



**CONSTITUTION and BYLAWS**  
**TEXAS ASSOCIATION FOR BILINGUAL EDUCATION**

## BYLAWS

### RULE 1: HOUSE OF DELEGATES

- A. All voting members who have been properly certified to the House of Delegates shall wear the proper identification badges at all times (in order to be admitted) and during the House of Delegates meeting(s).
- B. The order of business may be suspended by two-thirds (2/3) vote of the members present and voting.
- C. Only certified voting delegates may present motions and/or vote.
- D. Any member wishing to speak must rise, address the Chair, be acknowledged by the Chair, and give his/her name and the name of the affiliate of which he/she is a member, before being assigned the floor, whether speaking as an individual or as the representative of a group.
- E. No member shall speak in debate more than twice to the same question during the same meeting, nor longer than five (5) minutes at one time, unless permission is granted by a majority vote of those members present.
- F. All business items shall be in writing, signed by the maker and the individual who seconds the motion, and sent immediately to the Chair.
- G. Previous question shall require a majority vote.
- H. All items of new business shall be presented in writing to the Chair within one hour after the adoption of these Rules of Procedures and will be considered in the order presented.
- I. All resolutions not in the Constitution Committee report shall be presented in writing to the Chair within one hour after the adoption of these Rules of Procedure and will be considered in the order presented.
- J. Any rule herein provided may be suspended by two-thirds (2/3) vote of the members present and voting.
- K. A member shall not speak for or against a motion and move to close debate on the same until he/she receives recognition from the Chair.
- L. The sessions of the House of Delegates shall be conducted in accordance with provisions of this Constitution and Bylaws. Matters not specifically addressed in these documents shall be governed by *Robert's Rules of Order* (latest edition).

### RULE 2: RESOLUTIONS

A. Resolutions are firm decisions or positions taken by the association which have the approval of the House of Delegates. Resolutions may be submitted by any member of the association.

B. Resolutions submitted at least thirty (30) days before the annual conference will be printed in the agenda booklet of the House of Delegates

C. Resolutions may be presented in writing to the Chair at the House of Delegates meeting within one hour after the adoption of the Rules of Procedure, and they shall be considered at the subsequent House of Delegates meeting following Sections A and B of Rule 2 of the bylaws.

D. Resolutions adopted at the meeting of the House of Delegates shall require a majority vote.

E. Resolutions adopted by the House of Delegates shall be assigned to an appropriate committee by the President. It shall be the responsibility of the committee assigned to carry out directives of the House of Delegates adopted resolutions until their intent has been achieved or changed by a subsequent House of Delegates' action.

F. A committee chair and/or designee and the Secretary shall report to succeeding House of Delegates any action taken to achieve the purpose of the resolutions previously passed.

### **RULE 3: AFFILIATION**

An affiliate shall be chartered upon submission of the following to the Secretary and subsequent approval of the Executive Board:

- A. a Constitution and/or bylaws in compliance with affiliate purpose and minimum standards;
- B. a list of current officers;
- C. a list of current members; and
- D. an initial affiliation fee.

### **RULE 4: CREATION OF NEW AFFILIATES**

In the event an affiliate is divided, the assets and delegate allocation will be divided on a per capita basis.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

## **RULE 5: NOMINATION AND ELECTION[1]**

- A. Nominations for the office of President-Elect, Vice-President, Secretary, and Treasurer shall be filed with the Secretary no later than two weeks after the annual conference and the annual House of Delegates.
- B. Announcement of those filing for the office shall be published fifteen (15) days prior to election in an every member publication.
- C. The election shall be conducted electronically. Each member shall receive ballots by November 20<sup>th</sup>. The ballots shall be submitted no later than December 12<sup>th</sup>.
- D. The Election Committee of the association appointed by the President shall certify the electronic results and shall report the results of the election to the President.
- E. Any member or candidate may report campaign or election violations to the President in accordance to the guidelines established by the Executive Board.
- F. The President shall announce the results after all election results have been tabulated and after all reported election violations have been properly reviewed and resolved.
- G. In the event of a tie, or when two out of three candidates do not receive a simple majority, a run-off will be conducted between the two candidates who received the most votes using the same established procedures as the first balloting.

## **RULE 6: DEFINITIONS OF TERMS**

- A. Open nomination procedure shall mean a procedure by which every eligible delegate shall have the opportunity to nominate any member who meets the requirements for the elective position, subject to any limitations required in the Constitution and Bylaws and/or any other reasonable restrictions which are uniformly imposed.
- B. Secret ballot shall mean a procedure for voting in which the voter may mark the vote in secrecy. Election by secret ballot for each individual position shall mean that slate voting shall not be permitted.
- C. One-person/one-vote principle shall mean a voting procedure by which the vote of each member has actual weight so that, in the elected governing body, each delegate represents approximately the same number of members as each and every other delegate.

[1] Bylaws Rule 5 updated at the House of Delegates, October 17, 2014

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

## ARTICLE I NAME

The name of this organization shall be the Texas Association for Bilingual Education (TABE), hereinafter referred to as TABE or the Association.

## ARTICLE II PURPOSE

TABE has been organized to serve the following purposes:

- A. to serve as a professional association for persons interested in the education of bilingual learners as specified by Article II Section B. Bilingual learners are defined as students who possess a native language other than English, regardless of instructional settings;
- B. to serve exclusively for educational and charitable endeavors, including the distribution of funds to organizations which qualify as exempt organizations under section 501 c (3) of the Internal Revenue Code, or corresponding section of any future federal tax code;
- C. to review and analyze the state of bilingual/bicultural education in Texas schools and exchange ideas and practices for more effective implementation as limited by Article II Section B;
- D. to study legislation at the state and national levels affecting the educational needs of linguistically and culturally diverse children as limited by Article II Section B; and
- E. to disseminate research, ideas, practices and information with policy-making bodies, such as the Texas Legislature, the State Board of Education, the Texas Education Agency, the United States Congress, and the United States Department of Education as

limited by Article II Section B.

**ARTICLE III MEMBERSHIP SECTION 1: ELIGIBILITY**

A. Membership shall be open to all persons interested in advancing the cause of Bilingual/Bicultural Education. All annual conference participants shall be granted a one (1) year automatic regular TABE membership and membership in the corresponding TABE affiliate with a paid conference registration fee. TABE’s regular yearly membership will start on November 1st and end on October 31st.

B. Members shall support the goals and objectives of TABE and shall abide by this Constitution and bylaws.

C. Members shall maintain membership in their local TABE affiliate where available.

D. Members shall be encouraged to maintain membership in the National Association for Bilingual Education (NABE) and the Executive Board Members shall be required to maintain membership in NABE.

E. Membership shall not be denied on the basis of race, disability, color, creed, religion, gender age, sexual orientation, national origin, ancestry, citizenship, military status, or any other protected classification.

**SECTION 2: CATEGORIES**

There shall be six (6) categories of membership: regular, student, parent, paraprofessional, lifetime and associate membership.

A. Regular members shall be current or former employees of public or private

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

educational institutions. Regular members shall be accorded full association rights, privileges, and responsibilities, including the right to vote on all association matters, run for elective positions, and hold office and/or positions of trust in the association.

B. Student members may be full-time undergraduate college or university students enrolled in a minimum of twelve (12) semester hours or graduate students enrolled in a minimum of nine (9) semester hours and may be an active member of a Bilingual Education Student Organization (BESO) affiliate. Student members shall be accorded full association rights, privileges, and responsibilities, including the right to vote on all association matters, run for elective positions, and hold office and/or positions of trust in the association.

C. Parent members shall be parents, family members, educational support personnel, and community supporters of bilingual education programs. Parent members shall be accorded full association rights, privileges, and responsibilities, including the right to vote on all association matters, run for elective positions, and hold office and/or positions of trust in the association.

D. Paraprofessional members shall be employees of private or public schools who work as support personnel such as, but not limited to, instructional aides, testing aides, & parent liaisons. Paraprofessional members shall be accorded full association rights, privileges, and responsibilities, including the right to vote on all association matters, run for elective positions, and hold office and/or positions of trust in the association.

E. Lifetime members are members who pay a lifetime membership of \$300.00, which entitles all such members to all privileges and services of the Association for life. Lifetime members shall be accorded full association rights, privileges, and responsibilities,

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

including the right to vote on all association matters, run for elective positions, and hold office and/or positions of trust in the association.

F. Associate members shall be those former regular, student, patron, paraprofessional, and parent members who are not current with their membership fees. They will have the right to participate in all TABE events and receive relevant information from TABE. They shall not have voting privileges.

### **SECTION 3: DUES**

The membership dues for TABE will be set annually by the Executive Board upon recommendation by the House of Delegates.

### **SECTION 4: CENSURE, SUSPENSION, AND EXPULSION**

A member who fails to adhere to any of the conditions of membership shall be subject to censure, suspension, or expulsion according to due process procedures established in Article IX.

## **ARTICLE IV**

### **AFFILIATE STRUCTURE**

#### **SECTION 1: ORGANIZATION**

Affiliates shall be organized and have the same privileges and responsibilities, according to one of the following plans:

A. A **local affiliate** may be composed of teachers, instructional assistants, parents, school administrators, undergraduate/graduate students, former school employees, education service center personnel and any other individuals affiliated with an educational institution and may include more than one school district in the same

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014



geographical area.

B. A **student affiliate** consists of undergraduate college or university students enrolled in coursework, organized under BESO, sponsored and supervised at a University setting.

## **SECTION 2: PROCEDURES FOR AFFILIATION**

Annually, a local affiliate shall:

- A. elect executive board officers (e.g., President, President-Elect, Vice-President, Secretary, and Treasurer); NOTE: the President may appoint, with Board approval, the following positions: Parliamentarian and Committee Chairs (e.g., Public Relations, Newsletter, etc.);
- B. submit a Constitution to the Constitution Committee Chair/TABE office;
- C. submit an affiliation fee upon approval of the Constitution and/or bylaws; and
- D. receive a Charter of Affiliation annually from the TABE Executive Board.

## **SECTION 3: MINIMUM STANDARDS**

A local affiliate shall:

- A. adhere and promote the goals and missions of TABE.
- B. establish their own membership year;;
- C. guarantee open nominations and conduct all elections using secret ballots;
- D. apply the one-person/one-vote principle in elections;
- E. provide for proportionate representation from the different segments of the membership on local committees;
- F. guarantee due process to members in matters of censure, suspension, or expulsion,

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

- and to officers in matters of impeachment and removal;
- G. require all members to maintain membership in TABE and encourage membership in the National Association for Bilingual Education;
- H. ensure that officers assume office following election;
- I. conduct an internal yearly audit of financial transactions and submit a copy of the audit to the TABE office;
- J. submit, by November 1st a list of officers, a copy of any changes to the Constitution and/or bylaws, and the annual affiliate fee; and
- K. hold a minimum of three (3) board meetings and at least one (1) general meeting or representative meeting per year.

#### **SECTION 4: RESPONSIBILITIES**

A local affiliate shall:

- A. elect delegates to the TABE House of Delegates;
- B. recruit members;
- C. solicit and promote community and media support;
- D. review/analyze issues impacting bilingual learners in Texas schools, foster cooperation and leadership development as well as exchange ideas and practices which enhance and support program effectiveness;
- E. ensure opportunities for all members to express opinions, through the establishment of procedures that allow for due process (refer to Article IX);
- F. disseminate research, ideas, best practices, and information impacting bilingual learners;
- G. take any other action that is consistent with the purpose and philosophy of TABE;
- H. participate in the Affiliate Meeting (s) convened by the TABE President; and
- I. hold exclusive affiliation with TABE and not be an affiliate of another state or national

organization.

## **SECTION 5: DISAFFILIATION, DISSOLUTION, MERGER**

- A. A local affiliate shall give notice to TABE (60) days prior to voting for disaffiliation, dissolution, or merger;
- B. provisions shall be made for the satisfaction or assumption of all liabilities; any assets remaining after satisfaction or liabilities shall be transferred to TABE; and
- C. no liabilities of local affiliates may be transferred to TABE.

## **ARTICLE V**

### **OFFICERS AND APPOINTED REPRESENTATIVES**

#### **SECTION 1: OFFICERS**

The elected officers of this organization shall be a President, President-Elect, Vice President, Secretary, and Treasurer. The President will serve as Past President the year following his/her completed term as President and shall have the same privileges as an elected officer. The appointed officers of this organization shall be a Parliamentarian, a BESO Student Representative, a Parent Representative, a Bilingual/ESL Representative, and the Chairs of the Standing Committees (refer to Article V Section 5).

#### **SECTION 2: QUALIFICATIONS**

All officers must be members of the Texas Association for Bilingual Education and the National Association for Bilingual Education throughout their term as officers.

#### **SECTION 3: TERM OF OFFICE**

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

A. The term of office for the President, Vice-President, Secretary, and Treasurer shall be two (2) year staggered terms. The President assumes the position of Past-President upon completion of the term as President.

B. The term of office for the President-Elect and Past-President shall be one (1) year.

C. Each officer, except President and President-Elect, may opt to file for re-election to one succeeding term.

D. The appointed chairs and parent and bilingual/ESL representatives shall serve a two (2) year staggered term. The BESO representative shall serve a one (1) year term. The Chairs and Representatives can be appointed to more than one year.

#### **SECTION 4: NOMINATION AND ELECTION**

A. Eligible members seeing the office of President-Elect, Vice-President, Secretary, or Treasurer shall notify the TABE office in writing of their intent to run for office. A member may run for office when her/his membership in TABE for the previous year as well as current membership in the local affiliate has been verified by the TABE office.

Nominations shall be received in the TABE office no later than two (2) weeks after the annual House of Delegates meeting.

B. The election of the President-Elect, Vice-President, Secretary, and Treasurer shall be by secret ballot.

C. In the event no candidate(s) file(s) for President, Vice-President, Secretary, and/or Treasurer, the House of Delegates shall nominate at least one candidate for each office listed above.

#### **SECTION 5: DUTIES OF ELECTED OFFICERS**

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

A. The **President** shall call and conduct Executive Board meetings; presiding at the Annual House of Delegates Meeting; supervising the Executive Director with consultation and advice from TABE Executive Board Members; and representing the association to its members and the public. The President shall appoint the Parliamentarian, BESO Student Representative, Parent Representative, Bilingual/ESL Representative, the Higher Education Representative and the Chair for the Standing Committees, subject to approval by the elected officers prior to the first Executive Board meeting. The president shall be an ex-officio member of all committees and appoint a Chair for the following standing Committees:

1. Communications
  - a. Publications
  - b. Newsletter
  - c. Public Relations and Social Media
2. Instruction and Professional Development
3. Legislative

The President shall coordinate the development, maintenance and periodic revision of specific and clear procedures on how TABE affiliates may bid for the Annual Conference and for planning and coordination of the conference. The President shall be the Chair of the Annual TABE Conference and submit a written end-of-year term report to the House of Delegates at the annual conference.

B. The **Past-President** shall serve in an advisory capacity, have voting privileges, serve as a member of one of the major committees (as named by the President), and participate actively in the Executive Board meetings, sharing expertise to insure the successful and effective business of the Association. He or she will assist the President in identifying a timeline of events for his/her term of office and submit a written report to the House of Delegates at the Annual State conference and an end-of-term report to the President.

C. The **President-Elect** shall preside at the TABE Executive Board meetings in the absence of

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

the President and serve as a member of the Membership Committee.

D. The **Vice-President** shall serve as the chair of the Membership Committee, assists the President and shall serve as President if the President is absent or temporarily incapacitated, keep and make available an accurate up-to-date list of TABE members, assist in the recruitment, organizing, development and training of local affiliates, carry out the duties associated with the certification/training of delegates prior to and during the House of Delegates at the Annual Conference, review/verify TABE membership, and affiliate membership. The Vice-President shall ensure that affiliates are reimbursed when local dues are paid directly to TABE and submit a written end-of-term report to the House of Delegates at the annual conference.

E. The **Secretary** shall record, distribute to the Executive Board, and transmit to the TABE office, minutes of each Executive Board meeting and the House of Delegates meeting. The secretary shall submit a written end-of-term report to the House of Delegates at the annual conference.

F. The **Treasurer** shall oversee the maintenance of financial operations of TABE and shall present reports on the Association's financial operations and status to the Executive Board and at the Association's House of Delegates Meeting. The Treasurer shall also ensure that an annual audit of the Association's financial records is conducted and that said audit is available for inspection. The treasurer shall submit a written end-of-term report to the House of Delegates at the annual conference.

## **SECTION 6: DUTIES OF APPOINTED OFFICERS**

A. The **Parliamentarian** shall chair the constitution committee and maintain correct parliamentary procedures during all meetings by following the latest edition of Robert's Rules of Order, train affiliate Presidents in early fall of each year, and enforce Robert's Rules of Order

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

(latest edition) during the annual meeting of the House of Delegates. The Parliamentarian is a non-voting member of the TABE Executive Board.

B. The **Bilingual/ESL Representative** shall be an administrator who holds a leadership position impacting bilingual/ESL programs. This representative shall maintain continuous contact with all bilingual/ESL administrators in the State of Texas with regards to legislative changes affecting bilingual learners, and submit a written report to the House of Delegates at the annual conference.

C. The **Parent Representative** shall be a parent or legal guardian of a bilingual/ESL child served through a local district. This representative shall represent the interests and concerns of parents and their children regarding equity and excellence in education at the local and state level and submit a written report to the House of Delegates at the annual conference.

D. The **Bilingual Education Student Organization (BESO) representative** shall be a current BESO student. This representative shall represent the interests and concerns of BESO students and students seeking bilingual certification state-wide. The BESO representative shall maintain continuous contact with all BESO students in the State of Texas with regards to legislative changes affecting certification and submit a written report to the House of Delegates at the annual conference.

E. The **Higher Education Representative** shall be a faculty member at an institute of higher education who holds a position impacting bilingual/ESL programs. This representative shall maintain continuous contact with institutes of higher education in the State of Texas with regards to the education of bilingual learners and submit a written report to the House of Delegates at the annual conference.

## **SECTION 7: VACANCIES AND SUCCESSION**

A. In the event of a vacancy in the office of the Vice-President, the Secretary, BESO Student

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

Representative, or the Treasurer, the Executive Board shall fill the vacancy(ies) for the remainder of the unexpired term.

B. In the event of a vacancy in the office of President-Elect, the Vice-President shall assume the office of the President-Elect, and the resulting Vice-Presidential vacancy will be filled by the Executive Board for the remainder of the unexpired term.

## **SECTION 8: REMOVAL**

Officers of TABE may be impeached or removed from office for misfeasance, malfeasance, or nonfeasance in the office as prescribed in Article IX (refer to page 15).

## **ARTICLE VI**

### **GOVERNING BODIES**

#### **SECTION 1: THE HOUSE OF DELEGATES**

##### **A. COMPOSITION**

The House of Delegates shall be composed of the Executive Board, affiliate presidents, and elected/appointed affiliate delegates.

##### **B. ALLOCATION OF DELEGATES**

1. Affiliates shall elect one delegate for each ten (10) members or major fraction (5 or more) thereof, based on the affiliate's membership for the current membership year.<sup>1</sup>

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014



2. Affiliates shall submit delegate information to the Executive Board at least seven (7) days before the House of Delegates meeting at the annual conference.

### C. MEETINGS

1. The House of Delegates shall meet annually during the TABE Conference. Two separate House of Delegates meetings will be scheduled for the purpose of: 1) receiving reports from officers and committees, 2) adopting resolutions, 3) approving amendments for the spring ballot; and 4) addressing new business.

2. The President of TABE shall preside at the annual House of Delegates meeting unless there is an emergency or extenuating circumstances. In the event the President is unable to preside, the President-Elect shall assume responsibility at the House of Delegates.

3. A quorum shall be a majority of the delegates certified at the House of Delegates.

### D. FUNCTIONS

The House of Delegates shall:

1. consider and vote on all proposed resolutions;

2. adopt the rules and agenda for the House of Delegates;

3. receive reports from and act on recommendations of the officers, the Executive Board, and the Standing, and Ad Hoc Committees;

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

4. authorize expenditures from the Permanent Fund of TABE by three-fourths (3/4) vote;
  5. enact other measures as may be necessary to achieve the goals and objectives of TABE;
- and
6. approve annual financial report.

## **SECTION 2: EXECUTIVE BOARD**

### **A. MEMBERSHIP**

1. The Executive Board shall be composed of the President, the immediate Past-President, all elected officers – President-Elect, Vice President, Secretary, and Treasurer; and all appointed officers – Parliamentarian/Constitution, BESO Student Representative, Parent Representative, Bilingual/ESL Representative, and Chairs of the Standing Committees.
2. All members serving on the Executive Board are entitled to one vote, with the exception of the Parliamentarian/Constitution who is a non-voting member of the Executive Board. Voting by proxy will not be allowed.

### **B. MEETINGS**

1. The Executive Board shall meet at least four (4) times per year. Special sessions may be called by the President (if deemed necessary). In the event of the absence of a member of the Executive Board for three (3) meetings of the Board, his/her office may be declared vacant by the President and such vacancy shall be filled by the Board.

2. Executive Board meetings shall be open to all members.
3. A quorum shall be a majority of the Executive Board.
4. The Executive Board may cast secret ballots only upon matters pertaining to personnel, the purchase of real estate, and in elections required of the Executive Board.

### C. FUNCTIONS

The Executive Board shall:

1. conduct the Association's business and any responsibilities as directed by the House of Delegates;
2. adopt a written budget for the association to be submitted for review by the House of Delegates;
3. ensure that no more funds are spent than received, as per membership and conference revenues in the current year, except that the Executive Board may approve, by two-thirds (2/3) vote, deficit spending not to exceed ten percent (10%) of the projected budget. A four-fifths (4/5) vote shall be required for deficit spending beyond the ten percent (10%);
4. employ a certified public accountant (by no later than the spring meeting) to conduct a review, compilation or audit of the financial transactions of TABE to be printed at the annual meeting of the House of Delegates and on the TABE website;
5. review the financial conditions of TABE at each meeting;
6. examine and adopt the annual audit report at the first fall meeting;
7. determine the date, sponsoring local affiliate(s), and place of the annual conference;
8. consider distributing a share of the net profit from the annual conference with the sponsoring local affiliate(s) not to exceed ten percent (10%);
9. purchase or sell real estate;

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

10. receive and consider proposed amendments to this Constitution through the Constitution Committee as specified in Article XI;
11. receive reports from special and standing committees and transmit such reports to the annual House of Delegates with any amendments and recommendations attached;
12. approve transfers from the Available Fund to the Permanent Fund;
13. confirms the appointment on the board of three (3) members to serve as trustees of the permanent fund;
14. set and adhere to established dates, rules and procedures for board elections;
15. adopt rules governing referenda;
16. establish policies pertaining to publications;
17. adopt policies necessary to implement this Constitution and By Laws and the mandates of the House of Delegates;
18. refrain from any action in conflict with actions taken by the House of Delegates;
19. approve keynote speakers, major session speakers and award recipients for the annual conference; and
20. contract with a registered lobbyist to advocate for and defend bilingual education in the State of Texas as allowed under Federal law as an exempt non-profit organization according to section 501 (c) 3 of the Internal Revenue Code. Remuneration will be agreed upon between the Executive Board and the lobbyist not to exceed 7%.

## **ARTICLE VII**

### **COMMITTEES**

#### **SECTION 1: STANDING COMMITTEES**

There shall be the following Standing Committees:

1. Finance
2. Legislative
3. Communications

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

- a. Publications and Social Media
  - b. Public Relations
  - c. Newsletter
4. Instruction and Professional Development
  5. Constitution
  6. Membership

## A. COMPOSITION, PURPOSES, AND FUNCTIONS

1. The **Finance Committee** shall consist of the Treasurer as chair, the Secretary, and three (3) current members of the association. The committee shall be responsible for drafting an annual budget for the upcoming year with input from the members of the Executive Board. This proposed itemized annual budget shall be presented for adoption to the Executive Board. The finance committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

2. The **Legislative Committee** shall consist of a chair and four (4) current members of the association. This committee shall study matters of legislation affecting bilingual/bicultural education in Texas, communicate with the TABE lobbyist, and inform the membership of the association on these matters through the TABE newsletter and other social media. The legislative committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

3. The **Publication Committee** is a sub-committee of the **Communications Committee** and shall consist of an appointed chair and editors of the editorial board. This committee shall be responsible for overseeing annual publication and distribution of the Journal of Bilingual Education Research and Instruction to all TABE members. The Publications committee chair

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

shall submit a written end-of-term report to the House of Delegates at the annual conference.

4. The **Public Relations and Social Media Committee** is a sub-committee of the **Communications Committee** and shall consist of a chair and three (3) current members of the Association. The purpose of this committee shall be to make suggestions for the Association to maintain a positive public image. The committee shall be responsible for updating the website and other social media with photos and memorabilia concerning the association and bilingual/bicultural education. The committee shall provide information to the community and the media via the TABE website and other social media regarding disseminating research, ideas, best practices and information impacting bilingual learners. The public relations committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

5. The **Newsletter Committee** is a sub-committee of the **Communications Committee** and shall consist of a chair and two (2) current members of the Association. The Committee will publish the TABE newsletter and keep the TABE website current to promote the Association and bilingual/bicultural education. The newsletter committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

6. The **Instructional and Professional Development Committee** shall consist of an appointed Chair and four (4) current members of the Association. This Committee shall coordinate and conduct the TABE Bilingual Teacher of the Year and Bilingual/ESL Secondary Teacher of the Year competition, consider such matters as professional standards, certification, teacher education, student and member scholarships, teacher supply and demand, and shall inform the membership of changes and current conditions relevant to professional development. This committee shall recruit members to write and publish monthly BESO tips on the TABE website. The instructional and professional development committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

7. The **Constitution Committee** shall consist of the Parliamentarian as the chair and two (2) current members of the association. The committee shall consider all proposed amendments to or changes in the constitution and bylaws and shall recommend their acceptance, modification, or rejection to the executive board, which will formally accept, modify, or reject the proposed changes. The constitution committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

8. The **Membership Committee** shall consist of the Vice-President as chair, the President-Elect as a member and two (2) current members of the Association. This Committee shall be responsible for promoting and recruiting all classes of membership. The membership committee chair shall submit a written end-of-term report to the House of Delegates at the annual conference.

## B. RULES AND PROCEDURES

Chair of TABE Committees shall be current members of the Association.

## ARTICLE VIII

### FINANCES

#### SECTION 1: CORPORATE STATUS

TABE is an incorporated pursuant to the Non-Profit Corporation Act of the State of Texas.

#### SECTION 2: THE AVAILABLE FUND

A. The Available Fund shall consist of all funds received by the association with the exception of those funds designated to the Permanent Fund.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

B. Interest earned by the Permanent Fund shall be deposited in the Available Fund.

### **SECTION 3: ADMINISTRATION OF AVAILABLE FUND**

A. Disbursements from the Available Fund shall be made in accordance with the current year budget.

B. The Treasurer shall be the custodian of the Available Fund.

C. Monies shall be disbursed by the paid bookkeeper and/or the executive director in an amount not to exceed \$3500. A signature of the Treasurer and/or President shall be required on disbursement of funds above \$3500 for the purpose of internal control. <sup>2</sup>

D. Financial records shall be reconciled monthly by a paid bookkeeper or another officer of the association. Other measures that separate custody of the assets and record-keeping may be set by the Executive Board.

E. The Executive Board shall set other methods of internal control it deems necessary.

### **SECTION 4: THE PERMANENT FUND**

A. The Permanent Fund shall consist of the balanced accumulated, transfers from the Available fund, \$2.00 from each annual membership dues paid, and any donations made to the Permanent Fund.

B. The expenditures of monies in the Permanent Fund shall be limited to expenditures relating to the purpose of TABE as Stated under article II. Section 1-4.

C. A three-fourths (3/4) vote of the House of Delegates shall be necessary to expend funds from the Permanent Fund.

### **SECTION 5: ADMINISTRATION OF THE PERMANENT FUND**

A. The Treasurer shall be the custodian of the Permanent Fund.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014



B. The investment of this fund shall be directed by a Board of Trustees which shall consist of the President, the Treasurer, and three (3) current members elected as Trustees of the Permanent Fund by the Executive Board to serve three-year, staggered terms. Each year one of these three members shall be elected as Chair by the Board of Trustees.

<sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

C. All checks from the Permanent Fund shall be signed by the Chair, the Treasurer, and the President.

D. The fiscal year for the Association shall be October 1 to September 30.

## **ARTICLE IX DUE PROCESS**

### **SECTION 1: HEARINGS COMMITTEE**

A. **PURPOSE** The Hearing Committee shall hear charges against local affiliates, officers, Executive Board Members, or individual members of the Association:

1. A local affiliate that fails to comply with minimum standards set forth in this Constitution and By Laws shall be subject to censure, suspension, or disaffiliation (see Article IV Section III).
2. An officer or a member of the Executive Board may be impeached and removed for misfeasance, malfeasance, or nonfeasance in office.
3. A member who fails to adhere to any of the conditions of membership shall be subject to censure, suspension, or expulsion.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

## B. COMPOSITION

1. The Hearings Committee shall be composed of nine (9) members representing various geographical areas of the State who do not serve on the Executive Board.
2. The members of the Hearings Committee shall be elected by the Executive Board to serve three-year, staggered terms. Should a member or members of the Executive Board be the subject of or under review, then the remaining Executive Board members shall have the authority to select the members of the Hearings Committee.
3. Members may not be re-elected.

## SECTION 2: INITIATION OF CHARGES

A. Charges against a local affiliate for failure to comply with minimum standards set forth in this Constitution and By Laws may be filed with the Secretary by a member. Should the Secretary fail to act upon the charges within ten (10) working days, the charges shall be forwarded to the President or Vice President for immediate action.

B. Charges against a member who fails to adhere to any of the conditions of membership set forth in this Constitution and By Laws may be filed with the Secretary by a member. Should the Secretary fail to act upon the charges within ten (10) working days, the charges shall be forwarded to the President or Vice President for immediate action.

C. Impeachment charges against an officer or member of the Executive Board may be filed as per one of the following:

1. signing of petitions
  - a. by petition of at least twenty percent (20%) of members with at least ten percent (10%) of the members in each of five (5) local affiliates; or,

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

- b. by petition of at least twenty percent (20%) of the certified delegates of the last House of Delegates; or,
- c. by petition of at least thirty (30%) of the Executive Board members.

2. processing of petitions

- a. properly signed, written petition specifying charges shall be submitted to the Secretary; and
- b. the secretary shall submit the petitions to the Hearings Committee within ten (10) days for disposition.

Should the Secretary fail to act upon the charges within 10 days, the Hearings Committee shall forward the charges to the President or Vice-President for immediate review.

### **SECTION 3: HEARINGS COMMITTEE**

- A. Within ten (10) days of having received the charges, and having established that all requirements for petitions are fulfilled, the Secretary shall notify the local affiliate or person of the charges by registered mail.
- B. The charges shall be heard by the Hearings Committee no earlier than fourteen (14) days and no later than twenty-one (21) days after notification.
- C. The local affiliate or person charged shall have the right to be heard and to be represented by counsel.
- D. After the hearings, if the Hearings Committee, by two-thirds (2/3) vote of its members, finds the charges true, may censure, suspend, disaffiliate, expel, or remove the person charged from office. Failing a two-thirds (2/3) vote, the charges shall be dropped.

E. Additional procedures for conducting hearings shall be established by the Hearings Committee.

#### **SECTION 4: APPEALS**

The local affiliate or person charged may appeal the decision of the Hearings Committee to an independent arbitrator/mediator referred by the Hearings Committee.

### **ARTICLE X**

#### **PARLIAMENTARY AUTHORITY**

Robert's Rules of Order (latest edition) shall be the authority on all questions or procedures not specified by this Constitution and bylaws. Should there be need for additional assistance in complying with current parliamentary procedures; the Parliamentarian may utilize external resources for support and assistance.

### **ARTICLE XI**

#### **AMENDMENTS**

##### **SECTION 1: AMENDMENTS**

An amendment can be an addition, a deletion, or a change to this constitution and its bylaws.

##### **SECTION 2: PROCEDURES FOR AMENDMENTS**

A. Amendments may be proposed by a local affiliate, a member, the Executive Board, the House of Delegates, or by committees of the Association.

B. Amendments to the Constitution and By Laws shall be submitted to the Constitution Committee no later than forty-five (45) days prior to the Annual Conference.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

C. The Constitution Committee shall communicate with the proponent of the proposed amendment to clarify the intent and rationale; may make non-substantive changes with the permission of the proponent; shall prepare amendments; make recommendations; and shall submit the proposed amendment to the Executive Board and the House of Delegates.

D. Proposed amendments shall be posted on the TABE website at least thirty (30) days prior to the annual conference for review by the TABE membership.

### **SECTION 3: ADOPTION OF AMENDMENTS**

A. Proposed amendments shall be reviewed and clarified by the Constitution Committee with the assistance of the proponent of the amendment. These amendments shall be written and published for the House of Delegates as prescribed in Section 2.

B. Proposed amendments submitted and published as prescribed in Section 2 shall be approved by a two-thirds (2/3) vote of the House of Delegates and become effective sixty (60) days after approval, unless: 1. a proviso is adopted specifying a different date, or 2. a referendum is called.

C. Proposed amendments for which the forty-five (45) days printing notice has not been given shall be introduced at the House of Delegates, but no action will be taken until the Constitution Committee has had ample time to clarify the intent and rationale as prescribed in Section 2. Voting on these items shall take effect at the next House of Delegates meeting.

D. All voting on amendments by the Association membership shall be by secret ballot.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014

**SECTION 4: REFERENDUM ON AMENDMENTS**

- A. A referendum shall be held no earlier than sixty (60) days no later than ninety (90) days after the adoption of an amendment, provided that a petition bearing the signatures of at least fifteen percent (15%) of the members has been received and certified by the Secretary.
- B. A ballot shall made available to each member.
- C. The Executive Board shall adopt rules and procedures governing the conduct of the referendum.
- D. Any proposed amendment receiving a majority vote of the ballots cast shall be adopted.

<sup>1</sup> Article VI Section 1.B.1 updated at the House of Delegates meeting, October 17, 2014 <sup>2</sup> Article VIII Section 3.C updated at the House of Delegates, October 17, 2014