



HWAA BY-LAWS

2024 WINTER SEASON

HEARTLAND WINTER ARTS ASSOCIATION
P.O. BOX 703, Boys Town, NE 68010

Article I. Organization Name

The name of the organization shall be the Heartland Winter Arts Association. The organization may be referred to in these By-Laws as “HWAA”, the “Association” or the “Circuit”.

Article II. Objective and Purpose

The objective of this association shall be to provide an educational environment to promote color guard, winter guard, indoor percussion, and winds for performers, instructors, and communities. Performance opportunities help to promote teamwork, sportsmanship, self-esteem, and positive experiences that are valuable to each participant for a lifetime.

The organization is organized exclusively for charitable, religious, educational, and scientific purposes under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code."

Article III. Membership

A. Eligibility

Any color guard, winter guard, indoor percussion ensemble, or winds group is eligible for membership in the Circuit, in accordance with the Winter Guard International (WGI) and Circuit rules and regulations. A unit must apply in writing on a form or application provided by the Circuit. Prior to each season, all units must reapply in the same manner as new members. Upon receipt of a completed application and payment of current dues, a unit shall be accepted and considered a member of the Circuit. In order to qualify for Winter Guard International (WGI) World Championships, the competing unit must place in the top ten of their class the previous year.

B. Competitive Season

The official competitive winter season shall be considered from January 1st of any given year until the respective weekends of Winter Guard International Color Guard, Percussion, and Winds World Championships.

C. Voting Privileges

Any unit admitted to the Circuit will be permitted voting privileges during Membership meetings on all General Membership matters for the current competitive season. Only delegates in accordance with the HWAA rules and regulations, and as assigned on the Unit’s application to the Circuit shall be given such privileges. Further discussion of the delegates will be found in Section VII.A. of these By-Laws.

D. Eligibility

Any delegate may be subject to discipline by the Executive Board. Conduct that is tending to harm the good name of the Circuit, disturb its well-being, or hamper in its work will be strictly prohibited. Such discipline may include, but not be limited to, censure, suspension or expulsion.

Article IV. Finances

A. Financial Uses

The Circuit shall use its finances to make payments and distributions in furtherance of the purposes set forth in Circuit Fees and Funds Statement.

B. Fiscal Year

The fiscal year shall be considered from July 1 to June 30. The competitive winter season and any noncompetitive Circuit activities shall be held within this timeframe.

C. Annual Membership Dues

Membership fees will be assessed to each member Unit on an annual basis. All dues must be received by the deadline set by the Circuit for the Unit to be eligible to participate in that season. These dues will be used for the payments and distributions set forth in the Circuit Fees and Funds Statement. Failure to pay current dues will result in the forfeiture of participation in contests during the current season, along with the loss of voting privileges at Circuit meetings. Such dues will be determined by the Executive Board by August 1st prior to each season.

D. Contest Host Fees

Season contests are sponsored by Member Units. Hosting fees and percentage of contest gate will be assessed to member units that sponsor a season contest. Failure to pay current fees will result in a unit being ineligible to host a future contest. Such fees shall be determined by the Executive Board by August 1st prior to each season.

E. Contest Operations

Annual membership dues and contest host fees shall be used to reimburse for services rendered during the operations of contests and non-competitive activities of the Circuit.

F. Annual Report

An annual treasurer report will be released to the Membership at the end of each season.

G. Dissolution

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

Article V. Administration

A. Officers

The administration of the Association shall be vested in the President, who shall have a staff to assist him/her in the duties of the President, known as officers of the Board.

B. Executive Board

The structure of the Executive Board shall include a President, a Vice President, a Secretary, a Treasurer, an Education Director, a Digital Media Specialist, and a Contest Director. All positions of the Executive Board shall not be paid.

C. Appointed Board Positions

The positions of a Judge's Liaison, a Past President, a Guard Representative, a Percussion Representative, and a Winds Representative shall be appointed by the Executive Board, but will not be considered voting members of the Executive Board. Any amounts paid to the Appointed Board Positions will be determined by the Executive Board, based on the budget.

D. Nominations

Positions on the Executive Board shall be nominated by delegates of the Membership or Circuit. Any Board member may be re-elected after the expiration of the current term. All nominees shall be at least 21 years of age upon election to office. A nominee must be in good standing with the Circuit.

E. Elections

Elections for all positions of the Executive Board shall be held at the Circuit Membership meeting following the conclusion of the competitive season. Only delegates as assigned per Section VII.A. of these By-laws shall vote. All voting is done in person, and no proxy votes shall be accepted. The position shall be filled by the nominee receiving the greatest number of votes.

F. Meetings

The Executive Board shall meet prior to the start of the competitive season to set the calendar and other business of the Circuit. Additional meetings shall be held at the discretion of the Board.

G. Quorum

The presence in person of a majority of the Executive Board at any Executive Board meeting shall constitute a quorum for the transaction of business.

H. Terms of Office

All elected positions shall serve for a term of two (2) years. The elected positions of President, Treasurer, Education Director, and Contest Director shall receive nominations during odd years. The elected positions of Vice President, Secretary, and Digital Media Specialist shall receive nominations during even years. All Appointed Board Positions shall be appointed every year by the Executive Board. The Past President position shall be filled by a previous President of the organization.

I. Removal

A member of the Executive Board may be petitioned for removal by any primary membership delegate of the Circuit. The petition will be submitted to the Executive Board and placed on file for discussion. If an additional petition is received on the same Board member from an additional primary membership delegate, a vote of the full membership shall be held. If two-thirds of the entire primary membership delegates vote in favor of removal, the Board member shall be removed, but such removal shall be without prejudice.

J. Vacancy of Office

In the event of an office being vacated for any reason before the completion of its term, a special meeting of the Executive Board shall be held to appoint an individual to fill such vacancy. The newly appointed officer will complete the term of the vacated office.

Article VI. Duties of the Board

A. President

The President shall supervise and control all the business and affairs of the Circuit; preside at all meetings of the Circuit; and provide all official correspondence for any function of the Circuit.

B. Vice President

The Vice President shall, in the absence of the President, perform the duties of the President; shall, in the absence of the Contest Director, perform the duties of the Contest Director; shall be the circuit's lead agent in recruiting new units to the circuit, and delegate recruitment duties to the Division Representatives as necessary; and in general, perform all duties incidental to the office of Vice President and other such duties as assigned by the President.

C. Secretary

The Secretary shall create and maintain accurate records of the Circuit during all meetings, maintain the official membership roll, be the custodian of all records including By-Laws, Contest Rules, and other documentation of the Circuit; and in general, perform all the duties incidental to the office of Secretary and other such duties as assigned by the President.

D. Treasurer

The Treasurer shall have charge of and control all funds of the Circuit; receive and distribute as requested receipts for all moneys due and payable to the Circuit from any course and deposit all such moneys in the name of the Circuit in such banks as may be selected by the Executive Board; and in general, perform all the duties incidental to the office of Treasurer and other such duties as assigned by the President.

E. Education Director

The Education Director shall be the lead agent for the education of member unit instructional staff, to include at least one educational activity for the instructional staff of each division annually, make contact with each new unit director prior to the start of competitions, conduct a post-season survey of units educational needs within 6 weeks of the Circuit Championships, delegate responsibilities to Division Representatives as necessary, and other such duties as assigned by the President.

F. Digital Media Specialist

The Digital Media Specialist shall create and maintain all content on HWAA social media sites and website, and other duties assigned by the President.

G. Contest Director

The Contest Director shall be the primary contact for the host site and contest site coordinator with regards to the operation of the contest; will be in attendance at all HWAA events to perform the following duties. If the Contest Director is unable to attend a show, a member of the Executive Board will fulfil the responsibilities for that show; provide assistance with fulfilling the listed requirements for hosting the

contest; delegate responsibilities to the contest site coordinator for set-up assistance of the performance area, warm-up spaces, entrances, merchandise sales, and other contest operations areas; and in general, perform all the duties incidental to the office of Contest Director and other such duties as assigned by the President.

H. Appointed Board Positions

1. Judge's Liaison

The Judge's Liaison shall keep a record of judges trained by the circuit; be the primary contact for the recruitment of new judges; organize an annual training session for new judges; schedule judges for all circuit contests; and in general, perform the entire duties incidental to the office of Judge's Liaison and other such duties as assigned by the President.

2. Past President

The Past President shall be a former President of the organization; advise the Executive Board, especially the President, on the administration of the organization; and in general, perform all duties incidental to the office of Past President and other such duties as assigned by the President. Initial consideration for the position will be given to the most recent President.

3. Division Representatives

The Executive Board shall annually appoint a representative to each of the divisions of the organization: Color Guard, Percussion, and Winds. The Division Representatives are non-voting members of the Executive Board but shall be included in all Executive Board meetings and communication to advocate for their divisions. The Division Representatives shall assist the Vice President in the duties of recruiting new units to their respective divisions and assist the Education Director in their duties as it pertains to their respective divisions.

Article VII. Delegates

A. Delegates

Each member unit in good standing shall be allowed one (1) primary delegate and one (1) alternate delegate whose name shall be registered at the time of application and acceptance. Only one of the aforementioned delegates will be allowed to vote at meetings of the Circuit. Any changes in primary delegates or alternate delegates may be sent to the Executive Board in writing no later than one week in advance of a Circuit meeting. In the event that none of the registered delegates are present, the unit will not have a vote at that meeting. A delegate is defined as follows:

1. Primary Membership Delegate

A delegate from a Member Unit shall consist of a band / unit director or unit instructor as assigned per the application of the Unit.

2. Alternate Membership Delegate

An alternate delegate may include one of the above, or unit manager, designer, adjunct staff or booster club member.

3. Circuit Delegate

A circuit delegate constitutes an individual with prior participation in the activities of the Circuit, but is ineligible for consideration under the Membership or Alternate Membership delegation.

B. Representation

Each delegate shall represent and vote for only one (1) unit per meeting. Delegates shall not represent and vote for multiple units, parent organizations, or schools at the same meeting.

C. Executive Board

Each member of the Executive Board shall have one (1) vote as a delegate of a unit, but not as a representative of a Board. A Board member shall not represent and vote as a Member unit and as a Board member at the same time.

D. Tiebreaker Procedure

In the event of a tie during a circuit meeting, the rule will not be changed, and will remain as previously written.

Article VIII. Membership Meetings

A. Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Circuit in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Circuit may adopt.

B. Membership Meetings

Bi-Annual Circuit Membership meetings shall be held the first Saturdays in December and June. The meetings and details will be announced via electronic mail and on the circuit website at least two (2) weeks prior to the meeting date.

C. Meeting Formats

Business and elections may be transacted in person, by electronic teleconference, or other electronically aided means.

D. Quorum

One-third of the membership entitled to vote shall constitute a quorum at a duly called meeting of members. If a quorum is not present, the meeting will be rescheduled for one week later.

E. Special Meetings

Any special meetings shall be held at the discretion of the Executive Board.

Article IX. Amendments to the By-Laws

A. Amendment Requests

Proposed amendments of the By-Laws must be requested in writing and can be created by, or sent to, the Executive Board prior to a Circuit meeting. Amendments are then sent out to the Membership and are subject to a voting process at a Circuit meeting. A majority shall be required to approve an amendment for it to become effective.

B. Adoption of WGI Rules

The Heartland Winter Arts Association (HWAA) abides by the rules and guidelines set out by Winter Guard International (WGI), and that are published in its annual Color Guard, Percussion, and Winds Adjudication Manual and Rule Books and Contest Rules. HWAA may adjust these rules and guidelines for its circuit use only as noted in the HWAA Circuit Manual.

C. Semantic and Grammatical Changes

Any changes to the By-Laws for semantic and grammatical errors can be made with approval of the Executive Board without a formal amendment process.