

BY-LAWS
MIDWEST PIPE BAND ASSOCIATION
Amended and Ratified January 15, 2018

ARTICLE I - NAME

This Association shall be known as the Midwest Pipe Band Association (MWPBA), referred to hereafter as the 'Association.'

ARTICLE II - PURPOSE

The Association is organized and authorized by the member bands of the Association to aid members in performing the necessary functions for the further development of the arts of Highland bagpiping, Scottish snare drumming, tenor and bass drumming, Drum Majoring and related cultural endeavors within the Midwest territory of the United States. The territory of the Association consists of the states of Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, and Wisconsin.

ARTICLE III - AUTHORITY

The Association exists at the pleasure of the individual member bands and is governed in accordance with the authority vested in the Governing Committee, these By-Laws, and any amendment thereto.

ARTICLE IV - GOVERNING COMMITTEE

The management of the Association shall be vested in the majority vote of the Governing Committee, referred to hereafter as the 'Committee.' The Committee shall be composed of one representative of each member band. Each member band shall have one vote and shall designate which member of the band has such vote, indicated at roll call at any official general assembly.

Bands may vote by proxy on specific motions when unable to attend meetings if the Secretary-Treasurer is notified in writing prior to the meeting as to who will hold the band's vote. Proxy votes must be specific as to the motion and the direction of the vote. Proxy votes cannot be applied generically, i.e., giving someone else the power to carry someone else's undefined voting rights. If the wording of a proxy vote cannot be exactly applied to a specific question, then it cannot be counted.

The Committee shall elect its own officers and carry on all business necessary for the proper functioning of the Association.

A quorum must be present in order to conduct business and to hold legally binding voting. A quorum is no fewer than ten (10) current competing member bands. Proxy

votes cannot be counted toward a quorum as they are too narrowly defined to be able to be applied to all issues.

A set of rules governing competitive performances at MWPBA events will be established by the Executive Committee and approved by the Governing Committee. Amendments to the rules may be made at the Annual General Meeting by a simple majority approval of the Governing Committee. Throughout the season, the Executive Committee may allow concessions, exceptions and special provisions to the rules should sufficient and justifiable need arise. Any such change in the rules is adopted by a simple majority vote of the Executive Committee, but is considered temporary for a specific situation. If the change is desired to be made permanent, formal amendment to the competition rules must be made at the next AGM.

A record of all appeals to the Executive Committee for temporary competitive rules concessions must be kept, accompanied by a brief description of the Executive Committee discussion on the issue, as well as the decision made and the date. This log shall be attached as an addendum to the formal competition rules.

ARTICLE V – EXECUTIVE COMMITTEE, ADVISORY BOARD, OFFICERS

The Committee shall elect from the Association membership the following nine (9) officers to serve for a term of one year. They shall assume their offices following the Annual General Meeting, which is the beginning of the Association's fiscal year. The President will appoint, with the approval of the Executive Committee, additional officers and committee chairs as provided in these By-Laws. The appointed Chief Steward, Music Board Chair, Education Committee Chair, and Website Administrator are nonvoting members of the Executive Committee. The Standing and Temporary Committee Chairs are not de facto members of the Executive Committee. The following elected officers in addition to the appointed Chief Steward comprise the Executive Committee.

ELECTED OFFICERS:

- 1) A President who shall act as Chairman at all meetings of the Committee. The President shall represent the Association in official matters including intersociety relations. The President will communicate any official decisions made by the Executive Board to affected parties in writing, within 15 days after a decision has been reached.
- 2) A Vice President who shall be responsible for all duties of the President in the absence, temporary or permanent, of said President.
- 3) A Secretary-Treasurer who shall be responsible for Association correspondence, all funds, and the accurate keeping of the records of the Association, and in the absence of the Vice President assume his/her duties. The Secretary-Treasurer shall maintain

a separate ledger of official actions taken by the Executive Committee regarding questioned competition rules violations, including parties involved, relevant discussion and facts of the issue, decision reached by the Executive Committee and date.

4) A Registrar-Band who shall be responsible for receiving, recording band memberships and mailing of band membership cards. The Registrar-Band officer will maintain a list of past and present individual Member Band roster entries and will check as is reasonable the status of roster entries in order to prevent roster violations, and will interact with other societies with the assistance of the Executive Board when a rostering legality arises.

5) A Registrar-Solo who shall be responsible for receiving, recording individual memberships and mailing of solo and adjudicator membership cards. The Registrar-Solo officer will maintain a list of MWPBA judges as far as their active member status and provide this when needed. The Registrar-Solo officer will maintain a list of past and present individual solo members and will check as is reasonable the status of roster entries in order to prevent grading violations, and will interact with other societies with the assistance of the Executive Board when a grading legality arises.

6) Four (4) Regional Representatives who shall be responsible for maintaining communication between member bands within their territories and the Association, and for assisting in establishing and promoting regional activities. Election is by the Committee as a whole.

(Eastern Rep covering OH, IN, MI, KY),

(Western Rep covering MN, SD, ND, NE, KS, MO, AR, IA, OK),

(Two (2) Central Reps covering WI, IL)

APPOINTED POSITIONS:

1) A Chief Steward (or acting Chief Steward) shall be appointed by the President with the approval of the Executive Committee and shall serve at the pleasure of the Executive Committee. The Chief Steward shall be responsible for coordinating and running all sanctioned highland games. The Chief Steward may act to decide on the validity of the application of a specific competition rule in the case of uncertainty. Decisions shall be final in that capacity. Decisions made by the Chief Steward at contest venues must be recorded and passed along to the Executive Committee at the conclusion of the events.

Decisions made by the Chief Steward will be reviewed by the Executive Committee in order to determine if the wording of the rules needs to be modified to avoid future need for clarification and to guide the Chief Steward on interpretation of the rules.

2) A Music Board Chair shall be appointed by the President with the approval of the Executive Committee and shall serve at the pleasure of the Executive Committee. Music Board Chair shall be responsible for appointing individuals to six (6) open positions on the Music Board, and who shall act as Chair for all meetings of the Music Board. The Music Board shall review all petitions for regrading and make decisions for regrading of solo members and member bands. The Music Board may not regrade any individual or band not a current member of the MWPBA. The Music Board will receive and review petitions by individuals for addition to the MWPBA adjudicator's panel. Petitions may not be received nor judge status granted to anyone who is not a current member of the MWPBA.

Judges must permanently reside within the territory of the MWPBA. The Music Board shall develop and maintain an education process for MWPBA adjudicators and a system to review conduct and efficacy. Any decisions made by the Music Board may be reviewed or overturned by the Executive Committee.

3) An Education Committee Chair shall be appointed by the President with the approval of the Executive Committee and shall serve at the pleasure of the Executive Committee. The Education Committee Chair shall be responsible for appointing individuals to open positions on the Education Committee and shall act as Chair for all meetings of the Education Committee. The Education Committee shall design an educational system for the development of individual and group skills building. The Education Committee may organize and host seminars and other educational events to promote education. The Education Committee may design and recommend a system of certifications for establishing educational accomplishment.

4) A Website Administrator shall be appointed by the President with the approval of the Executive Committee and shall serve at the pleasure of the Executive Committee. The Website Administrator is responsible for the design and upkeep of the website and assists with other technological duties as required.

ARTICLE VI – ASSOCIATION MEMBERSHIP

Membership is open to Pipe Bands and Individuals who meet the qualifications of pursuing or supporting the Highland Arts, reside within the territorial boundaries as listed in Article II, and acknowledge adherence to the Code of Conduct.

Membership must be renewed annually and dues paid with the designated amounts and by the dates given on the Membership Application Forms in order to remain “in good standing” or “current.” Current Membership in the Midwest Pipe Band Association (or other recognized pipe band association) is required to participate in all Association sanctioned band or solo competitions. The membership year runs January 1 - December 31.

There shall be two classes of Membership: Band and Individual.

There shall be two categories of Band Membership and Individual Membership: Competing and Sustaining (Non-Competing).

Membership in a registered pipe band is not sufficient to be eligible to compete in MWPBA solo events.

ARTICLE VII - DUES (Bands and Individuals)

The Executive Committee is empowered to assess, levy, and collect annual dues payable by each class of members and the dates when those dues are payable for the financial and administrative good of the Association. The Governing Committee will vote on any changes in dues at the Annual General Meeting.

The annual dues for Competing Bands shall be greater than the annual dues for Individual Competing Members. The annual dues for Sustaining Bands and Sustaining Members shall be less than the annual dues for Competing Bands and Competing Members.

All dues shall be paid to the Secretary-Treasurer not later than the date decided upon by the Governing Committee. After that date, any Member Band or Individual Member not having paid the full assessed annual dues, including any late fees, shall lose all rights and privileges (including voting privileges) in the Association and shall cease to be "in good standing" or "current." Membership in the Association of any Member Band or Individual Member terminates on the last day of the calendar year.

Amounts of dues, dates by which payment of dues shall be paid, late fees, as well as due dates of roster submissions for competing bands shall be published.

Elected or Appointed Officials must be members of the Association.

ARTICLE VIII - PARLIAMENTARY PROCEDURES

At all meetings of the Association, Robert's Rules of Order shall be observed.

ARTICLE IX – COMMITTEES (Appointed and Standing)

The Executive Committee shall appoint any committees as deemed necessary to carry out the functions of the Association. Such committees shall exist at the pleasure of the Governing Committee and shall be functional only within the term during which they were created. Committees have limited authority, given to them at the will of the Executive Committee, and any decision reached by any appointed or standing committee may be modified or overturned by the Executive Committee at any time. Standing committees are those which have been deemed to be consistently necessary to the Executive Board but still operate at the will of the Executive Committee with no additional authorities.

ARTICLE X - AMENDMENT OF THE BY-LAWS

The By-Laws shall be amended by a simple majority (50% + 1) vote of the Executive Committee and then subject to ratification by a simple majority of the Governing Committee. If the voting is accomplished by mail, or electronic means, members will have a stated period of time in which to respond.

ARTICLE XI – EXECUTIVE COMMITTEE POWERS

The Executive Committee shall make such rules as it deems necessary to function. No rule may be in contradiction or violation of the By-Laws of this Association. All rules must be enumerated in the Executive Committee meeting minutes and are subject to modification or cancelation by a simple majority of the Governing Committee. Actions of the Executive Committee and minutes of same shall be easily accessible to all members of the Association at all times.

ARTICLE XII - ELECTION OF OFFICERS

The election of officers shall be held at the Association's Annual General Meeting (AGM) the first full weekend in November at a place and time determined by the Executive Committee.

ARTICLE XIII – DISSOLUTION

Upon dissolution of the Association, any assets lawfully available for distribution shall be distributed to one (1) or more qualifying organizations described in Section 501(c)(3) of the Internal Revenue Code of 1986 (or described in any corresponding provision of any successor statute) with a charitable purpose substantially similar to those for which the Association is organized, as the Executive Committee by majority vote designate.