



THE CONSTITUTION OF THE PERMIAN HIGH SCHOOL BLACK MAGIC POP ENSEMBLE

PURPOSE

The primary purpose of Black Magic is to promote the art of vocal and instrumental music, build character above reproach, promote community involvement, encourage student responsibility, build independence in following rules, and foster scholarship.

ARTICLE I CODE OF ETHICS

"As a member of Black Magic I will always conduct myself in a respectful manner and I will maintain the highest moral standards at all times. I will not engage in any behavior that discredits or jeopardizes the integrity and moral standards of the organization. I will always take pride in myself and in Black Magic."

ARTICLE II MEMBERSHIP

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| SECTION 1 | Upcoming sophomore, junior, and senior students who have completed at least one semester in the Permian Choir Program shall be eligible for membership in Black Magic as Vocalist. |
| SECTION 2 | All upcoming sophomore, junior, and senior students shall be eligible for membership in Black Magic as Band Member, Ensemble Manager, or Sound Technician. |
| SECTION 3 | The Director will determine the number of members. |
| SECTION 4 | Members must be able to enroll in the Black Magic class during the fall and spring semesters. If a member is unable to be in the specific class period, they will forfeit their spot in the ensemble. |
| SECTION 5 | Members are expected to remain in the Black Magic class period, as well as uphold the responsibilities of a member, for the entire school year. A letter of resignation stating the reason(s) for leaving the ensemble must be submitted to the Director and all procedures in Article X, Section 6 must be followed. Once a member chooses to drop or is dismissed from the ensemble, only the Director may reinstate them. |

- SECTION 6** Members must maintain scholastic standing as set by the E.C.I.S.D. in all extracurricular activities. Members will maintain grade standards in accordance with U.I.L. regulations. EIA regulation states that students in an advanced placement, international baccalaureate courses or in an honors or dual credit course in English, language arts, mathematics, science, social studies, economics or a language other than English, shall be exempt from no pass, no play provisions. This provision shall include dual credit courses in English, language arts, mathematics, science, social studies, economics, or a language other than English taught off campus or a dual credit course taught on the High School campus by university or community college personnel.
- SECTION 7** Students must meet state guidelines for attendance – 90% rule.
- SECTION 8** All members must have their schedule free from any other activity or responsibility during the year of participation that may significantly interfere with Black Magic activities or events. This includes work. Work must be scheduled around the schedule/calendar provided by the Director.
1. This expectation should not prevent members from participating in other extracurricular activities. However, it is the member's responsibility to ensure that all conflicts and potential overlapping activities are communicated clearly to the Director.
- SECTION 9** Membership in Black Magic is voluntary; therefore, members are responsible for all expenses. Payment of these expenses only provides the opportunity to perform as a member; it does not guarantee performance.
- SECTION 10** Membership is not guaranteed yearly. Students must audition year to year to remain in the ensemble.

ARTICLE III

SELECTION PROCEDURES

- SECTION 1** **ELIGIBILITY REQUIREMENTS**
1. Prospective members must be full-time students at Permian High School or New Tech Odessa High School.
 2. Students wishing to become a Black Magic vocalist must be physically and emotionally capable of singing, dancing, working out, and upholding all standards of the program.
 3. Students wishing to become a Black Magic band member must be able to play an instrument, read sheet music at a level set by the Director, work efficiently and responsibly in a small-group environment.
 4. Students wishing to become a Black Magic student staff member must be physically and emotionally capable of completing daily tasks that maintain

ensemble organization, assist with daily ensemble functions, take direction in a pressure-filled environment, and operate under stressful conditions. Student staff members must also be willing to give instruction and direct their peers in various situations.

5. Prospective members shall meet all academic requirements as set by the E.C.I.S.D. in all extracurricular activities.
6. All prospective members and at least one parent/guardian must attend the mandatory audition meeting prior to auditioning.

SECTION 2

APPLICATION FOR AUDITION

1. Each candidate must complete the following forms and return them to the Director by the deadline given:
 - a. Black Magic Application (online)
 - b. Constitution Contract
 - c. Teacher Evaluations
2. The candidate and parent/guardian must be fully aware of the expenses of Black Magic, as explained in the general information received at the audition parent meeting and in the Constitution (see Article VII). They must be willing to meet and be responsible for all financial obligations. (Including shows, costumes, ad-sale fundraisers, contests, etc.)
3. All deadlines must be observed and met for the above-mentioned forms.

SECTION 3

AUDITION PROCESS

1. The audition process will be determined each year by the Director. The Director will be responsible for securing judges and selecting the audition date(s).
2. Each member will be selected by panel of internal and external judges. The Director may serve as a judge. Grades and teacher evaluations will also be a factor in considering members for the organization.
3. Vocalist candidates will audition and receive scores from each judge. The judges will score the candidates on the following (this list is not exhaustive and may be altered at any time by the Director):
 - a. Beauty of voice
 - b. Intonation
 - c. Style
 - d. Confidence
 - e. Showmanship
 - f. Coordination
4. Band member candidates will audition and receive scores from each judge. The judges will score the candidates on the following (this list is not exhaustive and may be altered at any time by the Director):
 - a. Proficiency
 - b. Dexterity

- c. Ability to play various styles of music
 - d. Music Literacy
 - e. Teachability
5. Student staff member candidates will interview (rather than audition) and receive scores from each judge. The judges will score the candidates on the following (this list is not exhaustive and may be altered at any time by the Director):
 - a. Knowledge of ensemble and duties
 - b. Ability to answer questions from the Director and other judges
 6. The first round of auditions may be attended by immediate family only.
 7. The second round of auditions are closed to all spectators. Those eligible for attendance include: the Director, Judges and Administrators.
 8. All new ensemble members and parent/guardian must attend a mandatory post audition meeting. Members and their parent/guardian who fail to attend this meeting in its entirety may forfeit their spot in the ensemble. Any legitimate conflict must be discussed with the Director prior to the week of auditions.

ARTICLE IV

STUDENT STAFF

SECTION 1 ENSEMBLE MANAGER

1. Selection of ensemble managers shall be held in conjunction with vocalist and band member auditions OR on a separate date designated by the director. Ensemble managers shall be optional and the Director will determine the number of ensemble managers and duties of ensemble managers.
2. Ensemble managers must follow all ensemble expectations and guidelines as stated in the Constitution.
3. Ensemble managers shall assist the director with the following tasks:
 - a. Must be present at all rehearsals and performances.
 - b. Ensemble managers should report to the Director, for designated performances and rehearsals, at least 15 minutes prior to the event.
 - c. Ensemble managers will assist in the preparation of music for designated rehearsals and performances.
 - d. Ensemble Managers will work with the Director on all designated tasks.
 - e. Managers may participate in a performance if the Director so chooses.

SECTION 2 SOUND TECHNICIAN

1. Selection of sound technicians shall be held in conjunction with vocalist and band member auditions OR on a separate date designated by the director. Sound technicians shall be optional and the Director will determine the number of sound technicians and duties of sound technicians.

2. Sound technicians must follow all ensemble expectations and guidelines as stated in the Constitution.
3. Sound technicians shall assist the director with the following tasks:
 - a. Must be present at all rehearsals and performances where sound equipment is being utilized.
 - b. Sound technicians should report to the Director, for designated performances and rehearsals, at least 15 minutes prior to the event.
 - c. Sound technicians will be directly responsible for the maintenance and preparation of all sound equipment.
 - d. Sound technicians may participate in a performance if the Director so chooses.

ARTICLE V

MEMBER EXPECTATIONS

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| SECTION 1 | Members must be able and willing to give freely of their time for any ensemble activity throughout the year; before, during or after school. |
| SECTION 2 | Members must not hold job(s) that will interfere with ensemble activities. |
| SECTION 3 | Members who participate in other activities on or off campus must communicate with the Director about conflicting dates and activities. Members are expected to communicate these conflicts to the Director as early as possible and must remind the Director regularly. |
| SECTION 4 | Members' parent must be fully aware of the expenses of the ensemble, as explained at the audition meeting and in the Constitution (see Article VII). They must be willing to meet all financial obligations and due dates. |
| SECTION 5 | Members and their parents must be willing to participate fully in all fundraising and activities that benefit the ensemble. |
| SECTION 6 | Members are expected to attend Black Magic summer rehearsals or they may be ineligible to perform at pep-rallies and football games. |
| SECTION 7 | The term of membership shall be officially recognized as the time following the audition through the close of school in the spring of the following academic year. |
| SECTION 8 | Uniform attire is designated by the Director and must be followed by each member at any practice, performance, or appearance. |
| SECTION 9 | During high performance months, show seasons, and contest season, Black Magic and Choir must be a priority. |
| SECTION 10 | The second occurrence of academic ineligibility at any time during the school year will result in dismissal from the organization. |

ARTICLE VI
PERSONAL RESPONSIBILITY OF A BLACK MAGIC MEMBER

SECTION 1 GENERAL BEHAVIOR

Members must...

1. Exhibit good taste in appearance at all times.
2. Display exemplary social behavior at all times.
3. Must follow school and district codes of conduct.

SECTION 2 CHARACTER

Members must...

1. Be honest.
2. Follow all school rules and policies.
3. Display school spirit.
4. Show good musicianship.

Members must not...

1. Participate in activities that would be degrading to Black Magic's reputation as an organization.
2. Use improper language or obscenities.
3. Cheat.
4. Engage in inappropriate messaging, dialogue, use of content (pictures, labels, artwork, etc.) on any social networking site, email, texting, etc.
5. Intimidate other ensemble members through verbal, text messaging, or social media sites that results in a ensemble member feeling oppressed.
6. Show public display of affection while at school, school functions, or choir events.
7. Receive unsatisfactory comments from any faculty, staff, or administrators of the district.

SECTION 3 CONDUCT

1. Proper manners should be used at all times to address adults; mutual respect and politeness toward fellow members within the ensemble are basic elements that contribute to the total success of the ensemble.
2. Certain standards are necessary for the integrity and reputation of any organization. Each member should be a leader within the school and should set an example at all times – both within the school and outside the school.
3. ECISD rules strictly apply whenever the ensemble is officially representing ECISD, attending a school sponsored activity, or while on a school-sponsored trip.
4. Any member who is guilty of engaging in any illegal activity will be subject to dismissal.

5. If an incident occurs during school or while on a choir trip, during competition or exhibition, a member should expect disciplinary action from the school as well as the choir organization.
6. It is not the purpose of this code to create ill feelings in the event of turning in members to a Director, but to encourage the maintenance of the high standards set forth by this contract.

SECTION 4

FINANCIAL OBLIGATIONS

1. Members and their parent/guardian must be willing to meet all financial obligations. An outline of financial obligations is listed in Article VII of the Constitution.
2. Members may not participate in concerts, community events, shows, or other ensemble activities until financial obligations are met.
3. All monies are non-refundable.

ARTICLE VII

FINANCIAL OBLIGATIONS

SECTION 1

All members of Black Magic will pay a one-time fee of \$100 per academic year. This fee must be paid at the meeting immediately following auditions. This money will be used toward beginning-of-year costs such as music purchase, equipment updates, activity expenses, and supplies.

SECTION 2

General performance attire during the school year will fall into two categories: formal and informal. This attire will be used to perform at events in the community and at choir concerts.

1. Formal Attire - \$75 (estimate) – This attire will be determined by the Director and should not be purchased until instructed to do so.
2. Informal Attire - \$40 (estimate) – This attire consists of a Black Magic polo shirt. The Director will determine whether members should wear jeans or some other form of pant.

SECTION 3

Christmas Show Expenses (all numbers are estimates and cannot be confirmed until closer to the date of the show)

1. Meals and water - \$85
 2. Show outfit - \$125
 3. Partner gift - \$35
 4. Miscellaneous - \$50
- TOTAL = \$285-\$300

SECTION 4

Mojo Show Expenses (all numbers are estimates and cannot be confirmed until closer to the date of the show)

1. Meals and water - \$85
 2. Show outfits (multiple) - \$200
 3. Partner gift - \$35
 4. Miscellaneous - \$50
- TOTAL = \$370-\$400

SECTION 5

Ticket Sales

1. Each member will be required to sell a certain number of tickets for each Christmas Show and Mojo Show. The total number of tickets that each member will be required to sell will be determined by the Director and communicated at the corresponding parent meeting for each show. If a member fails to sell the required number of tickets, the member or the parent/guardian of the member will be required to pay the sum of the cost of the tickets that were not sold.
2. \$300-\$800 estimate.

SECTION 6

Mojo Show Ad Sales

1. Each member will be required to raise a specified amount of money in ads for the Mojo Show ad book. This monetary amount will be determined by the Director and communicated at the corresponding parent meeting for the Mojo Show. If a member fails to raise the required sum of money, the member or the parent/guardian of the member will be required to pay the remaining sum.
2. \$1,000 estimate.

ARTICLE VIII
REHEARSALS

SECTION 1

Members will be expected to practice every day during class, as well as any other scheduled practice.

SECTION 2

The Director will provide a calendar with all expected/mandatory rehearsals throughout the year. The Director may also call additional practices when deemed necessary.

SECTION 3

U.I.L. Rules will be followed concerning practice times per week.

SECTION 4

Summer rehearsals will be held at the discretion of the Director and will be announced at the post-audition meeting. The Director may also call for additional summer rehearsals that are not announced.

- SECTION 5** Every effort should be made to schedule tutorials, make-up tests, etc. outside of rehearsals. If a member has a conflict, they must speak with the Director at least one day prior to the conflict occurring so that appropriate communication can take place between the Director, member, and teacher involved.
- SECTION 6** Members must arrive on time to all rehearsals, performances, or other call times and stay until dismissed by the Director.
- SECTION 7** Members are expected to display proper behavior at all times.
- SECTION 8** Members on any type of probation must attend and participate in all ensembles assigned by the Director.
- SECTION 9** Any member who is removed from a performance must attend and participate in all rehearsals assigned by the Director.

ARTICLE IX

ATTENDANCE

- SECTION 1** Upon acceptance into Black Magic, each member will be required to attend before and after school practices, performances, ensemble events and activities.
- SECTION 2** Any absence from Black Magic activities is unexcused except for certain events listed below:
1. Severe personal illness with a doctor's note (must contact the Director at least 1 hour prior to the rehearsal, or it is considered an unexcused absence, regardless of the time of call).
 - a. When contacting the Director, you MUST call. DO NOT send a text message. If the Director is unable to take your call, you must leave a detailed voicemail and the Director will confirm receiving your message at a later time. The doctor's note must be presented to the Director immediately upon the student's return to school. Failure to do so will result in an unexcused absence.
 2. Funeral or death in the family.
 3. Special school activities with the permission of the Director.
 4. Wedding in which the member is part of the wedding party (must be immediate family). If this absence occurs the week of a performance, the member may be unable to perform that week.
- SECTION 3** Members who miss a scheduled rehearsal the day before a performance (pep rally, concert, community appearance, etc.) may be removed from the performance.
- SECTION 4** Members who hold jobs are expected to work schedules around Black Magic activities. Working is not an excused absence. At times, it is necessary to schedule last minute

rehearsals or extend rehearsal times. Therefore, a job should not conflict if these circumstances occur.

SECTION 5 Doctor appointments, dental appointments, and similar appointments will not be excused. These should not be scheduled during class or practice.

SECTION 6 If a member is aware ahead of time that they will be missing a rehearsal, they must submit in writing a request for the absence. This request must be made two days prior to the absence. Failure to submit an absence will automatically result in that absence being unexcused. This rule applies to any type of absence (school-related or other).

SECTION 7 Consequences for unexcused absences (performers)

1 unexcused absence will result in sitting out for 1 performance (The director will determine which performance, based on the best interest of the ensemble). Members must still abide by the attendance expectations laid out in Article VIII, Section 9.

2 unexcused absences will result in loss of solo eligibility in any ensemble music for the Christmas Show or Mojo Show, whichever is closest.

3 unexcused absences will result in loss of eligibility for a solo performance at the Christmas Show or Mojo Show, whichever is closest.

4 unexcused absences will result in removal from the ensemble.

SECTION 8 Consequences for unexcused absences (student staff)

1 unexcused absence will result in 4 hours of required community or school service. The community/school service hours must be approved by the Director and proof of hours served must be turned in. These hours must be completed before participating in any performance.

2 unexcused absences will result in 8 additional hours of required community or school service. The community/school service hours must be approved by the Director and proof of hours served must be turned in. These hours must be completed before participating in any performance.

3 unexcused absence will result in 12 additional hours of required community or school service. The community/school service hours must be approved by the Director and proof of hours served must be turned in. These hours must be completed before participating in any performance.

4 unexcused absences will result in removal from the ensemble.

SECTION 9 3 tardies will result in an unexcused absence.

- SECTION 10** All rehearsals in the two weeks leading up to a show are mandatory. Any member who misses a rehearsal during this time, regardless of whether it is excused or unexcused, may not be eligible to perform in the show OR may lose performance opportunities in the show.
- SECTION 11** A member must be present for at least half of the school day in order to perform that day.
- SECTION 12** If a member is more than 15 minutes late for any rehearsal/performance, it will be considered an unexcused absence, and consequences listed in Article IX, Sections 7 and 8 will be applied.
- SECTION 13** If a member is aware ahead of time that they will be missing a rehearsal, they must submit in writing (via online form) a request for the absence. This request must be made two days prior to the absence. Failure to submit for an absence will automatically result in that absence being unexcused.

ARTICLE X

PROBATION, DISMISSAL, MEMBER REPLACEMENT

SECTION 1 DEFINITION OF PROBATION

Probation is defined as a period in which a member is not allowed to perform, but must participate in all rehearsals and activities assigned by the Director. This period will last for a minimum of 1 week.

SECTION 2 REASONS FOR GENERAL PROBATION

1. Participating in immoral conduct.
2. Disrespect to a Director, parent, teacher, or administrator.
3. Losing interest in the group.
4. Excessive tardies.
5. Excessive absences.
6. Conduct in violation of any accepted school policy.
7. Stealing.
8. Suspension from school.
9. Smoking of any kind.
10. The use of a vaporizer ("vape") or any similar device.
11. Use or possession of alcohol (includes pictures of a student drinking or in attendance of a party with alcohol present).
12. Missing performances.
13. Poor attitude.
14. Verbal or physical altercations, including social media and text messaging.
15. *Any offenses which are not covered by this document, but which are obvious offenses shall be declared by the Director.*

SECTION 3

CONDITIONS OF PROBATION

1. A member may be placed on probation for reasons listed under Section 2 or for any other reasonable offense determined by the Director.
2. When the member is placed on probation, the Director will contact the student and the member's parents.
3. If the member's behavior/conduct does not improve within the time specified by the Director, the member will be dismissed from the ensemble.
4. If the probation occurs during a time when no performances occur, the Director will determine the penalty (example: extra rehearsals, lunch detention, etc.).

SECTION 4

REASONS AND CONDITIONS FOR GRADE PROBATION

Grade probation applies to any member receiving a failing grade during a 6 week's grading period end term. The member will be placed on probation according to U.I.L. calendar guidelines. If a member fails for the second time (does not have to be consecutive), that member may be removed from the ensemble.

SECTION 5

REASONS FOR DISMISSAL

1. Possession of or the use of illegal drugs.
2. Placement in the Alternative Education Center.
3. Any type of physical altercation.
4. *Any offenses which are not covered by this document, but which are obvious offenses shall be declared by the Director.*

SECTION 6

CONDITIONS OF DISMISSAL

1. When a member is dismissed from the ensemble, a meeting may be scheduled with the student and the member's parent/guardian, the Director, and an administrator.
2. If a member is dismissed from the ensemble during the 1st semester (fall), they may be eligible to audition for the following year's ensemble. If a member is dismissed from the ensemble during the 2nd semester (spring), they may not be eligible to audition for the following year's ensemble. The Director will make all decisions regarding re-auditions.
3. If a member is dismissed from the ensemble, he/she will be responsible for returning their assigned uniform and music within 1 week of the date of removal.
4. If a member is dismissed from the ensemble, they are still held responsible for fulfilling the financial requirements to date as listed on the payment schedule provided. ALL MONIES ARE NON-REFUNDABLE.
5. If a member chooses to forfeit their spot in the ensemble, the member must notify the Director in person. Forfeiting members will follow the same procedures set in place for dismissal from the ensemble. (Items 1-4 listed above will apply). You will not be granted a schedule change out of choir until

all uniforms and music are returned, all money has been paid, and the Director has given written approval to the necessary counselor.

SECTION 7

MEMBER REPLACEMENT

1. If a member is dismissed from the ensemble, the Director shall have the authority to replace the member with any candidate that participated in the audition process.
2. A member who is invited into the ensemble after the initial audition process will be responsible for upholding all sections of the Constitution, including financial obligations.

ARTICLE XI

COMMUNICATION OF CONCERNS

SECTION 1

Members and their parents should follow the steps below, IN ORDER, if a concern or an issue arises:

1. Contact the Director by phone (no text), or email, or in person, and notify them of the concern.
2. If there is no resolution after initial contact with the Director, schedule an in-person conference with the Director.
3. If there is no resolution after the in-person meeting with the Director, contact the Administrator on campus who supervises Black Magic and the Director, and schedule an in-person conference.
4. If there is no resolution after the meeting with the Administrator on campus who supervises the Black Magic and the Director, contact the Principal of Permian High School to schedule an in-person conference.

ARTICLE XII

PARENTAL RESPONSIBILITIES

SECTION 1

Positive parental involvement is expected throughout the Choir Program. Parents play an important role in supporting and encouraging their Black Magic member and the Choir Program.

SECTION 2

Parents are encouraged to work in a positive manner with the Director(s) and the High School Administration to promote and improve the educational, financial, and ethical welfare of the Permian High School Choir Program and all the students involved.

SECTION 3

Parents are encouraged to set up an appointment to discuss concerns both positive and negative which directly impact their child or the overall program with the appropriate Director. Parents will need to follow the communication process as established in Article XI of the Black Magic Constitution for any concerns.

- SECTION 4** Parents are strongly discouraged from making any negative remarks about any individual members, the ensemble as a whole, Director(s), or other school ensembles in public or on any social media sites. If this occurs, the Black Magic member of the parent involved may be removed from the ensemble.
- SECTION 5** Parents are responsible for picking up and dropping off their child.
- SECTION 6** Parents must be willing to follow all rules and guidelines regarding the financial obligations as stated in Article VI, Section and as outlined in Article VII.
- SECTION 7** Parents are expected to participate alongside their child in all Black Magic ticket sales and ad-sale fundraisers.
- SECTION 8** Parents who interfere with minor decisions of the Director(s), such as, but not limited to, uniform selection, choice of music, which Black Magic members perform, location of Black Magic performers within the formations of performances, or other minor decisions made by the Director(s), may result in the removal of their child from Black Magic.

ARTICLE XIII

DIRECTOR RESPONSIBILITIES AND DUTIES

- SECTION 1** The Director is the leader of this organization. All operations must receive the Director's approval.
- SECTION 2** The Director must be able to account for each team member during any and all activities.
- SECTION 3** The Director will supervise and coordinate all Black Magic activities in accordance with the Black Magic Constitution, Board Policy, UIL Regulations, and Campus Policies.
- SECTION 4** The Director will be responsible for determining whether or not alleged misconduct has occurred and what the appropriate disciplinary action will be. The Director's decision in these matters shall be final. A member may be dismissed from Black Magic only upon the recommendation of the Director and the consent of the Permian High School Principal.
- SECTION 5** The Director will communicate all dates and times of all required functions to Black Magic members in a timely manner.
- SECTION 6** The Director will pace rehearsals and dismiss all meetings and practices.

ARTICLE XIV
VETO CLAUSE

Since the Director reports to the Principal for the welfare of the Black Magic organization, it is understood that all powers herein set forth are delegated by the Director and may be revoked at any time-with the consent of the Principal.

The interpretation of this Constitution is the sole right of the Director and the Principal.