

BY-LAWS OF THE
MISSOURI ASSOCIATION FOR HEALTH,
PHYSICAL EDUCATION, RECREATION AND DANCE

3.2 Mission

The mission of MOAHPERD is to support, encourage and provide assistance to promote programs in health, leisure and movement related activities for the enrichment of human life.

Vision

MOAHPERD envisions a society in which all individuals enjoy optimal quality of life through appreciation and participation in an active healthy lifestyle.

3.3 Membership

3.3.1 A nominee for honorary life membership must receive an affirmative vote of three fourths of the Representative Assembly members present and voting.

3.3.2 Dues

3.3.2.1.1 The dues charged to members shall be \$35.00 for professional, \$15.00 for future professional and affiliate members, and \$200.00 for institutional.

3.3.2.1.2 Members who fail to pay their dues by January 31 shall be removed from the membership list, but may be reinstated to full membership upon payment of dues for the current year.

3.3.2.1.3 The final day for payment of dues for a current year is _____.

3.4 Officers

3.4.2 President's duties – See operating code Section 4.0

3.4.3 President Elect's duties – See operating Section code 5.0

3.4.4 Immediate Past President's duties – See operating code Section 6.0

3.5 Staff: Positions

3.5.1 Executive Director – Selection Process

3.5.1.1 A position announcement shall be published in the MOAHPERD Record. Applicants shall send a letter of application and a resume to the president of the Association. The Executive Committee shall serve as the selection committee, and recommend a candidate to the Representative Assembly.

3.5.1.2 Term of office shall be two years. A legal contract shall spell out all other stipulations of the position and the operating code for the position.

- 3.5.2 The Journal Editor and the Record Editor shall be appointed by the President, and approved by the Executive committee and the Representative Assembly.
- 3.5.3 The salaries for these positions shall be established by the Executive committee and approved by the Representative Assembly.
- 3.5.4 Performance Review – Journal Editor and Record Editor
 - 3.5.4.1 The bi-annual examination would examine the following items:
 - 3.5.4.1.1 Quality of product
 - 3.5.4.1.2 Process of delivery (Record, Journal)
 - 3.5.4.1.3 Addressing needs of professionals
 - 3.5.4.1.4 Meeting deadlines
 - 3.5.4.1.5 Accounting budget
 - 3.5.4.1.6 Overall quality of service to the profession
 - 3.5.4.2 The Executive Committee shall conclude that the evaluation is satisfactory or that further review is necessary.
 - 3.5.4.3 If further review is necessary:
 - 3.5.4.3.1 The President shall appoint an independent review board consisting of five members, the two most recent past presidents, two members of the Representative Assembly, and one member at-large.
 - 3.5.4.3.2 The review board shall evaluate the position and make a recommendation to the Representative Assembly. The Representative Assembly shall vote to continue the term of the person in the position or shall declare it vacant.

3.6 Election of Officers

- 3.6.1 The chair of the Nominations and Awards Committee shall submit a written slate of candidates to the President one month prior to the fall representative assembly meeting.
- 3.6.2 The slate is to be approved by a majority vote by the Representative Assembly prior to the start of the fall convention.

3.7 District Representative

- 3.7.1 District Boundaries – See Section 113.1
- 3.7.2 Term of office is four years
- 3.7.3 Duties of District Representatives
 - 3.7.3.1 See operating code section 12.0

3.8 Divisions

3.8.1 Duties of Division chair, chair-elect

- 3.8.1.1 Chair and chair-elect assist Chair of Nominations and Awards Committee in finding nominees for awards in their division
- 3.8.1.2 Chair and chair-elect (Adapted, Dance, Health) assist district representatives with finding nominees for teacher of the year from their division
- 3.8.1.3 Chair in year two of position assist with finding a chair elect for the division.
- 3.8.1.4 Chair and chair-elect submit teaching tip or activity for insert into Record.
- 3.8.1.5 See operating code for more specific duties.

3.9 Representative Assembly

3.9.1 Membership

- 3.9.1.1 The Representative Assembly shall consist of members as indicated in Section 13.0
- 3.9.1.2 A Representative Assembly member can be represented by a proxy, if written notification is given to the Executive Director prior to the call to order for the meeting. The proxy must have been a member of the Association for at least one year.

3.10 Meetings

- 3.10.1 A Representative Assembly meeting shall be held at the fall convention and during the spring semester of each year.

3.11 Committees

- 3.11.1 The Standing Committees shall be: Budget/Finance, Membership, Nomination and Awards, Quality Health and Physical Education.

3.12 Publications

- 3.12.1 The Journal is to be published and mailed to Association members once each year. The Record is to be sent to members three times a year.

3.13 Finances

- 3.13.1 The Association must carry liability, workmen's compensation insurance and cancellation insurance for the convention.
- 3.13.2 The fiscal year shall extend from June 1 to May 31.

3.13.3 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 ©(3) of the Internal Revenue Code of 1954 or any successor provision thereto as the then Board of Governors shall select.

3.13.4 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 of 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 it 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.

No part of the net earnings of the Association shall be used for the benefit of, or to the advantage of any member, sponsor, donor, creator, trustee, officer, employee, or without limitation, any other private individual. No part of the net earnings shall be used for the benefit of any corporation or organization in which any private individual might benefit, or in which a substantial part of the activities of such corporation or organization is the carrying on of propaganda or otherwise attempting to influence legislation, provided that this restriction shall not prevent payment of reasonable compensation for services actually rendered to or for the Association in effecting it purpose.

3.14 Awards

3.14.1 Awards See Section 18.0)

3.15 Rules of Order

3.15.1 The Association uses Knowledge based Governance for conducting meetings.

3.15.2 Questions of procedure will be resolved using Robert's Rules of Order, Revised unless otherwise proved in the Constitution or By-laws.

3.16 Amendments

3.16.1 Changes to By-laws can be made at Representative Assembly meetings or by mail vote of the Representative Assembly. These changes require a two-thirds majority vote.

3.16.2 All Association Operating Codes and other documents in the Code Book are part of the By-laws.