

# **RUTGERS UNIVERSITY ALUMNI WIND SYMPHONY**

## **Constitution and By-Laws**

Written: July 16, 2016

Adopted: December 15, 2016

### **ARTICLE 1 – NAME**

The name of this organization shall be THE RUTGERS UNIVERSITY ALUMNI WIND SYMPHONY (hereinafter referred to as the “RUAWS”).

### **ARTICLE 2 – PURPOSE**

The purpose for the existence of the RUAWS shall be defined and substantiated as follows:

- a. To provide an opportunity for Rutgers University Alumni musicians to continue their association with Rutgers University and to continue performing wind music in the tradition of the RU Wind Ensemble and Dr. Scott Whitener.
- b. To promote the performance of wind band literature for Alumni of Rutgers and non-alumni musicians.
- c. To provide high quality free public performances

### **ARTICLE 3 – MEMBERSHIP**

The membership policy shall be as follows:

- a. The RUAWS shall consist of any alumni and others with a demonstrated proficiency in a brass, woodwind, or percussion instrument.
- b. Active voting members of the RUAWS shall be allowed to vote in decisions of the ensemble. A “Voting Member” has attended greater than 50% of semester rehearsals and current with dues. A “Non-Voting Member” is anyone who has NOT met the criteria of a Voting member. An “Honorary Member” is anyone who has shown exemplary dedication and commitment to RUAWS.
- c. There shall be an Annual Membership Meeting of RUAWS. Notification of this meeting will go to all members at least two weeks prior to the meeting.

#### **ARTICLE 4 – SEMESTER DUES**

Dues will be determined by the Executive Board prior to the fiscal year of July 1 – June 30. Said dues are to be paid by active members at the first rehearsal(s) in both September and January. Dues will be used for the RUAWS expenses of music, programs, facility costs, gifts, etc. Dues can be remitted with cash or check – made payable to RUAWS – and members will receive a receipt upon payment. Members that advise the Executive Board of a financial hardship, their dues will be waived on a case by case basis. Any guest musician/soloist that is invited by the Musical Director(s) will not be required to pay the semester dues.

#### **ARTICLE 5 – EXECUTIVE BOARD**

The following is a job description of each officer of the RUAWS. The Executive Board will be responsible for continuing the RUAWS and make any/all decisions throughout the semesters. The Executive Board will work along with the Music Director(s) to determine the rehearsal and concert schedule. Each term will extend over a two-year period, commencing with the fiscal year. The elected officers comprise the RUAWS Executive Board.

- a. President – The President presides over all activities of the RUAWS. The President presides over the Executive Board meetings, delegates authority and duties to other members of the RUAWS, and serves as a member ex-officio on all standing committees. The President consults with the Music Director regarding upcoming concerts and any matters of the RUAWS. The President acts as liaison to the Music Director(s), Board Members, and employees of Rutgers University regarding rehearsal and concert dates and facilities. The President represents the organization to the community at large.
- b. Vice-President – The Vice-President administers the organization in the absence of the President. The Vice-President maintains membership records, which includes the recording of attendance of all rehearsals, performances and meetings. The Vice-President will consult with the Treasurer as to the active status of the membership. The Vice-President will keep an up-to-date list of all members every semester.
- c. Secretary – The Secretary takes minutes at all meetings, reviews and maintains all Committee reports, correspondence to the membership and Board members, and generates all correspondence on behalf of the organization. The Secretary will also be in charge of preparing and

- printing concert programs. The positions of Vice-President and Secretary may be combined into one position, if so needed.
- d. Treasurer – The Treasurer maintains all financial records for the RUAWS, prepares and presents all budgets, makes necessary payments and deposits for the organization, and maintains all fiscal contacts and relationship. The Treasurer, Executive Board, and the Musical Director(s) will determine the budget for each semester.
  - e. Librarian – The Librarian will maintain all scores and pieces of the music that are owned by RUAWS. The Librarian will oversee folders (including the Alma Mater and Bach Chorals) that are disbursed to all active members each semester. The Librarian will coordinate with the Music Director regarding the lending and receiving of pieces owned by RUAWS. The Librarian will maintain a master copy of all instruments that will remain in the Library. The Librarian will make up new folders as needed.
  - f. Publicity – The Publicity person will contact various local publications regarding upcoming concerts and will coordinate programs and posters.

When a vacancy on the Executive Board exists mid-term, the remaining Executive Board members may nominate and vote an active member to the position for the remainder of the term. Resignation from the Executive Board must be in writing to the remaining Executive Board members. An Executive Board member may be removed from office by a three-fourths vote of the remaining Executive Board members.

## **ARTICLE 6 – ELECTIONS**

The following is a summary of the election process of the RUAWS.

- a. The President may appoint a Nominating Committee consisting of up to three active voting members. Any RUAWS member interested in running for an office shall present himself/herself to the Nominating Committee. The Nominating Committee shall present a slate of officers to the membership.
- b. Elections shall take place at a rehearsal. Voting will take place by paper ballot. The votes will be tabulated by the Nominating Committee and the results will be announced at the conclusion of the voting rehearsal. If positions are unopposed, then a show of hands will determine the winner.
- c. Election for the offices shall be determined by a majority of the active voting members present at the voting rehearsal.

- d. Any active member of the RUAWS may run for more than one two-year term. Any active member of the ensemble can run for any or all Board positions, but may hold only one office during a single term limit.
- e. In order to be nominated for the office of President, said active member must have at least one full term on the Board, prior to the nomination.
- f. If an Executive Board member cannot fulfill his/her position, the remaining time of the term will determine the necessity for a new election. The Executive Board shall decide upon this action.

## **ARTICLE 7 – CONSTITUTION AND BY-LAWS CHANGES**

Any article of the Constitution, By-Laws or portion contained therein, may be added, changed or amended, or deleted with a majority vote of the present active members of the RUAWS. New articles must be reviewed and approved by the Executive Board before being placed on the floor for a vote. A majority vote of the present, active members is required for acceptance or rejection. All changes will be published in bold and reissued to all active members.

## **ARTICLE 8 – MEETINGS**

All meetings of the RUAWS will be run by the Executive Board. Any meetings of the active members of the RUAWS may be held prior to, or during any rehearsal, event or performance of the RUAWS, if necessary. Executive Board meetings will be held no less than four times per year. Minutes of the Executive Board shall be presented, reviewed and approved by the Executive Board at their next meeting. The schedule of each Board meeting will be determined by that committee.

## **ARTICLE 9 – APPOINTMENTS AND COMMITTEES**

The following is a description of all appointments and committees.

- a. A Historian may be appointed by a 2/3 majority vote of the Executive Board. The Historian will maintain a library of programs of each concert as well as any articles that are published in local periodicals and Rutgers University publications.
- b. Committees shall be established as the Executive Board determines the need. They may include, but are not limited to: Nominating Committee, Program Committee, Public Relations Committee, and Concert Committee.

1. Committee Chairpersons of their respective committees shall be recommended by the President of the RUAWS for approval by the Executive Board.
2. Committee Chairpersons must be members of the RUAWS. Committee members need not be active members of the RUAWS.
3. All committees shall determine their own meeting schedules.
4. All financial requests from the RUAWS committees shall be reviewed and approved by the Treasurer of the RUAWS and a financial report shall be presented for approval to the Executive Board of the RUAWS.
5. Committee reports shall be offered at any regular rehearsals of the RUAWS and the Executive Board meetings, upon request.

#### **ARTICLE 10 – MUSIC DIRECTOR(S)**

The Music Director(s) will develop rehearsal and concert schedules in conjunction with the Executive Board and will be approved by the Executive Board. The term of the Music Director(s) is open-ended.

- a. The Executive Board requires two semesters notice if the Music Director plans to not continue with RUAWS. The Assistant Director would assume the role of the Music Director until such time that a permanent Director is appointed.
- b. The Assistant Director can also apply for the Directorship. In the event that the Music Director fails to fulfill the duties of Music Director, the Executive Board, by a 2/3 majority may ask for their immediate resignation.
- c. The Music Director or Assistant Director may participate as musicians when not conducting.
- d. New Directors or Assistant Directors must present a detailed resume and proposed program for the RUAWS Executive Board to review and approve. Appointment of a Music Director will be made by a two-thirds vote of the Executive Board.
- e. The Music Director will develop rehearsal and concert schedules.
- f. The Music Director shall recommend an Assistant Conductor.
- g. The Executive Board will carry out a reasonable audition process for a new Musical Director when needed. The Musical Director will carry out a reasonable audition process for a new assistant conductor. Both processes will include resume review, interviews, and up to one half hour of conduction in front of RUAWS.

- h. The Music Director will assign parts and seating to all members of the group and reserves the right to delegate parts, solos, section leaders, and to decide to bring in additional players as needed per concert.
- i. The Music Director has the final say in all musical decisions including, but not limited to, music selection, number of players per section/seat/instrument/part/solo assignments.
- j. The Music Director has the right to ask a member to leave the group if their behavior is not conducive to a quality rehearsal(s) or performance times. Behavior may include, but is not limited to, the following:
  - 1. Persistent disruption during rehearsals
  - 2. Persistent poor attendance
  - 3. Persistent negative displays of behavior or discrimination toward other members of RUAWS
  - 4. Non-compliance with the final decisions of the Music Director

## **ARTICLE 11 – ADDITIONAL PROVISIONS**

The following is a description of procedures to end the RUAWS.

- a. Dissolution – Upon dissolution of the RUAWS, after payment of debts, no part of the remaining assets may be distributed to any Executive Board member, but shall be distributed in accordance with law, provided, however, the distribution must be to another organization exempt under the provisions of Section 5(c)(3) of the United States Internal Revenue Code or to the United State, or a State or local government, for a public purpose. Any assets not so disposed of shall be disposed of by a court or competent jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purpose.
- b. Compensation – Neither Members, Music Director, or Executive Board members shall receive any fee, salary, or remuneration of any kind for their services in such capacities, provided, however, that Members, Music Directors, may be reimbursed for reasonable expenses incurred with approval of the Board upon presentation of vouchers/receipts.
- c. Force and Effect of By-Laws – These By-Laws are subject to the provision of the New Jersey Nonprofit Corporation Act (the “Act”) and the Certificate of Incorporation as they may be amended from time to time. If any provision in these By-Laws is inconsistent with a provision in the Act or the Certificate of Incorporation, the provision of the Act or the Certificate of Incorporation shall govern to the extent of such inconsistency.

- d. Any remaining funds will be donated to the Rutgers University Department of Bands to be used for future scholarships.

**ORIGINAL RUAWS BY-LAWS WERE WRITTEN BY:**

Tracey Fedosh – President

Cindy DiMeglio – Vice President/Secretary

Frederick Hurford – Treasurer

Sharif Sazzad – Librarian

Haym Benaroya – Publicity

**CERTIFICATION**

These By-Laws were approved at a meeting of the Executive Board by a two-thirds majority vote on \_\_\_\_\_.

---

Secretary

Date