

# South Carolina Alliance for Health, Physical Education, Recreation and Dance

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## CONSTITUTION

### Article I

#### Name and Affiliations

##### Section 1.

The name of this organization shall be the South Carolina Alliance for Health, Physical Education, Recreation and Dance. (SCAHPERD)

##### Section 2.

SCAHPERD is organized as a constituent state organization of the Society of Health and Physical Educators (SHAPE America) and the SHAPE America Southern District.

### Article II

#### Purpose

The purpose of SCAHPERD shall be to unite in one organization associations engaged in and desirous of promoting dance, fitness, health, physical education, recreation, sport, athletics and wellness and any other professionally related field; to provide a structure that allows members of diverse interests to pursue common goals through SCAHPERD and specific

professional interest through their respective associations. Outcomes should include but are not limited to the following:

- A governing unit for decisions affecting all associations;
- A facilitation of communication among associations, with other professional groups and to the general public;
- A forum to speak for all of the interests within the SCAHPERD;
- An increase in the ability to impact political/legislative matters pertinent to the SCAHPERD constituency;
- A cohesion among the composite units that comprise SCAHPERD; a mutual respect and support for one another in spite of their diversity.

### **Article III**

#### **Membership**

##### **Section 1.**

Any person engaged in or interested in health, physical education, recreation, dance, fitness, sport, athletics and wellness (hereafter noted as HPERDFSAW) in the state of South Carolina may apply for membership.

##### **Section 2. Classification of Membership**

Membership of SCAHPERD shall be classified as Professional, Retired, Future Professional, Affiliate, Honorary Life, Guest and Reciprocal. The membership year shall be for one, two or three calendar years from the date of payment of dues.

- a. Professional Membership. Any person professionally engaged or interested in (HPERDFSAW) may become a voting member by paying the established dues.
- b. Future Professional Membership. Any full-time graduate or any undergraduate student of (HPERDFSAW).
- c. Honorary Life Membership. Any person who has an Honorary Life Membership bestowed by SCAHPERD does not pay annual dues but is a voting member.
- d. Retired Professional Membership. Any retired individual who has been a member of the (HPERDFSAW) profession may retain voting membership by paying dues stipulated for retired members.
- e. Affiliate Membership. Any Agency or Organization engaged or interested in the fields of (HPERDFSAW) profession may become an affiliate member by paying dues stipulated for Affiliate members. An Affiliate member is entitled to designate a voting member to represent its interests.

- f. Guest Membership. Any person not professionally engaged in health education, physical education, recreation, athletics or dance but who is the support of these areas may become a non-voting guest member.
- g. Reciprocal Membership. The Board of Directors may designate other Alliances and Associations as eligible to have their memberships designated as reciprocal members of SCAHPERD.
- h. K-12 Institutional Membership. Any K-12 institution, studio and/or arts organization engaged or interested in the field of dance may become an institutional member by paying dues stipulated for membership. An institutional membership includes 1 teacher/professional member and, up to 30, K-12 students. All SCAHPERD member benefits apply only to the teacher/professional member. The professional representative will receive and disseminate all informational materials to students.

## **Article IV**

### **Board of Directors**

#### **Section 1.**

The affairs and property of the South Carolina Alliance for Health, Physical Education, Recreation and Dance shall be managed by a Board of Directors. The number of members of the Board of Directors, their qualifications, and the manner of their election or appointment shall be fixed by the By-Laws.

## **Article V**

### **Dissolution of SCAHPERD**

#### **Section 1.**

In the event of dissolution of this organization, all net assets at the time shall be dedicated to an organization, in South Carolina, which has established its tax-exempt status under section 501(c)(3) of the Internal Revenue Code. Efforts would be made to distribute the funds to an organization with similar missions and goals to SCAHPERD.

## **Article VI**

### **By-Laws**

#### **Section 1.**

SCAHPERD shall adopt By-Laws consistent with this Constitution and the laws of the State of South Carolina.

## **Article VII**

### **Procedures for Amending**

#### **Section 1.**

This Constitution may be amended at any regular business meeting of SCAHPERD by a two-thirds vote of the members present. The procedures shall be fixed by the By-Laws.

# **BY – LAWS**

## **Article I**

### **Board of Directors**

#### **Section 1.**

The Board of Directors shall consist of the following voting members: SCAHPERD President, who shall be Chair of the Board of Directors, SCAHPERD President-Elect, SCAHPERD immediate Past President, and the Presidents and Presidents-Elect (Vice President of the Student Association) of the following Associations:

- South Carolina Association for the Advancement of Health Education;
- South Carolina Association for Physical Education and Sport;
- South Carolina Dance Association;
- South Carolina Association for Future Professionals

Non-voting members shall be: Executive Director, Governor's Council Representative, \*Finance Committee Chair (\*approved-11/96 SCAHPERD Business Meeting); the \*\*\*State Department of Education Position(s) of Health, Physical Education, and Dance/Arts Coordinator (\*\*approved 11/20 SCAHPERD Business Meeting); the Parliamentarian and the \*\*Future Professionals Advisor who is appointed by the President (\*\*approved 11/95 SCAHPERD Business Meeting).

#### **Section 2.**

It shall be the duty of the Board of Directors to take the initiative in formulating policies of SCAHPERD. It shall be responsible for the relation of SCAHPERD to the Southern District of the Society of Health and Physical Educators. It shall keep a record of its proceedings and make reports thereof to the membership in the SCAHPERD Newsletter and at the annual conference. It shall adopt all SCAHPERD Committee Operating Codes and approve any revisions deemed necessary. Between regular meetings of SCAHPERD, the Board of Directors shall act as the legislative and administrative body of SCAHPERD. Board of Directors legislation is subject to review at the regular business meetings of SCAHPERD.

#### **Section 3.**

The Board of Directors shall be empowered to replace any non-functioning member of the Board of Directors.

#### **Section 4.**

The fiscal year of SCAHPERD shall be from July 1 through June 30 of the following year.

## **Article II**

### **Officers**

#### **Section 1. SCAHPERD President**

It shall be the duty of the SCAHPERD President to:

- a. Preside at all meetings and to enforce all rules and regulations relating to the administration of SCAHPERD.
- b. Call meetings of SCAHPERD or Board of Directors when deemed necessary, or when requested to do so by the Board of Directors.
- c. Appoint/Approve the members of all SCAHPERD committees. The SCAHPERD President may appoint special committees as s/he or the Board of Directors deems necessary. The SCAHPERD President shall be an ex-officio member of all SCAHPERD committees except the Nominating.

#### **Section 2. SCAHPERD President-Elect**

The SCAHPERD President-Elect shall serve as Vice-Chair of the planning committee for the annual conference, as a member of the Constitution Committee, the Executive Committee, the Finance Committee, and as a non-voting member of the Strategic Planning Committee.

#### **Section 3. SCAHPERD Past President**

The SCAHPERD immediate Past President shall serve as Chair of the Nominating Committee and as Chair of the Conference Program Planning Committee. In addition, the Past President shall assist the President in implementing the recommendations made by the previous year's Association Presidents and SCAHPERD committee chairs which were accepted by the membership at the annual conference. The Past President shall preside in the absence of the President.

#### **Section 4. Chair Pro Tempore**

In the event of the absence of the SCAHPERD President and Past President from any meeting of SCAHPERD or the Board of Directors, the President-Elect shall preside.

#### **Section 5. Association Presidents and Presidents-Elect**

There shall be an Association with a President and President-elect for each of the areas of interest of the membership designated as an Association. Each Association shall promote its area of interest and officers shall cooperate with the SCAHPERD Conference Program Planning Committee in planning and promoting their meetings at the annual conference of SCAHPERD. The Associations shall be as follows:

- South Carolina Association for the Advancement of Health Education;
- South Carolina Association for Physical Education and Sport;
- South Carolina Dance Association;
- South Carolina Association for Future Professionals

## **Section 6. Necrologist**

The SCAHPERD President shall inform the SHAPE America Southern District President of SCAHPERD's Necrologist. The SCAHPERD Necrologist shall also serve a concurrent three-year term on the SHAPE America Southern District Necrology Committee. The Necrologist, serving as a presidential appointee, shall solicit, collect, and present information to honor and memorialize deceased members of the organization at the General Session of the annual conference.

## **Article III**

### **Executive Director**

#### **Section 1.**

The Executive Director shall be appointed by the Board of Directors.

#### **Section 2.**

The Executive Director shall provide continuity and assistance to the overall operation of SCAHPERD. The specific responsibilities are spelled out in the Operating Code.

## **Article IV**

### **SCAHPERD Committees**

#### **Section 1. Standing Committees**

There shall be the following Standing Committees of SCAHPERD appointed by the SCAHPERD President with the approval of the Board of Directors. Members shall be appointed for three years on a rotating basis where appropriate. Each committee shall have an Operating Code approved by the Board of Directors.

- a. Advocacy Committee. This committee shall identify and provide advocacy for legislative issues relating to the broad interests of this SCAHPERD and its constituent community. This work should be coordinated with appropriate SCAHPERD committees. The committee shall be composed of one representative from each association and up to three at-large members. The chair shall be appointed by the SCAHPERD President. The President shall serve as an ex-officio member of the committee. The Executive Director shall serve as a non-voting member of the committee.
- b. Conference Program Planning Committee. This committee shall plan, organize, and conduct the annual conference of SCAHPERD. The membership of the Conference Program Planning Committee shall be the SCAHPERD Past President, SCAHPERD President-Elect, each Association's Past President, the Future Professionals advisor, and the Executive Director who shall serve as a non-voting member. The SCAHPERD Past President shall serve as Chair. The President-Elect shall serve as Vice Chair of the

Conference Program Planning Committee. The President shall serve as an ex-officio member of the committee.

- c. Constitution Committee. This committee shall study the Constitution and By-Laws and propose such amendments as seem desirable. All Operating Codes shall be reviewed and edited by this Committee before they are presented to the Board of Directors for approval. This Committee shall also review proposed amendments to the Constitution and By-Laws of each association to ensure that the proposed changes are in agreement with the SCAHPERD Constitution and By-Laws. The Committee shall be composed of representatives of each association, the SCAHPERD President-elect, and shall be chaired by the SCAHPERD parliamentarian. The President shall serve as an ex-officio member of the committee. The Executive Director shall serve as a non-voting member of the committee.
- d. Executive Committee. This committee shall be charged to carry out the business of the Board of Directors in the absence of Board approval. Actions of this committee shall be brought forward at the next Board meeting for Board affirmation. The Executive Committee shall consist of the SCAHPERD President, who serves as chair, SCAHPERD President-Elect and the SCAHPERD Past President. The Executive Director, the Finance Committee Chair, and the Parliamentarian shall serve as non-voting members.
- e. Finance Committee. This committee shall prepare the annual SCAHPERD budget and review all fiscal matters pertaining to SCAHPERD and its substructures and shall submit a balanced budget to the Board of Directors for approval. This committee shall consist of the SCAHPERD President, SCAHPERD President-Elect, SCAHPERD Past President and representatives from each association, as determined by the Board of Directors, who have had some experience in dealing with the business affairs of SCAHPERD. The chair of this committee shall be appointed by the President. The Executive Director shall be a non-voting member.
- f. Honors and Awards Committee. This committee shall appraise the professional work of people in the State of South Carolina who have made outstanding contributions to the fields of HPERDFSAW and, at the annual conference of SCAHPERD, present as recipient(s) for Honor Awards the names of individuals who merit this honor. The President shall appoint the chair and committee members with representation from SCAAHE, SCAPES, and SCDA. The majority of the committee and the committee chair shall be past Honor Award recipients, when possible. The President shall serve as an ex-officio member of the committee.
- g. Membership Committee. This committee shall promote membership by contacting persons who are professionally involved in HPERDFSAW in the State of South Carolina. It shall assist in any way possible to further the growth of SCAHPERD. The committee shall be composed of representatives of each association. The chair shall be appointed by the SCAHPERD President. The President shall serve as an ex-officio member of the committee.

- h. Nominating Committee. The Committee shall be responsible for selecting the candidates and for coordinating the election procedures for SCAHPERD. The membership of the Nominating Committee shall consist of the SCAHPERD immediate Past President and the Presidents of the Associations. The SCAHPERD immediate Past President shall serve as chair. The President does not serve on this committee.
- i. Public Relations Committee. This committee shall promote the goals and objectives of SCAHPERD and inform the public of SCAHPERD activities in the state of South Carolina. It shall arrange for all types of media coverage of the annual conference and other activities in the state. The committee shall be composed of representatives of each association. The chair shall be appointed by the SCAHPERD President. The President shall serve as an ex-officio member of the committee.
- j. SCAHPERD Scholar Committee. This committee shall be responsible for selecting the SCAHPERD Scholar. It shall consist of three (3) members appointed by the President for three-year terms. These members must be previous Scholar Award recipients. Should three previous Scholars not be available, members must be from among current Association Presidents. The chair shall be appointed by the SCAHPERD President. The President shall serve as an ex-officio member of the committee.
- k. Scholarship Committee. This committee shall review applicants for SCAHPERD scholarships and submit recommendations on the basis of merit and need to the Board of Directors for approval. The committee shall be composed of representatives of each association. The chair shall be appointed by the SCAHPERD President. The President shall serve as an ex-officio member of the committee.
- l. Strategic Planning Committee. This committee shall recommend long and short-range plans to the Board of Directors consistent with the purposes of SCAHPERD as outlined in Article II of the Constitution. It shall bring together ideas from the associations and the state membership and translate them into a logical format as the basis for action by the Board of Directors. Each association shall have one member on the SPC. The SPC chair shall be appointed by the President and shall serve as an at-large member. There may be up to three additional at-large members. The SCAHPERD President shall appoint all members based on recommendations from each association. The SCAHPERD President shall serve as an ex-officio member. The SCAHPERD President-Elect, Past President, Future Professionals Advisor, Parliamentarian, and Executive Director shall serve as non-voting members.
- m. The South Carolina Physical Education Assessment Program Policy Board (SCPEAP). This committee shall serve as the policymaking board for the assurance of sound management of the statewide physical education assessment program. It shall consist of members appointed by the SCAHPERD President who have agreed to serve in positions designated by

the Operating Code. The Program Director shall chair the committee. The President shall serve as an ex-officio member of the committee.

## **Section 2. Ad Hoc Committees**

Ad Hoc Committees shall be appointed by the President whenever deemed necessary. Such committees are subject to the approval of the Board of Directors and shall cease to function as soon as the specific tasks for which they have been created have been completed.

## **Article V**

### **Meetings of SCAHPERD**

#### **Section 1. Annual Business Meeting**

- a. There shall be at least one business meeting of SCAHPERD each year to be held in conjunction with the Annual Conference.
- b. The Board of Directors shall choose the specific time and place of the annual business meeting.
- c. Special meetings of SCAHPERD may be called at any time by the President with the approval of the Board of Directors. The membership shall be notified one month in advance.
- d. The President is responsible for preparing the agenda.
- e. \*All Professional, Honorary Life, and Retired Professional members and the Affiliate member designee shall have voting privileges. All members shall be allowed speaking privileges. \*(Approved 11/95 SCAHPERD Business meeting)
- f. Members present at an officially called business meeting of SCAHPERD shall constitute a quorum.

#### **Section 2. Board of Directors**

- a. There shall be at least three meetings annually of the Board of Directors. Two of the meetings must be in person. Other meetings may be conducted using appropriate technology. During meetings which are not in person, all members must be able to speak and be heard by all in attendance.
- b. An agenda shall accompany the call to meeting.
- c. Speaking privileges shall be granted and controlled by the SCAHPERD President. Special rules may be set by the president for meetings using technology.
- d. Arrangement of seating shall provide for segregation of voting members when deemed necessary by the President or a majority of the Board of Directors.

- e. A quorum of the Board of Directors shall be half the voting members, plus one.
- f. The President shall vote only to break a tie or cause a tie.
- g. Members of the Board may be represented by proxy at a regular meeting of the Board provided the member(s) who cannot attend an official meeting notify the SCAHPERD President and receive his/her written approval for the proxy prior to the beginning of the meeting. In the case of associations, the proxy must be an officer and a voting member of the association's board. An exception may be made for the SCAFP advisor who may proxy for either the SCAFP president or vice-president.

### **Section 3. Manner of Acting**

At the Annual Business meeting, a quorum shall consist of all members present for any matter requiring a vote. A successful vote requires a majority of those members present, unless a greater proportion is required. At regular Board of Directors' meetings, any matter to be voted upon requires a quorum of voting members.

### **Section 4. Voting by Mail**

Any action which may be taken at a meeting of members may be taken without a meeting by mail vote conducted in such a manner, as the Board of Directors shall determine. At least three weeks must be allowed to distribute and collect votes. Those members voting on an officially conducted mail vote of the SCAHPERD Membership shall constitute a quorum.

## **Article VI**

### **SCAHPERD Structures**

#### **Section 1.**

SCAHPERD shall consist of the following Associations:

- South Carolina Association for the Advancement of Health Education;
- South Carolina Association for Physical Education and Sport;
- South Carolina Dance Association;
- South Carolina Association for Future Professionals

#### **Section 2.**

Associations shall be integral parts of SCAHPERD and shall have as their purpose to further the aims of SCAHPERD as these relate to special areas of interest.

### **Section 3.**

Each Association shall:

- a. establish a Constitution and By-Laws for the conduct of its affairs to comply with the SCAHPERD Constitution and By-Laws. All Association Constitutions and By-Laws must be approved by the SCAHPERD Board of Directors;
- b. expend by voucher the funds (through the Executive Director) allocated to it by SCAHPERD;
- c. establish and administer programs to serve its membership;
- d. prepare and approve resolutions and other statements dealing with its interests;
- e. have twenty-five (25) first place membership checks to continue as an association of SCAHPERD; and
- f. initiate and approve all changes in its Constitution and By-Laws. Changes are subject to approval by the SCAHPERD Constitution Committee and the SCAHPERD Board of Directors.

### **Section 4.**

Members of associations and their substructures (such as committees) shall be members of SCAHPERD. Only SCAHPERD members who have designated affiliation (by a first choice check) with a particular association may hold office or vote in that association. Associations shall have the right to set qualifications for their officers in accordance with their respective By-Laws.

### **Section 5.**

Associations are encouraged to conduct workshops, projects, and other activities for the purpose of generating additional funds. In addition, associations shall be encouraged to solicit public and private funds, which shall be subject to approval, by the SCAHPERD Executive Committee.

## **Article VII**

### **Nominations and Election of Officers**

#### **Section 1. Nominations**

- a. The Nominating Committee of SCAHPERD shall present a slate of candidates and biographical sketches for the office that is to be elected each year.

- b. Qualifications for office
  - 1. SCAHPERD President-Elect:
    - a) Membership in SCAHPERD for at least three years immediately preceding nomination for office.
    - b) Hold professional membership in SCAHPERD during the year of nomination.
    - c) Demonstrated interest in SCAHPERD as indicated by service to SCAHPERD or to one of its associations and/or membership on the Board of Directors during at least three years of membership.

## **Section 2. Elections**

- a. Schedule of Elections
  - 1. President-Elect to be elected annually.
- b. Election Procedures
  - 1. Elections shall be held during the annual conference by secret ballot.
  - 2. The Nominating Committee shall be responsible for coordinating election procedures.
  - 3. Officers shall be elected by a majority of votes cast in the election.
  - 4. In case of tie, the tie shall be decided by a vote at the beginning of the annual business meeting.
  - 5. In the event only one candidate is nominated, the one candidate can be elected by acclamation (voice vote).
  - 6. In the event that there are no eligible nominations submitted to the Nominating Committee by the call deadline, the current Board of Directors shall oversee the filling of the vacancy.
  - 7. The results of the elections shall be announced by the President at the annual conference.

## **Section 3. Terms of Office**

The newly elected President-Elect shall take office at the conclusion of the annual business meeting shall serve a three-year term: one year as President-Elect followed by one year as President and one year as Past President.

## **Section 4. Vacancies**

In the event of a vacancy in any elected SCAHPERD position, the Board of Directors shall oversee filling the existing vacancy.

## **Section 5. Other Stipulations**

No individual may hold more than one elected position in SCAHPERD or one of its Associations at one time.

## **Article VIII**

### **Dues and Finances**

#### **Section 1. Fiscal Year**

The fiscal year of SCAHPERD shall be from the July 1 immediately following the annual conference until June 30.

#### **Section 2. Annual Dues**

- a. The annual dues shall be fifty (50) dollars for Professional, eighteen (18) dollars for Future Professional, forty (40) dollars for Affiliate, twenty (20) dollars for Retired Professional, twenty (20) dollars for Guest Membership, and one hundred and 50 (150) dollars for K-12 Institutional Membership, such dues shall constitute membership for one calendar year from the date of payment.
- b. Professional members may purchase a two-year membership for ninety (90) dollars. Two-year memberships may be purchased on the professional member's next renewal date.
- c. Professional members may purchase a three-year membership for one hundred and twenty-five (125) dollars. Three-year memberships may be purchased on the professional member's next renewal date.
- d. Such dues shall be due and payable annually at the time of the annual conference or at the date of application for membership. Distinctive membership cards shall be issued only upon payment of dues.

#### **Section 3.**

SCAHPERD income shall be shared with the Associations according to a formula approved by the Board. No more than 25% of real income shall be allotted to the associations.

- a. Each year, while approving the budget, the Board of Directors shall determine the percent of real income from the previous year's budget that shall be deducted for the contingency fund.
- b. Each year, while approving the budget, the Board of Directors shall determine the percent of the base amount each association will be given from the figure derived in 3.a. (i.e., from the contingency fund).
- c. Based upon designated professional memberships (first choice) there shall be a membership allotment to associations of \$7.00 for each designated first choice membership (an allotment of \$11.00 will be given to each association for each member who selects the same association as a first and second

choice). Second choice professional membership allotment to the association is \$4.00. The future professional association shall receive an allotment of \$5.00 for each future professional member. The transfer from retirees' membership fees to the association(s) of choice will be set at a flat rate of \$6.00. If the retiree checks two associations, each association will receive \$3.00. The transfer from K-12 Institutional Membership will be the same for first and second choice membership allotment listed above but multiplied times three. Membership funds shall be transferred to associations in January and June of each year.

- d. When any public or private funding, including grants, is received in the SCAHPERD organization, the Board of Directors shall determine, on a case-by-case basis, an administrative fee not to exceed 15% of the total funded.

## **Article IX**

### **Procedures for Amending**

#### **Section 1.**

The Constitution and By-Laws may be amended at any regular business meeting of SCAHPERD by a two-thirds vote of the members present, provided that the proposed amendments were sent to the members three weeks in advance of the meeting. Articles and sections may be re-numbered or re-lettered by the Board of Directors without a vote by the membership when such changes do not result in any substantive changes in the meaning or intent of the Constitution or By-Laws.

#### **Section 2.**

When the proposal is not initiated by the Constitution Committee a minimum of seven (7) SCAHPERD members must sign a request for amending the Constitution or By-Laws.

#### **Section 3.**

The Board of Directors shall determine the procedures for putting properly submitted amendments before SCAHPERD at its annual meeting.

## **Article X**

### **Operating Rules**

ROBERT'S RULES OF ORDER, NEWLY REVISED, shall be the guide for all parliamentary procedures and other matters of business not specifically covered by the Constitution and By-Laws of SCAHPERD.

**Article XI**  
**Tax Free Exemption**

**Section 1.**

This organization is organized exclusively for educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.

**Section 2.**

Notwithstanding any other provisions of these articles, this organization shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.

**Section 3.**

Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed as stated in Article V, Dissolution of SCAHPERD in the Constitution.

**Section 4.**

However, if the named recipient is not then in existence or is no longer exempt from federal income tax, or is unwilling or unable to accept the distribution, then assets shall be distributed to an organization which has established its tax-exempt status under section 501(c)(3) of the Internal Revenue Code.