

**RIO GRANDE VALLEY - TEXAS ASSOCIATION FOR BILINGUAL EDUCATION
CONSTITUTION AND BY LAWS**

CONSTITUTION

ARTICLE I

NAME

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

ARTICLE II

PURPOSE

RGV-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 limited 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. As limited by Section A, to solicit area-wide support for Bilingual, Dual Language, English as a Second Language (ESL) and English for Speakers of Other Languages (ESOL) education.
- D. As limited by Section A, to promote the effective implementation of Bilingual, Dual Language, ESL, and ESOL education in the Rio Grande Valley and promote best practices.

- E. As limited by Section A, to address legislative policy issues and advocacy for Bilingual, Dual Language, ESL, and ESOL.

ARTICLE III

MEMBERSHIP

SECTION 1: ELIGIBILITY

- A. Membership shall be open to all persons interested in advancing the cause of Bilingual/Bicultural Education in the Rio Grande Valley. All annual conference participants shall be granted a one (1) year automatic regular RGV-TABE membership and membership in the corresponding TABE affiliate with a paid conference registration fee. RGV-TABE's regular yearly membership will start on February 1st and end on January 31st of the following year. When hosting TABE conference, membership will run from November 1st through the next RGV-TABE conference.
- B. Members shall support the goals and objectives of TABE and RGV-TABE and shall abide by this Constitution and By Laws.
- C. Members shall be encouraged to maintain membership in the National Association for Bilingual Education (NABE).
- D. 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: MEMBERSHIP CATEGORIES

There shall be four (4) categories of membership: regular, student, community and lifetime membership.

- A. **Regular members** shall be current or former employees of public or private educational institutions (Public, private and charter schools, higher education 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 undergraduate college or university students enrolled in a minimum of twelve (12) semester hours, or enrolled in their student teaching practicum, or graduate students enrolled in a minimum of six (6) semester hours and may be an active member of a bilingual student organization. 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. **Advocacy members** shall be parents, family members, educational support personnel, and community supporters of bilingual education programs. Advocacy 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. **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, including the right to vote on all association matters, run for elected positions, and hold office and/or positions of trust in the association.

SECTION 3: MEMBERSHIP DUES

Membership dues for RGV-TABE shall be set annually by the Executive Committee. The membership year shall coincide with the membership year of the Texas Association for Bilingual Education (TABE).

SECTION 4: RIGHTS, PRIVILEGES AND RESPONSIBILITIES

All membership categories listed in Article III. Section 2 (refer to page 3) are afforded full Association rights, privileges, and responsibilities, including the right to vote on all Association matters, run for elected positions, and hold office and/or positions of trust in the Association.

SECTION 5: 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
RGV-TABE STRUCTURE**

SECTION 1: ORGANIZATION

A. RGV-TABE may be comprised of teachers, instructional assistants, parents, school administrators, undergraduate/graduate students, former school employees, faculty at institutions of higher education, Education Service Center personnel and any other individuals interested in advancing the cause of Bilingual/Bicultural Education in the Rio Grande Valley, as defined on Article II, Section 2.

SECTION 2: PROCEDURES FOR AFFILIATION

Annually, RGV-TABE shall:

- A. Elect executive board officers (President, President-Elect, Vice-President, Secretary, and Treasurer); NOTE: the President may appoint, with Board approval, the following positions: Parliamentarian, BESO Student Representative, Committee Chairs.
- B. Submit a Constitution to the Constitution Committee Chairperson/TABE office;
- C. Upon approval of Constitution and/or By Laws, submit TABE affiliation fee of \$10.00;
- D. Receive a Charter of Affiliation annually from the TABE Executive Board.

SECTION 3: MINIMUM STANDARDS

RGV-TABE shall:

- A. Adhere and promote the goals and missions of TABE
- B. Have the same membership year as TABE – November 1 to October 31;
- 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 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 (NABE);
- H. Ensure that officers assume office on June 1st following election;
- I. The treasurer will conduct an internal yearly audit of financial transactions in collaboration with the external CPA.
- J. Submit, by January 1st, a list of officers, a copy of any changes to the current Constitution and/or bylaws, and the annual affiliate fee; and
- K. The Executive Board shall meet at least eight (8) times per year. Special working sessions may be called by the President, if deemed necessary. In the event of the absence of a member of the Executive Board (voted in or appointed) for three (3) meetings (including work sessions) of the Board, his/her office may be declared vacant by the President and such vacancy shall be filled by the Board until such time a general election is held to fill the position. Virtual attendance is permitted.
- L. A quorum shall be a majority of the four (4) elected Executive Board.
- M. The RGV-TABE Executive Board may cast secret ballots only upon matters pertaining to personnel and in elections of the Executive Board.

SECTION 4: RESPONSIBILITIES

RGV-TABE 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 and RGV-TABE;
- H. Participate in the RGV-TABE Meeting (s) convened by the RGV-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. RGV-TABE shall give notice to TABE sixty (60) days prior to voting disaffiliation, dissolution, or merger.
- B. Provisions shall be made for the satisfaction or assumption of all liabilities; in case of a dissolution any assets remaining after satisfaction or liabilities shall be transferred to TABE; and
- C. No liabilities 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 their completed term as President and shall have the same privileges of an elected officer. *The office of Parliamentarian shall be an appointed office, in addition to any other office appointed by the President, with board approval.*

SECTION 2: QUALIFICATIONS

All officers must be members of the Texas Association for Bilingual Education and RGV-TABE throughout their tenure as officers.

SECTION 3: TERM OF OFFICE

- 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 term of office for the appointed chairs shall be one (1) year. The Chairs can be appointed to more than one term.

SECTION 4: NOMINATION AND ELECTION

In order to be nominated for the office of President-Elect, Vice-President, Secretary, or Treasurer you must be a Current RGV-TABE Member. A letter must be submitted to the Executive Committee, through the Executive Board Secretary, in March of each year. Election will be conducted via one of the following methods to be determined annually by the Executive Committee:

- A. Conduct all elections using open nominations and electronic ballot.
- B. Apply the one-person/one-vote principle
- C. Members receive and return their ballots by email by established deadline.
- E. Person(s) receiving a simple majority for each position shall be declared winners and take office on June 1st of each year.

SECTION 5: DUTIES OF ELECTED OFFICERS

- A. The **President** shall call and conduct Executive Board meetings; supervise the Executive Board Secretary with consultation and advice from RGV-TABE Executive Board Members; and represent the association to its members and the public. The President shall appoint the Parliamentarian and any other standing committees. The President shall

be an ex-officio member of all committees. The President shall coordinate the development, maintenance and periodic revision of specific and clear procedures for planning and coordination of the conference. The President shall be the Chair of the Annual RGV-TABE 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.

- C. The **President-Elect, when in office**, shall preside at the RGV-TABE Executive Board meetings in the absence of 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/temporarily incapacitated. In the event that the President and President-elect are not present at the executive board meeting, the Vice-President will preside over the meeting. The Vice-President will keep and make available an accurate up-to-date list of RGV-TABE members, assist in the recruitment, organizing, review/verify of RGV-TABE membership.

- E. The **Secretary** shall keep accurate written records of the proceedings of all business meetings of the association and the Executive Board. These records shall include, but are not limited to minutes, agendas, and correspondence. The Secretary shall preserve all records in a permanent file, conduct association correspondence, and perform other duties as required by the President. Upon the completion of his/her term, the secretary shall turn in to the Executive Board Secretary and his/her successor the minutes for the meetings held while in office within ten (10) days of vacating office. Minutes will be approved and made available to the public after they approval. All documentation shall be made available to any RGV-TABE member at the RGV-TABE office, upon written request and within thirty (30) days. The actual cost for reproducing and mailing is the responsibility of the member requesting such documentation or records.

F. The Treasurer shall have charge of all monies of the association and report thereon at the regular meetings of the Association, keep an itemized account of all receipts and expenditures, deposit funds in the bank designated by the Executive Board, and disburse funds upon written order of the President, and work closely with the CPA. The Treasurer shall release to his/her successor, within ten (10) days of vacating office, all financial statements, financial records, and supporting documents. The incoming Treasurer shall validate the exchange of said records in writing and provide a copy of the same to the President.

G. The Parliamentarian shall maintain correct parliamentary procedures during all meetings by following ROBERTS RULES OF ORDER NEWLY REVISED (latest edition).

SECTION 7: VACANCIES AND SUCCESSION

A. In the event of a vacancy in the office of the President, the Vice-President shall assume the duties and responsibilities of the office.

B. In the event of a vacancy in the office of the Vice-President, the Secretary, or the Treasurer, the president shall fill the vacancy(ies) for the remainder of the unexpired term with board approval.

C. 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 7: REMOVAL

Officers of RGV-TABE may be impeached or removed from office for misfeasance, malfeasance, on nonfeasance in the office as prescribed in Article IX

ARTICLE VI GOVERNING BODIES

SECTION 1: EXECUTIVE BOARD

A. MEMBERSHIP

- a. The Executive Board shall be composed of the President, the immediate Past-President, all elected officers – President-Elect, Vice President, Secretary, and Treasurer; and appointed officers.
- b. 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. FUNCTIONS

The Executive Board shall:

- a. conduct the Association's business and any responsibilities as directed by the Constitution and By Laws;
- b. adopt a written budget for the association;
- c. 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%);
- d. employ a certified public accountant to conduct a review, compilation or audit of the financial transactions of RGV-TABE.
- e. review the financial conditions of RGV-TABE at each meeting;
- f. examine and adopt the annual financial report at the first fall meeting;
- g. determine the date and place of the annual conference;
- h. receive reports from special and standing committees;
- i. set and adhere to established dates, rules, and procedures for board elections
- j. adopt policies necessary to implement this Constitution and By Laws;
- k. approve keynote speakers, major session speakers and award recipients for the annual convention.

**ARTICLE VII
COMMITTEES**

SECTION 1: STANDING COMMITTEES

The following Standing Committees may be allowed, but are not limited to:

1. Finance
2. Annual Conference
3. Instruction and Professional Development
4. Constitution
5. Membership
6. Communication
7. Hearings Committee (Ad Hoc)

A. COMPOSITION, PURPOSES, AND FUNCTIONS

(If any of the named committees are established, they must adhere to the following descriptions.)

- a. The Finance Committee shall consist of the Treasurer as Chairperson, the Secretary, and a current member of the Association. The Committee shall be responsible for drafting an annual budget for the ensuing year with input from the members of the Executive Board. This proposed itemized annual budget shall be presented for adoption to the Executive Board.
- b. The Annual Conference Committee chaired by the President shall be responsible for the program of the Annual Conference meeting and any other meetings related to the Annual Conference.
- c. The Instructional and Professional Development Committee shall consist of a Chairperson and be current member of the Association. This Committee shall coordinate and conduct the RGV-TABE Bilingual Teacher of the Year, ESL Teacher of the Year.

- d. The Constitution Committee shall consist of a Chairperson and two (2) current members of the Association. The Committee shall consider all proposed amendments to or changes in the Constitution and By Laws and shall recommend their acceptance, modification, or rejection to the Executive Board which will formally accept, modify, or reject the proposed changes.
- e. The Membership Committee shall be chaired by the Vice-President. This Committee shall be responsible for promoting and recruiting all classes of membership.
- f. The Communication Committee shall consist of the Chairperson and two (2) current members of the Association. The Committee will: 1) publish the RGV-TABE newsletter, 2) keep the RGV-TABE website current, 3) develop brochures, flyers and posters as deemed necessary to promote the Association and bilingual/dual education.
- g. The Hearings Committee shall be composed of current members, representing various geographical areas of the region, and who are not members of the Executive Board. (Refer to Article IX, Section 1, Hearings Committee).

B. RULES AND PROCEDURES

- a. Chairpersons of RGV-TABE Committees shall be current members of the Association.
- b. RGV-TABE Committees shall establish their own rules and procedures with approval of the Executive Board.

ARTICLE VIII DUE PROCESS

SECTION 1: HEARINGS COMMITTEE

A. PURPOSE

The Hearing Committee shall hear charges against officers, Executive Board Members, or individual members of the Association:

- a. An officer or a member of the Executive Board may be impeached and removed for misfeasance, malfeasance, or nonfeasance in office.
- b. A member who fails to adhere to any of the conditions of membership shall be subject to censure, suspension, or expulsion.

B. COMPOSITION

- a. The Hearings Committee shall be composed of three (3) members representing various geographical areas of the region who do not serve on the Executive Board.
- b. 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.
- c. Members may not be re-elected.

SECTION 2: INITIATION OF CHARGES

- A. 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.
- B. Impeachment charges against an officer or member of the Executive Board may be filed as per one of the following:
 - a. Signing of Petitions
 - i. By petition of at least twenty percent (20%) of members; or,
 - ii. by petition of at least thirty (30%) of the Executive Board.
 - b. Processing of Petitions

- i. Properly signed, written petition specifying charges shall be submitted to the Secretary.
- ii. 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 charges shall be forwarded to the President or Vice-President for immediate review by the Hearings Committee.

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 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 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, find the charges true, may censure, suspend, disaffiliate, expel, or remove 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 person charged may appeal the decision of the Hearings Committee to an independent arbitrator/mediator referred by the Hearings Committee.

DEFINITIONS OF TERMS

- A. Open nomination procedure shall mean a procedure by which every eligible member shall have the opportunity to nominate any member who meets the qualifications for the elective position, subject to any limitations required in the Constitution and By Laws and/or any other reasonable restrictions which are uniformly imposed.

B. Secret ballot shall mean a procedure for voting in secrecy. Election by secret ballot for each individual position shall mean that slate voting shall not be permitted.