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Massachusetts Association for Health, Physical Education, Recreation and Dance

Constitution

ARTICLE I

Name

Section 1. This organization shall be called the Massachusetts Association for Health, Physical Education, Recreation and Dance (MAHPERD).

ARTICLE II

Purpose

Section 1. As fundamental, continuing basic purpose, MAHPERD exists:

- For ongoing education of members, external constituencies, and the public at large.
- As a communication link, internally for members and externally with / for other individuals or organizations.
- To provide quality opportunities for the on-going growth and development of current and future HPERD professionals.
- To help stimulate, and to particularly recognize and reward significant and worthwhile achievement in quality programs, service, research and innovation.
- To foster cultural pluralism among the HPERD disciplines.
- To apply resources and assist in maximizing the contribution of health education, physical education, recreation and dance to the quality of life in the Commonwealth of Massachusetts.

ARTICLE III

Goals

Section 1. The Massachusetts Association for Health, Physical Education, Recreation and Dance is a non-profit organization whose goals are to:

- 1.1 Recognize, support, encourage, guide and educate members as they develop, conduct and improve school, agency and community programs related to health education, physical education, adapted physical education, recreation, dance and athletics.
- 1.2 Increase public understanding and appreciation of the value and importance of these disciplines.
- 1.3 Facilitate and disseminate research, information and resources.
- 1.4 Conduct conferences, workshops and meetings to improve the effectiveness of the organization and coordinate and support the activities of affiliated local, district and national organizations.
- 1.5 Conduct activities approved by MAHPERD's Executive Board.

ARTICLE IV

Organization

Section 1: The Association shall be organized into divisions and committees.

ARTICLE V
Membership

Section 1: The Association shall be open to all persons involved in the following divisions: health education, physical education, adapted physical education, recreation, dance and athletics. The Association shall consist of members as defined in the By-Laws.

ARTICLE VI
Government

Section 1: The business of the Association shall be conducted by the Executive Board, the Representative Assembly and committees.

ARTICLE VII
Events and Meetings

Section 1: The Association shall conduct an annual convention, conference, workshops and special meetings as needed.

ARTICLE VIII
Awards

Section 1: The Association shall present awards at the annual banquet for meritorious contributions in the following divisions: health education, physical education, adapted physical education, recreation, dance and athletics. Additional awards for meritorious contribution shall be presented as defined in the By-Laws.

ARTICLE IX
Publications

Section 1: The Association shall publish and distribute a newsletter and other publications.

ARTICLE X
Amendments

Section 1: Amendments to the Constitution may be proposed, at any time, by an active member of the Association, by the Executive Board, or by a member of the Constitution and By-Laws Committee. All proposed amendments must be approved by the Executive Board by a two-thirds (2/3s) affirmative vote of the members present, providing there is a quorum as described in Article VII, Section 2 of the By-Laws. Proposed amendments shall be referred to the Executive Board by the Constitution committee Chair, or in the absence of the chair, the past president, at least seven (7) days before the Executive Board meeting at which the vote is taken. An electronic and/or mail vote of the Executive Board may be taken.

Proposed amendments which have received Executive Board approval shall be referred to the Representative Assembly by the Constitution and By-Laws Chair at a Representative Assembly of the Association or at a special meeting designated by the president, or Representative Assembly. Delegates will receive by an electronic and/or mail notification, information regarding the amendment proposal and a ballot for voting on the amendment proposal when matters of amendment change affects Association business and requires prompt action.

This Constitution may be amended by two-thirds (2/3s) of the delegates present at the Representative Assembly, or delegates present at the special meeting designated by the president or voting via electronic and/or mail, provided that the delegates have been notified of the proposed change(s) seven (7) days before a vote.

By-Laws

ARTICLE I **Membership**

- Section 1:** Association membership shall be defined as: professional, student, life, retired, honorary and associate.
- Section 2:** **Professional** membership shall be extended to persons licensed and or engaged in one or more of the HPERD fields.
- Section 3:** **Student** membership shall consist of full time undergraduate or graduate students attending colleges or universities.
- Section 4:** **Life** membership shall be extended to those professionals who pay lifetime dues of \$1,000.00 or to those who have completed the three year term of president of the Association.
- Section 5:** **Retired** membership with full privileges shall be available to retired persons.
- Section 6:** **Honorary** membership may be extended to persons outside the association deemed worthy of this distinction upon approval of the Executive Board.
- Section 7:** **Associate** membership may be extended to an organization, firm, or company, upon approval of the executive board, selling products or providing services to professionals within the allied fields, schools, institutions and organizations. Application for Associate membership approval must include a copy of the organization, firm, or company's Mission Statement. A representative of this Associate group may serve as a non-voting member of the Executive Board.
- Section 8:** Professional, student, life and retired members shall have the right to vote.
- Section 9:** Professional, life and retired members shall have the right to hold office.
- Section 10:** Annual membership dues shall be determined by the Executive Board upon the recommendation of the Finance Committee.

ARTICLE II **Officers**

- Section 1:** The elected officers shall be:
- President,
 - President-elect,
 - Past president (immediate),
 - Secretary,
 - Vice president for health education,
 - Vice president-elect for health education,
 - Past vice president for health education,
 - Vice president for physical education,
 - Vice president-elect for physical education,
 - Past vice president for physical education,
 - Vice president for adapted physical education,
 - Vice president-elect for adapted physical education,
 - Past vice president for adapted physical education.
 - Vice president for recreation,
 - Vice president-elect for recreation,
 - Past vice president for recreation,
 - Vice president for dance,
 - Vice president-elect for dance,
 - Past vice president for dance,
 - Vice president for boys' and men's athletics,
 - Vice president-elect for boys' and men's athletics,
 - Past vice president for boys' and men's athletics,
 - Vice president for girls' and women's athletics,
 - Vice president-elect for girls' and women's athletics,
 - Past vice president for girls' and women's athletics,

Section 2: Term of office:

- 2.1 The president-elect serves a three-year term of office:
the first year as president-elect
the second year as president
the third year as past president.
- 2.2 All vice presidents-elect serve a three-year term of office:
the first year as vice president-elect
the second year as vice president
the third year as past vice president.
- 2.3 The secretary shall serve a two-year term of office.

Section 3: The president shall act as the presiding officer of the Executive Board and committees.

Section 4: The president-elect shall act for the president in her or his absence. In the event that the president is unable to serve, the president-elect shall succeed her or him for the unexpired term and then shall serve the term for which she or he was elected. The office of the president-elect shall remain vacant in this instance.

Section 5: The vice presidents of the divisions shall be in attendance for meetings and conduct business pertaining to their divisions.

Section 6: The vice president-elects and past vice presidents shall assist their vice president with business pertaining to their divisions.

Section 7: The secretary shall record, maintain and disseminate the proceedings of all Executive Board meetings.

Section 8: The business manager shall take charge of the monies of the Association.

Section 9: There shall be an executive director, appointed by and responsible to the Executive Board.

Section 10: The appointed committee chairs may include, but not be limited to, the following:

- Archives
- Advocacy
- Athletic Training
- Awards
- C-Tape / Wellness
- Constitution and By-Laws
- Council for Future Professionals
- Department of Education Representative
- EDA Council for Conventions
- EDA Council for Services
- Editorial Board
- Finance
- Colleges and Universities
- Hoops for Heart
- Jump Rope for Heart
- Membership
- Necrology
- Nominating
- Operating Codes
- Public Relations
- Senior Fitness

Other committees may be appointed at the discretion of the president and be confirmed by the Executive Board.

Section 11: Contractual positions are, but not limited to, the following:
Executive Director
Business Manager
News and Information Editor
Webmaster

Section 12: All officers and committee chairs shall function in accordance with their respective Operating Codes.

ARTICLE III **Election of Officers**

Section 1: The past president shall be responsible for securing a slate of candidates and tabulation of ballots. The election shall be conducted electronically and/or by mail. Each professional, life and retired member, for whose dues are paid for the current year, shall receive a ballot.

Available to membership on the Association web page for review:

- biographical sketches of all nominees
 - brief platform statement from each nominee
 - full instruction for voting process
-
- If feasible, biographical sketches shall be published in the winter newsletter.
 - Although the qualifications of the candidates should be the first criteria for selection as a nominee, it is also important that the executive committee should have good representation of both women and men, from all levels of education and allied fields, and from varied geographical locations.
 - A simple majority of votes cast shall be required for election to office.

Section 2: The following shall be elected annually:

President-elect

Vice presidents-elect for:

health education,
physical education,
adapted physical education,
recreation,
dance,
boys' and men's athletics,
girls' and women's athletics,

The following shall be elected biannually:

secretary

Section 3: The business manager is a contractual position appointed by and responsible to the Executive Board.

Section 4: A candidate must be a paid professional, life or retired member of the Association.

Section 5: The past president shall update the president of the Association throughout the election process.

Section 6: The past president will forward the names of the newly elected officers to the president, president-elect, executive director, secretary, and news and information editor.

ARTICLE IV **Vacancies**

Section 1: All vacancies on the Executive Board and committees shall be filled by the Executive Board unless otherwise provided.

Section 2: The president shall appoint the next immediate past president to carry out the duties of the office in the case of the inability of the immediate past president to continue to serve.

Section 3: A special election shall be held to fill the office of president-elect in the event of its vacancy, except under the circumstances outlined in Article II, Section 4.

Section 4: The president, with the approval of the Executive Board, shall remove any officer for failure to attend committee meetings and, in general, to perform the duties of her or his elected office as specified in the respective Operating Codes.

ARTICLE V **Executive Board and Committees**

Section 1: The Executive Board shall consist of the president, president-elect, past president, division vice presidents, division vice presidents-elect, division past vice presidents, secretary, business manager and committee chairs. The executive director shall be a non-voting member. Members of the State Department of Education concerned with the fields of health education, physical education, recreation, dance and athletics shall be invited to serve as non-voting members.

Section 2: It shall be the duty of the Executive Board to outline plans for meetings, to suggest legislation, to implement the rules and regulations of the Association and to take other official action when necessary.

Section 3: Appointed committees shall include a chair who has voting privilege.

Section 4: One more than half the number of voting members of the Executive Board, in attendance, shall constitute a quorum for the transaction of business.

ARTICLE VI **Divisions and Committees**

Section 1: Division purposes and goals shall be consistent with the Association's Constitution, Articles 2 and 3. Elected officers and appointed chairs shall be guided by the Association's Operating Codes.

ARTICLE VII **Meetings**

Section 1: The Association shall conduct an annual convention, conference, workshops and special meetings as needed.

Section 2: The quorum necessary for voting at a MAHPERD meeting shall be ten percent (10%) of the total number of dues paying professional, life and retired members in attendance.

ARTICLE VIII **Finance**

Section 1: The fiscal year shall extend from June 1 to May 31.

Section 2: Upon dissolution, all of the assets of the Association shall be turned over to such nonprofit organizations qualifying as exempt from federal tax under Section 501(c)(3) of the Internal Revenue Code of 1954 or any successor provision thereto as the then Board of Governors shall select.

Section 3: No part of the net earnings of the Association shall inure to the benefit of any member, sponsor, donor, creator, director, officer, employee, or without limitation, any other private individual or to the benefit of any corporation, organization, any part of the net earnings of which insure to the benefit of any private individual; provided, this shall not prevent payment of reasonable compensation for services actually rendered to or for the Association and affecting its purposes. The Association shall not divert any part of its income or corpus to any member, sponsor, donor, creator, director, officer, or employee; by lending any part of its income or corpus without receipt of adequate security and a reasonable rate of interest; by paying any compensation in excess of reasonable allowance for salaries, or other compensation for personal services actually rendered; by making any purchase of security or other property for more than adequate consideration for money or money's worth; by selling any substantial part of its securities or other property for less than adequate consideration for money or money's worth; or by engaging in any other transaction which either, directly or

indirectly, results in such diversion of its income or corpus. The Association shall not make any accumulation of its income, unreasonable in amount or duration, or use any income for purposes other than the objectives hereinbefore set forth or invest any income in any manner as to jeopardize the fulfillment or carrying out of its objectives. The Association shall not devote a substantial portion of its activities to carrying on propaganda or otherwise attempting to influence legislation, and in no event shall the Association engage in any legislative activities other than those in direct furtherance of the Association's stated objectives. The Association shall not participate in or intervene in any political campaign on behalf of any candidate for public office. In general, the Association shall not act in any way or engage in any activity which might affect its right to full tax exemption or the right of donors to the Association to full tax deduction for their contributions to the Association, and the Alliance shall be so operated as to be entitled to and receive all tax exemptions, federal or local, which may from time to time be granted to charitable, scientific, or educational associations or foundations.

ARTICLE IX **Representative Assembly**

Members of the Executive Board shall serve on the Representative Assembly.

Section 1: Delegates to the Representative Assembly shall:

a. Be current members of the Association; verified by the membership chair prior to the Assembly.

b. Be the following:

1. Members of the Executive Board

2. Student representatives (one from each of the colleges or universities with a major in one of the Association's disciplines), but shall not be required as part of the quorum.

Section 2: The Representative Assembly shall:

Meet at least once annually at time(s) designated by the president or Executive Board.

Section 3: The Representative Assembly shall:

a. Vote on Constitutional changes, By-Law changes, resolutions and other issues.

b. Review annual reports from all officers, committee chairpersons, and other Executive Board members and take any action required by these reports.

c. Hear and discuss projected plans for the association.

Section 4: A quorum shall:

Be one more than half the number of delegates, in attendance, at the Representative Assembly according to the By-Laws.

ARTICLE X **Committees**

Section 1: Appointed committees shall serve for the term of the president's office, unless otherwise stipulated.

President's committees may include, but not be limited to, the following:

Archives

Advocacy

Athletic Training

Awards

C-Tape / Wellness

Constitution and By-Laws

Council for Future Professionals

Department of Education Representative

EDA Council for Conventions

EDA Council for Services

Editorial Board

Finance

Colleges and Universities

Hoops for Heart

Jump Rope for Heart

Membership

Necrology

Nominating

Operating Codes
Public Relations
Senior Fitness

Other committees may be appointed at the discretion of the president and be confirmed by the Executive Board

ARTICLE XI **Awards**

- Section 1:** The Association may honor individuals for meritorious contributions in health education, physical education, adapted physical education, recreation, dance, athletics or in allied fields.
- Section 2:** The awards presented shall include, but not be limited to, the:
- Joseph McKenney Award
 - MAHPERD Honor Award
 - Presidential Citation(s)
 - Teacher of the Year Awards
 - Amelia Riou Award for Adapted Physical Education
 - Health Educator Award
 - Dance Educator
 - Outstanding Future Professional(s)
 - Pathfinder Award
 - Exhibitor Award
 - Recreation Award
- Section 3:** The Awards Committee Chair shall present the names of nominees for awards to the Executive Board for approval.

ARTICLE XII **Publications**

- Section 1:** The primary publication shall be called the MAHPERD Newsletter. The newsletter shall be published as determined by the Executive Board. The newsletter editor, executive director, president, president-elect and past president will serve as members of the editorial board.

ARTICLE XIII **Representatives to district and national associations**

- Section 1:** The president, president-elect, past president (immediate) and other elected officers shall represent MAHPERD on the AAHPERD Alliance Assembly and the Eastern District Association of AAHPERD Representative Assembly. The number of representatives shall be determined by the AAHPERD and EDA By-Laws.

ARTICLE XIV **Rules of Order**

- Section 1:** Questions of procedure shall be decided according to *Robert's Rules of Order*, revised, unless otherwise provided for in this Constitution and By-Laws.

ARTICLE XV **Amendments**

- Section 1:** The By-Laws may be amended by a majority vote of those delegates present at the Representative Assembly or designated official meeting of the Executive Board. The delegates shall have been presented with the proposed change(s) seven (7) days prior to the Representative Assembly and/or meeting or the proposed changes can be voted on by an electronic and/or a mail vote.
- Section 2:** Operating Codes may be amended or changed by a majority vote of the Executive Board.