



BY-LAWS APPROVED JULY 2004, AMENDED 2005, 2006, 2007.

**TABLE OF CONTENTS**

	page
<b>PART I</b> .....	3
<b><u>BY-LAWS; OBJECTS AND PURPOSES</u></b>	
1. to 5.	
<b>PART II</b> .....	4
<b><u>MEMBERSHIP</u></b>	
6. to 10.	
<b>8.A</b> Active Member	4
<b>8.B</b> Provisional Active Member	6
<b>8.C</b> Semi-Retired Active Member	6
<b>8.D</b> Retired Active Member	6
<b>8.E</b> Provincial Honorary Member	7
<b>8.F</b> Associate Active Member	7
<b>8.G</b> Non-Branch Active Member	7
<b>9.</b> Affiliate Member	8
<b>10.</b> Auxiliary Member	8
<b>PART III</b> .....	9
<b><u>MANAGEMENT</u></b>	
11. to 20.	
<b>PART IV</b> .....	11
<b><u>ELECTIONS TO COUNCIL</u></b>	
21. to 32.	
<b>PART V</b> .....	13
<b><u>MEETINGS OF COUNCIL AND DUTIES OF OFFICERS AND COUNCIL MEMBERS</u></b>	
33. to 35.	
<b>PART VI</b> .....	16
<b><u>BOARD OF EXAMINERS</u></b>	
36. to 38.	
<b>PART VII</b> .....	16
<b><u>MEETINGS OF THE ASSOCIATION AND BRANCH DELEGATES</u></b>	
39. to 46.	

<b>PART VIII .....</b>	<b>18</b>
<b><u>LOCAL BRANCHES</u></b>	
<b>47. to 68.</b>	
<b>54. to 55. Logo</b>	<b>19</b>
<b>56. to 57. Branch Policies and Procedures</b>	<b>20</b>
<b>58. to 59. Management</b>	<b>20</b>
<b>60. to 64. Election of Officers</b>	<b>21</b>
<b>65. to 66. Meetings of the Local Branch</b>	<b>22</b>
<b>67. Branch Levy</b>	<b>23</b>
<b>68. Duties of Branch Officers</b>	<b>23</b>
<b>PART IX .....</b>	<b>25</b>
<b><u>FEES AND LEAVE OF ABSENCE</u></b>	
<b>69. to 75.</b>	
<b>PART X .....</b>	<b>27</b>
<b><u>EXPULSION, SUSPENSION, REINSTATEMENT AND READMISSION</u></b>	
<b>76. to 79.</b>	
<b>PART XI .....</b>	<b>28</b>
<b><u>CODE OF ETHICS</u></b>	
<b>80. to 87.</b>	

**PART I**  
**BY-LAWS; OBJECTS AND PURPOSES**

1. These By-laws constitute the entire By-laws of the Association and replace any existing By-laws and amendments.
2. In these By-laws:
  - 1) “Act” means The Ontario Registered Music Teachers’ Association Act, 1946, as amended by the Ontario Registered Music Teachers’ Association Amendment Act, 1961- 62;
  - 2) “Association” means the Ontario Registered Music Teachers’ Association;
  - 3) “Council” means the Provincial body of representatives elected by the membership as in Part IV of these By-laws.
3. These By-laws may not be changed or repealed in whole or in part, unless:
  - 1) the change or the repeal is first proposed in Council not later than seven months preceding the next Annual Meeting; AND
  - 2) the change or repeal is read at least twice by the Council and is then adopted or approved by a majority of at least five votes at the Annual Meeting.
  - 3) Where the change or repeal is read three times by Council and adopted by a majority vote of the members of Council before the next Annual Meeting, the change or repeal is effective until such Annual Meeting but not thereafter unless the change or repeal is approved by a majority of at least five votes thereat.
4. In these By-laws a reference to a singular number includes a plural number.
5. The Objects and Purposes of the Association are:
  - 1) to foster and promote concepts for the understanding and teaching of music and kindred arts and their dissemination to the members of the Association;
  - 2) to encourage definite and systematic study of the art of music teaching;
  - 3) to stimulate and promote in members and prospective members of the Association a general knowledge of musicianship and an understanding of and proficiency in various musical instruments and/or voice;
  - 4) to encourage the overall cultural development of members and prospective members;
  - 5) to promote the continuation of accredited music courses in Secondary Schools and Universities;
  - 6) to develop a Code of Ethics and to require the members of the Association to govern themselves by it;
  - 7) to promote a general system of Registration of members of the Association;
  - 8) to promote mandatory registration in the Association as a necessary prerequisite for the teaching of music by private studio teachers in Ontario.

## PART II MEMBERSHIP

6. There are three classes of membership in the Association: **Active** members entitled to be registered under the Act, **Affiliate** members and **Auxiliary** members.
7. Applicants:
  - 1) An application for Membership shall be in writing and shall be forwarded to the Provincial Registrar and accompanied by the applicable registration fee.
  - 2) The Provincial Registrar shall notify the applicant and the applicable local Branch in which the applicant resides or teaches, in writing, of the acceptance of an application. Notification, in writing, of a refusal shall be made only to the applicant.
  - 3) An applicant who is accepted for membership in the Association is entitled to join any local Branch in the Zone in which the member resides or teaches. The Provincial Treasurer will forward the Branch portion of the applicant's fee to the local Branch.
8. A. **Active Member**
  - 1) There are seven classes under **Active** Member: Active; Provisional Active; Semi-Retired Active; Retired Active; Provincial Honorary Active; Affiliate Active; and Non-branch Active.
  - 2) Any applicant for Active Membership in the Association may apply and be qualified under **Section 9** of the Act and be registered as an Active member of the Association provided that the applicant:
    - a) is of good character;
    - b) is over eighteen years of age;
    - c) has resided in Ontario for at least six consecutive months immediately prior to making application;
    - d) has the following qualifications:
      - (i) holds a diploma equivalent to at least that of teacher associate or licentiate grade from any institution referred to in the Act: Section: **9-2c** or from any lawful successor thereof, or any institution recommended by a unanimous vote of Council to the Annual Meeting of the Association following the making of the application and approved thereat and has satisfied such conditions as to teaching experience as may be required by the Board of Examiners; **or**
      - (ii) holds a Bachelor of Music degree issued by a Canadian University (or an equivalent degree issued by any other University, subject to review by the Board of Examiners and approved by Council) registering in the principal area of concentration and has satisfied such conditions as to teaching experience as may be required by the Board of Examiners; **or**
      - (iii) holds a performer's diploma from an institution referred to in the Act: Section **9-2c** or from a duly constituted successor thereof, and has completed the written pedagogical requirements of the institution and has satisfied such conditions as to teaching experience as may be required by the Board of Examiners; **or**

- (iv) has been teaching music in a professional capacity and under conditions satisfactory to the Board of Examiners for at least two years, or has passed tests and examinations and satisfied such conditions as to teaching experience as may be required by the Board of Examiners, subject to By-Laws **8.3**).
- 3) The Board of Examiners shall not accept as satisfactory any conditions respecting the teaching experience of an applicant who seeks to qualify under By-Laws **8A2)(d)(iv)** and Section **9. (2) (d)** of the Act unless the applicant has an established reputation as a distinguished artist in the fields of performance or teaching in the opinion of the Board of Examiners, and this opinion is approved by Council.
  - 4) Active Members are entitled to use the designation “Registered Music Teacher” and the abbreviation “RMT” only for subjects in which registration has been granted by the Association. Members may be listed and advertise only in subjects in which they have received approval from the Association.
  - 5) Active Members are entitled to one vote only at any meetings of the Association.
  - 6) No applicant for Active Membership is entitled to registration unless he/she pays the prescribed registration fee and the annual membership fee to the Provincial Treasurer of the Association and where applicable, any additional branch levy directly to the Branch. See Part IX, Fees.
  - 7) Active Members are also members of CFMTA, and as such, are required to pay the CFMTA membership fees billed by ORMTA.
  - 8) An applicant for transfer as an Active Member who:
    - a) is a music teacher actively engaged in teaching music;
    - b) is currently registered under the By-Laws of another provincial music teacher’s association respecting the music teaching profession in that Province or whose registration expired there-under not more than one year prior to the date of the application; and,
    - c) submits proof thereof satisfactory to the Board of Examiners, and the Board of Examiners approves the applicant’s qualifications for membership in accordance with these by-laws;is entitled to be registered as an Active member of the Association without payment of a registration fee. However, transferees are required to pay the annual membership fee to the Provincial Treasurer and to pay any branch levy to the Branch Treasurer.

**8. B. Provisional Active Member**

- 1) An applicant for Active Membership who meets all qualifications listed in 8.2) excepting (d)(iv) of these By-laws, but lacks documentation of successful teaching experience, shall be registered as an Active member of the Association on a two year provisional basis at the discretion of the Board of Examiners, and upon payment of the required registration fee and annual membership fee to the Provincial Treasurer.
- 2) The two-year period may be extended, subject to annual review by the Board of Examiners.
- 3) Each Provisional Active Member is entitled to use the designation “Registered Music Teacher” or the abbreviation “RMT” and is entitled to one vote only at any meeting of the Association.

**8. C. Semi-Retired Active Member**

- 1) An Active member who:
  - (a) has been a member of the Association at least 15 years;
  - (b) has reduced the number of students to no more than five; may apply to be granted Semi-Retired Active Membership upon payment of the required annual fee to the Provincial Treasurer.
- 2) A Semi-Retired Active Member is entitled to continue to use the designation “Registered Music Teacher” or the abbreviation “RMT” and retains full membership privileges including the right to one vote only at any meeting of the Association.

**8. D. Retired Active Member**

- 1) An Active member who has reduced the number of students to zero may be granted Retired Active Membership upon payment of the required annual fee to the Provincial Treasurer.
- 2) A Retired Active Member is entitled to continue to use the designation “Registered Music Teacher” or the abbreviation “RMT” and retains full membership privileges including the right to one vote only at any meeting of the Association.
- 3) Once Retired status is granted, members are not entitled to change their status from Retired Active.

**8. E. Provincial Honorary Member**

- 1) Every past Provincial president and every member of the Board of Examiners, while in office, is a Provincial Honorary member of the association.
- 2) Every member who has been an Active Member for 50 years or more is an Honorary Life Member.
- 3) Any person (member or non-member) may be appointed a Provincial Honorary Member in recognition of outstanding service to the music teaching profession on the recommendation of Council to the Annual Meeting and by resolution thereat.
- 4) A non-member who receives the appointment of Provincial Honorary Member is entitled to use the designation "Honorary Member ORMTA".
- 5) Appointed and other Provincial Honorary Members receive NOTES, but are not required to pay Provincial Association fees, Branch fees, or CFMTA fees. Provincial Honorary Members pay insurance if they accept coverage. All Provincial Honorary Members are each entitled to one vote.
- 6) A Provincial Honorary Membership continues from year-to-year unless the member resigns or the member is expelled as hereinafter provided.

**8. F. Associate Active Member**

- 1) An Active member of the Association who:
  - (a) is in good standing with the Association;
  - (b) wishes to be associated with more than one branch;
  - (c) provides notification to the Provincial Registrar on forms provided by the Association;may hold Associate Membership in one or more additional Branches upon payment of the Branch portion of the Association's fee and any Branch levy directly to the associated Branch(es) Treasurer(s).
- 2) An Associate Membership carries no voting privileges at the Associate Branch or Provincial level but entitles the member to participate in Branch(es) activities.

**8. G. Non-Branch Active Member**

- 1) An Active member of the Association who lives more than 80 kilometres (fifty miles) from the nearest Branch, may be designated a Non-Branch Member of the Association at his/her request and as such is entitled to all Provincial Association privileges accorded to Active Members but is not a member of any Branch.
- 2) Such members will not be charged the Branch portion of the Annual Membership fee.

## **9. Affiliate Member**

- 1) An applicant who:
  - a) holds a Grade IX certificate or equivalent from an institution referred to in the Act **9 (2) (c)** or from a duly constituted successor thereof, OR
  - b) is a graduate of a Community College, the music courses of which have been certified by the Provincial Council as the equivalent to Grade IX, from an institution referred to in the Act **9 (2) (c)** or from a duly constituted successor thereof.
  - c) is over sixteen years of age
  - d) is continuing his/her studies in music, either with a music teacher in a recognized music institution/university or by attending a minimum of three pedagogical workshops per year; OR
  - e) has passed at least one level of pedagogy training as approved by the Board of Examiners.
  - f) submits yearly reports on teaching and studying progress to a Registered Music Teacher chosen by the applicant and this RMT then reports to the Registrar as asked at time of membership renewal.
  - g) shall be granted Affiliate membership for a five-year term upon payment of the required registration fee and annual membership fee to the Provincial Treasurer.
- 2) Upon receipt of a formal written request (including documents indicative of progress) prior to the expiry date, the five-year term may be extended, subject to approval by the Board of Examiners.
- 3) An Affiliate Member shall not use the designation 'Registered Music Teacher' or 'R.M.T.' but is entitled to one vote only at any meeting of the Association.
- 4) Affiliate Members are members of the Canadian Federation of Music Teachers' Association. They receive the Canadian Music Teacher magazine, pay CFMTA dues, and are allowed to vote but not to hold office nationally.
- 5) Affiliate Members will be known by:
  - a) Affiliate Member Level #1: Completed Grade X Conservatory with all theory
  - b) Affiliate Member Level #2: Completed Grade IX Conservatory with all theory

## **10. Auxiliary Member**

- 1) Any person who is interested in musical education and supports the purposes and objects of the Association may apply for Auxiliary Membership in the Association on forms provided by the Provincial Registrar.
- 2) Auxiliary membership shall be granted upon payment of the required annual fee to the Provincial Treasurer.
- 3) Auxiliary members shall not:
  - (a) be engaged in teaching music;
  - (b) use the designation 'Registered Music Teacher' or the abbreviation 'RMT';
  - (c) be members of the Canadian Federation of Music Teachers;
  - (d) vote at the Annual Meeting of the Association unless holding a ballot from their local Branch;
  - (e) be elected to Council.

**PART III  
MANAGEMENT**

11. The affairs of the Association shall be managed by a Council composed of not more than fifteen members elected as provided in Part IV of these By-laws.
12. The officers of the Association are the President, Vice President(s), Secretary, Treasurer or Secretary-Treasurer and Registrar.
13. The Council shall fill the offices of the Association and for such purpose Council:
  - 1) shall elect a President, a First Vice-President and a Second Vice-President from among the members of Council;
  - 2) shall elect, or by resolution appoint, from among the membership of the Association or outside the membership of the Association:
    - (a) a Secretary, a Treasurer and a Registrar, or
    - (b) any combination of these positions as deemed suitable by Council;
  - 3) may elect the outgoing President as Past President; and,
  - 4) may establish an Executive Committee composed of the Officers of the Association and the Past President.
14. The Executive Committee shall attend to all items delegated by Council and any urgent items that occur between meetings, reporting every action taken, to Council. The Executive Committee does not have the power to perform any function or act that these By-laws require to be performed or done by Council.
15. The term of office of the President and of the First Vice-President is two years and no person may serve as President or as Vice-President for two successive terms in the same office unless otherwise permitted by special resolution of Council.
16. The office of Recording Secretary may be filled:
  - 1) by the person elected as Secretary; or
  - 2) by the person appointed as Secretary or Secretary-Treasurer; or
  - 3) by another person.
17. The resolution appointing the positions described in **13.2)(a)** and **(b)** shall fix the period of the appointment yearly, and a performance review shall be conducted biannually by the First Vice-President.
18. The officers mentioned in **13.2)(a)** and **(b)** whether elected or appointed, are entitled to such remuneration as Council may, by resolution, fix and determine.
19. The Council may fill a vacancy that occurs during a term of office of any officer described in **13.1)** or **2)** that results from death, resignation of the officer, incapacitating sickness of the officer in the opinion of Council, or other unforeseen circumstances rendering the officer unfit in the opinion of Council to perform his or her duties.

**20. CFMTA Delegates:**

- 1) Council shall appoint delegates to the Canadian Federation of Music Teachers' Association (CFMTA) Executive as determined by the CFMTA By-laws for a four-year term.
- 2) Delegates appointed by Council to CFMTA should, whenever possible, be present or past elected Council members.
- 3) If a delegate is elected to a CFMTA Executive Officer position, Council must appoint another delegate to take his/her place.
- 4) CFMTA resolutions shall be presented to Council and Council shall direct the appointed delegates how to vote.

**PART IV  
ELECTIONS TO COUNCIL**

- 21.** For the purpose of management of the Association and the election of the Council, the Province shall be divided into nine Zones designated as follows:  
**Central, Eastern, North Central, North East, North West, Ottawa Region, Southern, Greater Toronto Area, and Western.**
- 22.** Subject to subsection 23, the local Branches comprised in each Zone are as follows:  
**CENTRAL ZONE:** Brantford, Cambridge, Guelph, Kitchener-Waterloo;  
**EASTERN ZONE:** Belleville, Kingston, Oshawa, Peterborough;  
**GREATER TORONTO AREA ZONE:** Bolton-Brampton-Caledon, Central Toronto, Etobicoke- Mississauga, Markham-Stouffville, Newmarket and Area, North Toronto, North York/York Region, Scarborough, Ajax-Pickering;  
**NORTH CENTRAL ZONE:** Barrie, Hanover-Walkerton, Owen Sound;  
**NORTH EAST ZONE:** North Bay, Timmins;  
**NORTH WEST ZONE:** Kenora, Sault Ste. Marie, Thunder Bay;  
**OTTAWA REGION ZONE:** Ottawa Region;  
**SOUTHERN ZONE:** Hamilton-Halton, Niagara Falls, Welland-Port Colborne, St Catharines;  
**WESTERN ZONE:** Chatham-Kent, London, Sarnia, Windsor-Essex County, Oxford County Woodstock.
- 23.** When a local Branch is established in the future, it shall be assigned to such Zone as Council shall, in consultation with the new local Branch, determine.
- 24.** Representation on Council:
- 1) Each Zone is entitled to elect at least one Council member to represent it.
  - 2) A Zone is entitled to elect two Council members when the Zone consists of between 15% and 30% of the Active membership of the Association.
  - 3) A Zone is entitled to elect three Council members when the Zone consists of over 30% of the Active membership of the Association.
  - 4) No Zone shall be entitled to elect more than three Council members.
  - 5) Where there is more than one Branch in a Zone, the Council representatives must each come from a different Branch.
- 25.** Council may at their discretion elect additional members up to a maximum of fifteen elected members as per Section 4(1) of the Act.
- 26.** The additional Council member(s) elected under 25. shall not represent a Zone, shall be designated “Council Member(s) at Large” and shall perform such duties as requested by the Council.

- 27.** Any Active member of the Association who:
- 1) is currently a member of a local Branch in a Zone;
  - 2) has served as an officer on the Executive Committee of a local Branch;
- is entitled to be nominated as a member of Council to represent his/her Zone and to stand for election at the Annual Meeting of the Association in the year when a vacancy on Council for the Zone is to occur.
- 28.** The person being nominated to represent a Zone must verify in writing to the Provincial Secretary his or her willingness to have his/her name stand before his/her name is placed on the Ballot.
- 29.** Election of Council members:
- 1) The right to elect a Council member to represent a Zone shall be exercised by ballot and is limited to ACTIVE MEMBERS belonging to any Branches in the Zone.
    - (a) The Provincial Secretary shall mail a ballot to every Branch in the Zone to elect a member of Council to represent the Zone, at least four weeks prior to the date of the Association's Annual Meeting.
    - (b) The ballot shall be returned, after being marked, to the Provincial Secretary prior to or at the Annual Meeting in a sealed envelope marked "BALLOT".
    - (c) The sealed envelopes shall be handed by the Provincial Secretary to the scrutineers at the Annual Meeting for tabulation.
    - (d) The candidate who receives the greatest number of votes cast for a Zone is elected as a member of Council.
  - 2) In order to fulfill **29.1)**, a closing date for nominations shall be set by Council so that the Ballots reach Active members of the Zone four weeks prior to the Annual Meeting.
  - 3) In the event that only one representative is nominated for a Zone by the closing date for nominations, the nominee shall be acclaimed without a ballot being sent to the members by the Provincial Secretary.
- 30.** The term of any elected member of Council, whether representing a Zone or not, is three years, with the exception of Executive Officers, as approved by Council.
- 31.** The President and Past President do not represent a Zone during their terms of office, but any other officer who was elected to Council to represent a Zone continues to represent that Zone during his/her term of office.
- 32.** A member of Council, not being an officer, shall not be entitled to seek re-election as a member of Council for at least one year after his /her term expires or until the next Annual Meeting following the expiration of the term, whichever is longer.

**PART V**  
**MEETINGS OF COUNCIL AND DUTIES OF OFFICERS AND COUNCIL MEMBERS**

**33. Meetings of Council:**

- 1) The Council shall meet at the call of the President, not less than four times each year.
- 2) Six elected members of Council shall constitute a quorum at meetings but no more than fifteen votes may be cast at any meeting of Council.
- 3) No person is entitled to more than one vote.
- 4) Subject to section **33.2)** and **3)** only the following persons are entitled to vote at meetings of Council:
  - (a) elected Council members, while their term lasts, who are members in good standing of the Association;
  - (b) the Past President during his/her successor's term of office;
  - (c) any elected officer, other than the President, who is a member in good standing of the Association except where the officer is appointed by resolution or is under contract with the Association.
- 5) In cases where there are an equal number of votes for and against, the President shall cast the deciding vote.

**34. Confidentiality:**

- 1) Meetings of Council are private except as Council may otherwise determine and ex officio members are not entitled to attend except upon Council's invitation.
- 2) Council may invite to any meeting such advisors as it deems necessary to assist it.
- 3) Council members are required to sign a Confidentiality Agreement and a Conflict of Interest Statement to be applied to their term in office on Council.

**35. Duties of the Officers:**

- 1) The **President** shall:
  - (a) preside at meetings of the Council and of the Executive Committee and General Meetings of the Association;
  - (b) preside as chair and refrain from voting except to cast a deciding vote in the event of a tie vote;
  - (c) relinquish the chair to the Vice-President, or in his/her absence, to another member of the Executive Committee when the President exercises his/her right as a member to speak to any matter under discussion;
  - (d) assist in the discussion of activities of the Association, and, subject to any resolution respecting the planning of Association activities passed at any meeting, direct the planning of Association activities;
  - (e) sit as an ex officio member on any Association committees;
  - (f) countersign all cheques for accounts approved by Council and signed by the Treasurer or the Secretary-Treasurer, as the case may be; and
  - (g) perform such other of his/her duties and functions as are prescribed by these By-laws and in accordance with **PART III, 14** or as Council may determine.

- 2) The **First Vice-President** shall:
  - (a) in the absence of the President, preside at meetings of the Council, the Executive Committee of the Council, and at General Meetings of the Association;
  - (b) in the absence of the countersignature of the President, countersign all cheques for accounts approved by Council and signed by the Treasurer or the Secretary-Treasurer, as the case may be;
  - (c) act as Finance Chair of the Association and as such co-ordinate and present in co-operation with the Treasurer the Annual Budget for the Association and consult regularly with the Treasurer regarding financial matters;
  - (d) perform such other of his/her duties and functions as are prescribed by these By-laws in accordance with **PART III, 14** or as Council may determine;
  - (e) assist the President as requested.
- 3) The **Second Vice-President**, if one has been appointed, shall:
  - (a) in the absence of the First Vice President perform the duties of the First Vice President with the exception of countersigning cheques;
  - (b) perform such other duties and functions as are prescribed by the By-laws in accordance with **PART III, 14** or as Council may determine;
  - (c) assist the President as requested.
- 4) The **Secretary** shall:
  - (a) keep records and minutes of all meetings of the Association and of the Council and Executive Committee, and send a copy of such records and minutes to each Council and Executive Member within three weeks following the council meeting;
  - (b) send due notice of such meetings;
  - (c) arrange for an accurate account of the proceedings at the Annual Meeting of the Association;
  - (d) perform duties with regard to the correspondence and administration of the Association;
  - (e) prepare the ballots for matters for voting and nominations at the Annual Meeting of the Association;
  - (f) perform such other duties as the Council may determine in accordance with **PART III, 14**.

- 5) The **Treasurer** shall:
- (a) prepare and sign all cheques payable in the usual course of business or for extraordinary expenditure approved by Council, such cheques to be countersigned by either the President or the First Vice President;
  - (b) pay by cheque all accounts passed by Council, such cheques to be countersigned by either the President or the First Vice-President;
  - (c) receive all moneys belonging to the Association and deposit same in a chartered bank;
  - (d) keep a formal record of the finances of the Association;
  - (e) prepare a detailed financial report with copies to each Council Member for each Council meeting;
  - (f) arrange for an annual year-end audit in July of the financial records of the Association;
  - (g) assist the First Vice President in the preparation of the Association's Annual Budget;
  - (h) present at the Annual Meeting a detailed statement of the finances of the Association to date;
  - (i) notify the local Branch Treasurer where the Association fees of one or more of its members are in arrears;
  - (j) notify the Registrar where the fees of an Association member are in arrears;
  - (k) invest funds at the best possible interest in Canadian deposit taking financial institutions where funds are guaranteed by federal and provincial deposit agencies.
- 6) The **Registrar** shall:
- (a) make and keep a Register of members of the Association and enter therein in respect of each member of the Association the following:
    - (i) name and address, Branch affiliation and any transfers;
    - (ii) the date membership commenced or was reinstated;
    - (iii) the date membership was suspended or was terminated by resignation, death or by expulsion and removal from the Register;
    - (iv) such other particulars as Council by resolution may determine.
  - (b) receive and process applications for membership and assess applicants' eligibility for membership as determined by these By-laws, **PART II** and any other conditions determined by Council by resolution.
  - (c) forward any applications of an unusual nature to the Board of Examiners for their determination and recommendation.
  - (d) notify the applicant, Provincial Treasurer, and the local Branch Treasurer of the acceptance of any applicant.
- 7) Any person holding the office of **Secretary-Treasurer** shall perform the duties specified in subsection 4) and 5).
- 8) A **Council Member** shall:
- (a) attend and vote at all meetings of Council and the Association;
  - (b) perform such duties as determined by Council and/or by the President;
  - (c) except where a member has been elected a "Council Member at Large":
    - (i) represent his/her Zone on Council, presenting to Council the Zone's questions and concerns;
    - (ii) act as liaison between Council and Zone;
    - (iii) organize and chair Zone events such as competitions.

**PART VI  
BOARD OF EXAMINERS**

- 36.** The Board of Examiners consists of three Active members appointed by Council. At least one of the three members of the Board of Examiners shall, if possible, be a former provincial president, but not one currently on council.
- 37.** The term of office of a member of the Board of Examiners is three years, but, at the request of Council, the term may be extended.
- 38.** The Board of Examiners shall:
- 1) act as a resource to the Registrar and Council to provide assistance and direction in dealing with applications that may require special consideration based on exceptional circumstances;
  - 2) meet ad hoc, at the request of the Registrar or Council, to review applications requiring formal examination and review; AND
  - 3) make recommendations and offer direction to Council regarding examinations, tests, recognition of certificates and diplomas and matters pertaining thereto in accordance with the Act.

**PART VII  
MEETINGS OF THE ASSOCIATION AND BRANCH DELEGATES**

- 39.** The official year of the Association and for each local Branch shall be from the first day of July in a calendar year until the 30<sup>th</sup> day of June in the calendar year next following.
- 40.** The Annual Meeting of the Association shall take place on a date and at such place as shall be determined by the Council.
- 41.** Notification of the Annual meeting, an Agenda, any Matters for Voting or discussion and Proposed Amendments to the By-laws shall be published and circulated in an Issue of the Association magazine by the Provincial Secretary at least one month in advance of such meeting.
- 42.** All Matters for Voting or discussion or proposed Amendments to the By-laws shall:
- 1) be in the hands of the Provincial Secretary in writing not later than seven months prior to the Annual Meeting;
  - 2) be sent to all local Branches in the form of a ballot not later than three months prior to the Annual Meeting;
  - 3) be discussed and voted on by each Branch and the Branch Ballot be sealed in an envelope marked "BALLOT-ANNUAL MEETING". This envelope to be returned to the Provincial Secretary at least one month prior to the Annual Meeting or given to the Branch Delegate(s) to be delivered to the Annual Meeting.

- 43.** Every local Branch shall appoint delegates to the Annual Meeting.
- 1) Subject to **43.2)**, a Branch is entitled to one delegate for:
    - (a) each unit of up to twenty-five Active members; and
    - (b) the fifteen or more Active members remaining after the membership has been divided into units of twenty-five
  - 2) No Branch is entitled to appoint more than six delegates.
  - 3) Members of Council cannot be appointed branch delegates.
  - 4) All Active members except Associate Active members are counted when determining delegate representation to the Annual Meeting.
- 44.** Any delegate(s) from a local Branch may attend any business meeting. The local branch may decide to reimburse any delegate(s) for expenses incurred while attending said meetings. An appointed delegate by the branch shall present in writing a report back to the branch on the Annual Meeting and/or the Convention.
- 45.** Financial Statements:
- 1) There shall be appointed by resolution of the Annual Meeting, Auditors for the Association for the next following fiscal year who shall prepare, at the expiration thereof, a duly certified financial statement for the Association as at the end of that fiscal year.
  - 2) Council shall cause to be sent to each member of the Association an audited copy of the Financial Statements for the previous fiscal year, signed by the President, at least one month before the Annual Meeting.
- 46.** No new business may be voted at the Annual Meeting, but may be voted on by all Active members by a mailed ballot vote at any time during the year if Council deems it advisable.

**PART VIII  
LOCAL BRANCHES**

- 47.** For the purposes of the Association, a Local Branch:
- 1) represents the Association in the local community;
  - 2) administrates all local Branch matters according to the By-laws of the Association and the Policies and Procedures of the Branch and/or as determined by Council, referring to Council only those matters which cannot be resolved by the Branch or which are strictly the responsibility of the Association and/or Council;
  - 3) acts as a liaison between members and Council, communicating from the Branch to the Association and Council;
  - 4) promotes music excellence and professionalism in local members;
  - 5) encourages and provides the highest calibre of music education possible;
  - 6) promotes high standards of music in its local community;
  - 7) sponsors, organizes and hosts local music workshops, concerts and competitions, as well as Branch level and Zone level Association activities as determined by Council.
- 48.** Every local Branch shall be known as (Name of City, Town or locality) Branch of the Ontario Registered Music Teachers' Association.
- 49.** Each Branch is entitled to receive bulletins from the Council at regular intervals respecting the business and general activities of the Association.
- 50.** Formation of new branches:
- 1) A local Branch may be organized after these By-laws come into force in any place where a sufficient number of prospective ACTIVE members reside, in the opinion of Council, and such prospective members satisfy the requirements for ACTIVE membership in The Association prescribed by **PART II**.
  - 2) A local Branch which is organized under **50.1)** shall not be recognized as a local Branch for all purposes of these By-laws until its members have become members of the Association and have paid the prescribed registration fee and annual membership fee to the Provincial Treasurer.

- 51.** Formation of new branches from within an existing branch(es):
- 1) A new local Branch may be established in order to more effectively serve the members in that area, provided that:
    - (a) there are sufficient members (who reside or teach within 80 kilometres of each other) willing to form an Executive Committee of at least five members;
    - (b) the members submit Policies and Procedures for approval by Council for the new branch;
    - (c) the request to form a new branch is included in Matters for Voting at the Association's Annual General Meeting and receives approval thereat.
  - 2) Members of the new Branch referred to in **51.1)** shall remain part of the same Zone to which their original branch belongs.
  - 3) Members of the new branch referred to in **51.** shall negotiate with members of the existing branch to establish a fair and equitable distribution of finances between the affected branches. Council should be approached to assist if agreement cannot be reached.
- 52.** Where local branches are in difficulty or conflict and it is felt that the needs of its members are not being met, Council should be contacted to assist in solving the problems.
- 53.** Where it becomes necessary to close a Branch and transfer members to another branch, these procedures must be followed:
- 1) the local branch shall be closed upon approval by the membership at the Annual Meeting of the Association;
  - 2) the memberships will be transferred to the branch(es) closest to where the members reside and/or teach;
  - 3) the assets of the branch shall be divided on a per member basis to the branch(es) receiving new members;
  - 4) the records and documents of the branch shall be sent to the Provincial Secretary for the Association archives.

**Logo**

- 54.** No member of the Association or group of members shall apply the name, "The Ontario Registered Music Teachers' Association", or the initials, "ORMTA", to any activity, sponsored by the member or the group, that has not been arranged or authorized by the Executive Committee of a local Branch, or use that name or those initials in connection therewith in any manner whatsoever.
- 55.** The Association authorized logo shall be applied to all official materials used in correspondence, promotion, and advertising or at any events in its original copyrighted form as provided by the Association to its Branches and members. Facsimiles or alternate designs are not to be used.

### **Branch Policies and Procedures**

#### **56. Branch Policies and Procedures and Provincial By-laws:**

- 1) The constitution and by-laws or any other document of incorporation of any organization existing when these By-laws come into force and admitted to membership as a Branch under provision of Section 57, and the constitution and Policies and Procedures of any Branch organized after these By-laws come into force:
  - (a) shall be submitted to the Council for approval;
  - (b) shall be circulated to all members of the Branch;
  - (c) shall be kept on file by the Provincial Secretary for reference by Council.
- 2) Any provision of the constitution or the Policies and Procedures of a local Branch that is contrary to the Act or these By-laws shall not operate or be effective, and in the case of dispute the decision of Council is final.
- 3) Any departures from the provisions of the Act, these By-laws or the Constitution or the Policies and Procedures of the local Branch shall not be made unless, before doing so, the local Branch submits to Council the procedure proposed and obtains Council's express approval in writing.

#### **57. Branch Policies and Procedures:**

- 1) The constitution and the Policies and Procedures of any local Branch existing when these By-laws come into force shall, except for any provision contrary to the Act or these By-laws, continue in force.
- 2) The Policies and Procedures (or by-laws) of each Branch shall be known as "Branch Policies and Procedures" to distinguish them from the By-laws of the Association.

### **Management**

#### **58. Policies and Procedures of the local Branch shall specify a maximum amount for any one expenditure that may be authorized by the Branch Executive Committee without being approved at the meeting of the Branch and shall provide that any expenditure in excess of that maximum shall be approved at a branch meeting before and not after the expenditure is made.**

#### **59. Officers of the branch:**

- 1) Any organization admitted as a local Branch under section 50 and 51 and all local Branches shall elect an Executive Committee to conduct the business of the Branch and through which communications to and from the Branch shall be made to the Association or Council.
- 2) The Executive Committee of a local Branch shall:
  - (a) consist of not less than five members, two of whom, including the President, must be Active members;
  - (b) be elected by members of the Branch;
  - (c) consist of the officers of the Branch and any other members, not themselves being officers, as the Policies and Procedures of the Branch may provide;
  - (d) attend to all items delegated by the Branch Membership and any urgent items which occur between meetings, reporting every action taken to the Members. The Executive Committee does not have the power to perform any function or

act that these By-laws require to be performed or done by Provincial Council or that has not been delegated to them by resolution of the Branch Members.

- 3) The Officers of the Branch shall consist of the Branch President, Vice-President, Secretary, Treasurer (or Secretary-Treasurer as the case may be) and such other officers as the Policies and Procedures of the Branch may provide.
- 4) The term of an officer or other member of the Executive Committee shall be at least two but no more than four CONSECUTIVE years IN ANY POSITION and the Policies and Procedures of the local Branch shall be drawn so that not more than four terms of office end each year.

### **Election of Officers**

**60.** Nomination of officers of the branch:

- 1) Nominations for office are open until the Branch's Annual Meeting and may be made from the floor of the Annual Meeting or by mail before the meeting.
- 2) Where a nomination is made by mail before the meeting the person nominated shall verify his/her willingness to stand for election before his/her name is placed on the slate.
- 3) Where a person is nominated at the Annual Meeting, the person must be present and must indicate his/her willingness to stand for election before his/her name is placed on the slate.

**61.** Nominations to an office of a local Branch may be made by any Active member of that Branch or by a nominating committee appointed by resolution of the Executive Committee that is approved at a meeting of the Branch.

**62.** Any Active member of a local Branch may be appointed to the nominating committee which shall include at least one member of the current Executive Committee.

**63.** When any nominations are made by a nominating committee, a slate of all nominations, whether made by the committee or by a member prior to the committee's appointment, shall be mailed to all Active members of a Branch at least one week prior to the Branch's Annual Meeting.

**64.** A local Branch shall not depart from any of the provisions of sections **59, 60, 61, 62** and **63** unless before so doing, it has submitted to Council the procedure proposed to be followed, and obtained Council's express approval in writing.

## **Meetings of the Local Branch**

### **65. Schedule of branch meetings and quorum:**

- 1) Except where otherwise permitted by special resolution of Council, each Local Branch shall meet at least three times in a year in addition to the Branch's Annual General Meeting.
- 2) The President shall call the Annual General Meeting not later than the thirtieth day of June in each year and the election for those offices on the Executive Committee that are to become vacant shall be held thereat by ballot from the slate.
- 3) Unless at least fifteen percent of the Active members of a local Branch are in attendance at the Branch meeting there will not be a quorum for the meeting, and the meeting will not count for the purposes of subsection **65.1**).

### **66. Procedure of branch meetings:**

- 1) Subject to subsection **66.2**), the meetings of the local Branch shall deal with the following items:
  - (a) meeting called to order by the President;
  - (b) reading and approval of minutes, correction of errors and omissions and execution by the Secretary and the President;
  - (c) business arising from the minutes in accordance with the agenda, reports and discussion;
  - (d) treasurer's report, statement of current financial position and approval for expenditures to be made by the Executive Committee in excess of the permitted maximum;
  - (e) reading of the correspondence and approval of replies and presidential letter;
  - (f) future activities, memberships and programme;
  - (g) publicity;
  - (h) adjournment.
- 2) Provincial Council may, by a resolution unanimously passed by all members present at the Council meeting at which the resolution is passed, repeal, alter or supplement any of the items mentioned in subsection **66.1**) without an amendment to these By-laws but no such repeal, alteration or supplement is effective after the date of the next Annual Meeting of the Association unless the Association By-laws are amended to reflect the repeal, alteration or supplement at the Annual Meeting.
- 3) No Branch is required to adhere to any such repeal, alteration or supplement unless the Provincial Secretary sends a certified copy thereof to the Secretary of the Branch.

**67. Branch Levy:**

- 1) Where authorized by resolution passed at the Annual Meeting of the Branch, the Branch may collect from members of the Branch any special levy and disburse it as the resolution shall direct.
- 2) This Levy shall:
  - (a) be used to provide additional funds for Local Branch projects and activities;
  - (b) be collected and disbursed by the Branch Treasurer;
  - (c) be solely the responsibility of the Branch independent of the Association and the Annual membership fees;
  - (d) be reviewed regularly by the membership as determined by resolution of the Branch members.
- 3) A Local Branch Levy is not part of the Association's Annual Fees as determined by Council and as such will not cause the suspension or cancellation of a membership if it remains unpaid.
- 4) A Local Branch, at its discretion, may suspend or cancel a Member's participation in any Local Branch activities or projects that are funded entirely by the Branch Levy until the Levy is paid in full by the member.
- 5) Every member who is in arrears of payment of the Annual fees of the Association for a period of one year will be removed from the membership roll whether or not the person has continued to pay the local Branch Levy to the Branch Treasurer.

**Duties of Branch Officers**

**68.** Notwithstanding the provisions of the Policies and Procedures or constitution of any Branch to the contrary:

- 1) The **President** of the Local Branch shall:
  - (a) preside as chair of Branch Meetings and refrain from voting except to cast a deciding vote in the event of a tie vote;
  - (b) relinquish the chair to the Vice-President, or in his/her absence to another member of the Executive Committee, when the President exercises his/her right as a member to speak to any matter under discussion at a Branch meeting;
  - (c) assist in the discussion of activities of the Branch, and, subject to any resolution respecting the planning of Branch activities passed at any meeting, direct the planning of Branch activities;
  - (d) sit as an ex officio member on all branch committees;
  - (e) countersign all cheques for accounts approved by the Members and signed by the Treasurer or the Secretary-Treasurer, as the case may be;
  - (f) perform such other of his/her duties and functions as are prescribed by the Branch By-laws or as the members may determine.
- 2) The **Vice-President** of the local Branch shall perform the duties of the President in the absence of the President or at his/her request.

- 3) The **Secretary** of the local Branch shall:
  - (a) take and read and file the minutes of all meetings;
  - (b) attend to correspondence to and from the Branch;
  - (c) notify all the members of the Branch of any meeting at least ten days prior thereto;
  - (d) be responsible for publicizing activities of the Branch to the Press or otherwise unless the Branch appoints some other person to perform the function;
  - (e) forward any materials suitable for publication to the editor of ORMTA NOTES at least two weeks prior to the deadline specified in the previous issue of NOTES;
  - (f) forthwith after the Annual Meeting of the Branch, forward a list of the membership of the Executive Committee to the Provincial Secretary;
  - (g) forthwith notify the Provincial Registrar of any change in the address of any member of the Branch, or, in the event of a member's death in the Branch, cancellation of a membership known to him/her;
  - (h) perform such other duties as the Executive Committee of the Branch shall, by resolution, specify and assign.
- 4) The **Treasurer** of the local Branch shall:
  - (a) upon notification by the Provincial Treasurer that any member of the Branch is in arrears of fees remove their name from the Branch membership list;
  - (b) pay, from the funds of the Branch, a suitable proportion, in the opinion of the Executive Committee, of at least one delegate from the Branch for attending the Annual Meeting of the Association;
  - (c) where authorized by resolution passed at the Annual Meeting of the Branch, collect from members of the Branch any special levy and disburse it as the resolution shall direct;
  - (d) perform such other duties as the Executive Committee of the Branch shall, by resolution, specify and assign.
- 5) A person holding the office of Secretary-Treasurer shall perform the duties of each office mentioned in **68.3)** and **68.4)**.

**PART IX  
FEES AND LEAVE OF ABSENCE**

**69.** Membership fees:

- 1) The Council may, by resolution confirmed at the Annual Meeting of the Association next following the passing of the resolution, fix and determine an annual membership fee for the next ensuing official year.
- 2) The Council of the Association is responsible for the management of any payments received in respect of fees and shall administer and deal with them in accordance with these By-laws.
- 3) The following fees shall be paid to the Provincial Treasurer by each member of the association:
  - (a) the annual membership fee as fixed by Council no later than the date specified by Council;
  - (b) any extra fee specified by Council when payment of the annual membership fee is made, received or dated after the due date specified by Council.
- 4) Applicants seeking membership in the organization shall pay to the Provincial Treasurer a registration fee as fixed by Council from time to time except where the applicant:
  - (a) was a member of the Canadian Federation of Music Teachers' Association in good standing in another province and transfers to Ontario; or
  - (b) is applying for auxiliary membership.
- 5) A member of a local Branch, who has paid the required Annual Membership Fee and transfers to another local Branch during the official year for which the fee was paid, is not required to pay any additional annual membership fees for that official year. (Individual branches may charge an additional branch levy in accordance with **Part VIII, 67.** of these by-laws.)

**70.** Payments shall be made payable to ORMTA and designated and recorded in the books of the Association as "Registration Fees" in the case of registration fees, and "Membership Fees" in the case of the Annual Membership fees.

**71.** Any member who is in arrears of payment of the Annual membership fees and any late extra fees as in **69.3)(b)** for a period of one year will be removed from the membership roll.

**72.** At the recommendation of the Registrar and by resolution of Council, a Leave of Absence may be granted and payment of fees suspended for a two year period if the member:

- (a) will not be teaching within the province during the Leave of Absence;
- (b) makes written application and provides documentation to the Registrar explaining the circumstances upon which a Leave should be granted; and is requesting the Leave due to:
  - (i) enrolment to engage in advanced study;
  - (ii) inability to pay fees due to an illness that, in the certified opinion of a medical doctor, has disabled him/her from teaching or engaging in activities for the period of the non-payment,
  - (iii) any circumstances which Council determines by resolution to be reasonable.

**73.** A member granted a Leave of Absence shall in all respects be treated as a non-member for the period of the Leave.

**74.** A Leave of Absence shall not be extended at the end of the two year period unless special provision is made by Council.

**75.** Failure to pay the required annual Membership Fees at the end of the Leave of Absence may, at the discretion of Council, cause the membership to be suspended as in **Part X**.

**PART X**  
**EXPULSION, SUSPENSION, REINSTATEMENT AND READMISSION**

**76.** Removal of registration:

- 1) The name of a member shall be removed from the Register by Council and a member shall be expelled from the Association:
  - (a) for unethical conduct, in respect of another member, that in the opinion of Council justifies expulsion from the Association; OR
  - (b) upon conviction for any offence under the Criminal Code of Canada or under the law of Ontario, which, in the opinion of Council, indicates that the member has not continued to be of good character or where, in the opinion of Council, continuance of membership after the conviction would be detrimental to the Association.
- 2) A registration shall not be removed by Council on any ground specified in **76.1(a)** and **(b)** without a hearing by the member or an opportunity to be heard.
- 3) Notice shall be deemed to have been given by the Registrar for the purpose of **76.2)**, if a letter containing the particulars required by **76.2)** has been mailed to the member at the last address shown for him/her on the register of members of the Association or has been personally delivered to the member by a representative of the Association appointed by Council.

**77.** A member shall be suspended by Council:

- 1) for non-payment of fees that remain outstanding for a year after the due date;
- 2) for unethical conduct, in respect of **Part XI**, that, in the opinion of Council, justifies suspension but not expulsion from the association and for as long as Council shall determine. Suspension for unethical conduct must follow the procedural requirements of **76.2)** and **76.3)**.

**78.** A member suspended for non-payment of fees who wishes to be re-instated shall:

- 1) make a new application for membership that shall be dealt with in all respects as if the applicant had never been a member of the Association;
- 2) pay the outstanding membership fee for the year prior to the suspension including any extra fees as in **69.3)(b)**, and as well the annual fee for the year in which the application is made.

**79.** A member suspended for unethical conduct may apply for reinstatement after the suspension period and shall:

- 1) make a new application for membership that shall be dealt with in all respects as if the applicant had never been a member of the Association;
- 2) pay any outstanding membership fees and extra fees as in **69.3)(b)** up to the effective date of suspension as well as the annual fee for the year in which the application is made.

**PART XI  
CODE OF ETHICS**

- 80.** The Code of Ethics is made under authority of **Part I, 5.6)** of these By-laws.
- 81.** This Code of Ethics is a statement of the general principles governing the professional behavior and conduct of members of the Association in their relations with one another and with the public at large. It is to be applied in particular circumstances and cases as the conscience of the individual members shall dictate, having due regard for any current usage or practice of the local Branch.
- 82.** Professional conduct or behavior that is not, in good faith, consistent with such principles or that willfully departs from them is unethical.
- 83.** The teaching of music:
- 1) The teaching of music is primarily a cultural rather than a commercial activity; however fair and honorable business practices shall at all times be observed in dealings with pupils, with other members of the Association, and with the general public.
  - 2) Music shall be taught with the object of improving its prestige as an art form and so as to enhance the status of the profession in the community.
  - 3) The art of music teaching shall be regarded as a continual process of self-education and improvement to develop professional excellence and to improve teaching ability and standards.
- 84.** Conduct:
- 1) A member of the Association shall not misrepresent his/her own professional standing or advertise in a misleading manner. Members shall not use the ORMTA logo or the designation “Registered Music Teacher” or the abbreviation R.M.T. to imply qualifications in areas other than those for which membership has been granted.
  - 2) A Branch and its members should avoid expressing views or opinions in such a way as to imply that they are endorsed by the Association. Such endorsement must be officially applied for and received from Provincial Council.
  - 3) Members should at all times and in all areas conduct themselves in a manner which reflects the professional character of our Association. This is particularly important when publicly representing the Association in an official capacity.
  - 4) Public misrepresentation or disparagement of any person’s professional standing or personal qualities is unethical conduct. It is not the role of the Association or its members to pass public judgment on other musicians.
  - 5) A member of the Association shall not discriminate on the basis of race, creed, religion, color, or sexual orientation.

**85. Members and their students:**

- 1) Members of the Association may compete fairly.
- 2) It is recommended that a member shall not accept for instruction a student who has formerly received instruction from another member of the Association unless the new teacher is satisfied that the previous teacher has been notified of the termination of his/her services. Direct contact, either verbal or written, between the two teachers is not mandatory.
- 3) The solicitation of students from other teachers, ORMTA members or non-members, is not an acceptable practice.

**86.** If a member's conduct is felt to have been unethical, a documented account shall be made in writing to the Provincial President with copies to the individual concerned and to the Branch President.

**87.** Should the member's action be found, by the Provincial Council, to have been unethical, disciplinary action will be taken. This may result in the expulsion or suspension as outlined in **Part X**.