in good standing in a school that is a member or associate member in good standing with the Iowa High School Music Association. All participants must be under 20 years of age. All participants shall be enrolled students of the school and in good standing; they shall be enrolled in at least four full-credit subjects, each of one period or "hour" or the equivalent thereof, at all times. Coursework taken under the provisions of Iowa Code chapter 261C, postsecondary enrollment options, for which a school district or accredited nonpublic school grants academic credit toward high school graduation shall be used in determining eligibility.

Each contestant shall be passing all coursework for which credit is given and shall be making adequate progress toward graduation requirements at the end of each grading period. "Grading period," graduation requirements, and any interim periods of ineligibility are determined by local policy. For the purposes of this rule, "grading period" shall mean the period of time at the end of which a student in grades 9 through 12 receives a final passing grade and course credit is awarded.

If at the end of any grading period a participant receives a failing grade in any course for which credit is awarded, the participant is ineligible to participate in any evaluative or competitive event offered by or sanctioned (approved) by the IHSMA that is non-graded (event doesn't effect course GPA) within a period of 30 consecutive calendar days. The period of ineligibility will begin with the first school day following the day grades are issued by the school district. Periods of ineligibility served for the same infraction in other activities will count toward serving this period.

A student with a disability who has an individualized education program (IEP) shall not be denied eligibility on the basis of scholarship if the student is making adequate progress, as determined by school officials, towards the goals and objectives on the student's individualized education program.

The maximum period of eligibility while in grades 7 and 8 shall be 4 semesters. The maximum period of eligibility while in grades 9 through 12 shall be 8 semesters. Pupils below the 9th grade may not participate in solo events.

A soloist, except piano, must be a member of the appropriate high school musical organization, if such exists, and must appear with that organization if it participates in any of the programs of the Association.

#### **Classification**

**Section 2.** The classification of member schools shall be determined by the Executive Committee and reviewed on an annual basis. The Association shall use the current year's official 9-11 enrollment as reported on the BEDS document to the IHSAA to determine classifications for the ensuing year. There will be a minimum of four classes that will divide the membership into classes of relative equal opportunity for students. Classifications are as follows:

Class 4A: 9-11 enrollment of 600 or more students

Class 3A: 9-11 enrollment of 275-599 students

Class 2A: 9-11 enrollment of 150-274 students

Class 1A: 9-11 enrollment of 149 or less students

Each school shall enter the class where it belongs as shown by the above classification except as hereinafter provided. A school may elect to participate in the class next highest in enrollment, in which case it shall participate in that class in each event it enters. The choice to enter a next higher classification shall not be made later than May 1<sup>st</sup> of the preceding school year.

### **Number of Entries**

**Section 3.** There is an unlimited entry for member schools into the large group festival provided there is no duplication of personnel.

The number of participants or entries into the various programs of the Association will be set by the Executive Committee and may vary from program to program.

### **Time Limit**

The time limit of each event shall be as prescribed by the Executive Committee. The time will be computed from the beginning of the first selection. An official timekeeper shall signal when the time limit has been reached. Entrants who do not stop as the signal is given shall be reported to the Executive Committee by the festival manager.

If directors do not comply with this direction, they shall be reported to the Executive Committee and announcements of rating withheld.

### **Conductors and Accompanists**

**Section 4.** Only a school approved sponsor, or an eligible student, shall be permitted to direct any participating organization. Directors of vocal groups may not sing with their organizations or may directors of instrumental groups play with participating instrumental organizations.

This shall not be interpreted to prevent a vocal director playing a piano accompaniment for a participating group.

Small groups, both vocal and instrumental, must participate without direction unless exception is provided by the Executive Committee.

The accompanist may be any person approved by the Superintendent of the member school.

## **ARTICLE VII**

### **Violations**

**Section 1.** Schools violating this constitution or adopted rules, policies and regulations of the Iowa High School Music Association may be penalized, up to and including suspension from membership for one year, by action of the Executive Committee. Any suspended school will forfeit all ratings and awards received in the alleged occurrence.

**Section 2.** If charges are brought against any member school for violations, as generally described in Article 7, Section 1, the Executive Committee shall consider such charges and determine and assess penalties in case of conviction. Any school which is charged with such violations shall be given the opportunity to be represented at the hearing of its case before the Executive Committee. Any investigation or hearing which involves the school with which any member of the Executive Committee is connected shall not be heard in his/her presence, nor shall he/she vote on the final consideration. The decision of the Executive Committee in said matters is final.

## **ARTICLE VIII**

### **Disposition of Assets on Dissolution**

**Section 1.** In the event of the termination or dissolution of this Association, then and in that event, the assets remaining after payment of the costs of termination or dissolution, shall be paid out in equal amounts to all schools which were members of the Association on the date of the commencement of such action to terminate or dissolve.

## **ARTICLE IX**

### **Amendments**

**Section 1.** Amendments to this constitution may be initiated in either of the methods enumerated in this section.

1. By petition signed by the administrators of not less than 20% of the member schools.
2. By Executive Committee action.

**Section 2.** The Executive Committee shall submit within reasonable time all properly proposed amendments to the administrators of the member schools. The ballot shall be cast by the member school over the signature of the superintendent or principal within the time limit stated on the ballot. The proposed change shall become part of the constitution immediately if approved by a majority of the member schools voting on the proposal.

**Section 3.** Regulations made by the Executive Committee not contrary to this constitution shall apply to all festivals in this Association, unless rejected by the Association in the manner prescribed for voting in Article IX, Section 1 and 2 of this constitution.