

Bilingual/ESL Education Association of the Metroplex

Constitution and Bylaws



Revised July 2024

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This Constitution and Bylaws are the official Constitution and Bylaws for the Bilingual/ESL Education Association of the Metroplex. This document supersedes and makes null and void any other Constitution and Bylaws of this organization.

BILINGUAL/ESL EDUCATION ASSOCIATION OF THE METROPLEX

CONSTITUTION

ARTICLE NAME

The name of this organization shall be the Bilingual/ESL Education Association of the Metroplex (BEAM), hereinafter referred to as BEAM or the Association.

ARTICLE II **PURPOSE**

BEAM has been organized to serve the following purposes:

- A. This Association is organized exclusively for charitable, educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 c (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- B. As limited by Section A, above, to serve as a professional association for persons interested in the education of multilingual learners. Multilingual learners are defined as students who possess a native language other than English, regardless of Bilingual instructional settings,
- C. To promote the content, procedures, and philosophy of Bilingual/multicultural education in ESC Regions 10, 11, and surrounding regions' schools through the interchange of ideas and practices,
- D. To cooperate with the Texas Association for Bilingual Education (TABE) and the National Association for Bilingual Education (NABE) in the promotion of bilingual/ESL multicultural education.
- E. To serve exclusively for educational and charitable endeavors, including the distribution of funds to organizations that qualify as exempt organizations under section 501 c (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE III
MEMBERSHIP

ARTICLE III- SECTION 1. ELIGIBILITY

- A. Membership shall be open to all persons interested in advancing the cause of Bilingual/ESL, and bicultural education. All annual symposium participants shall be granted one (1) year automatic regular BEAM membership with a paid conference registration fee. BEAM's regular yearly membership will start on November 1st and end on October 31st to coincide with TABE's membership year.
- B. Members shall maintain membership in the BEAM chapter.
- C. Members shall maintain active membership in the BEAM chapter.
- D. Membership shall not be denied based on race, color, national origin, or sex.

ARTICLE III- SECTION 2. CLASSIFICATION

There shall be four (4) classes of membership: regular, student, organizational, and professional lifetime membership.

- A. **Organizational members** shall be those organizations contributing \$150.00 or more annually to BEAM. They shall not have voting privileges.
- B. **Regular members** shall be current or former employees of public or private educational institutions. Regular members shall be accorded full association rights, privileges, and responsibilities, including the right to vote on general association matters, run for elective positions, and hold office and/or positions of trust in the association.
- C. **Professional Lifetime** members are members who pay a lifetime membership of \$300.00 which shall entitle 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 general association matters, run for elective positions, and hold office and/or positions of trust in the association (see Articles 8).

- D. **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. BEAM will verify rosters from DFW area institutions.

ARTICLE III- SECTION 3: DUES

Membership dues for BEAM will be set annually by the Executive Board.

ARTICLE III- SECTION 4: MEMBERSHIP MEETING

- A. Hold a minimum of 2 general membership meetings a year.
- B. Special membership meetings may be called upon by the written request of 20 members of the association to the Executive Board.

ARTICLE III- 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.

ARTICLE IV

EXECUTIVE OFFICERS AND APPOINTED CHAIRS

ARTICLE IV- SECTION 1: EXECUTIVE OFFICERS

The executive officers for the Association shall be as follows: President, Vice-President, President-Elect, Immediate Past-President, Secretary, Treasurer, Parliamentarian, Historian, Instructional and Professional Development Chair, and Public Relations Chair.

The elected officers of this organization shall be a President-Elect, Vice President, and Secretary. The President-Elect will assume the office of the President at the end of the term as President-Elect. 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 Vice President will assume the office of the President-Elect. The appointed officers of this organization shall be a Treasurer, Public Relations Chair, and the Chairs of each Standing Committees.

Officer designation:

The **elected officers** of this Association shall be the President-Elect, Vice President, and Secretary.

The President **appointed officers and chairs** of this Association shall be Treasurer, Parliamentarian, Historian, Instructional and Professional Development Chair, and Public Relations Chair.

ARTICLE IV- SECTION 2: EXECUTIVE BOARD QUALIFICATIONS TO HOLD THE OFFICE

All officers must be active members of the Bilingual/ESL Education Association of the Metroplex and the Texas Association for Bilingual Education for a minimum of one year before the election year and throughout their tenure as officers.

ARTICLE IV- SECTION 3: TERM OF OFFICE

- A. The term of elected officers shall be two (2) years for the Secretary and one (1) year for the Vice-President. The Vice-President automatically assumes the position of the President-Elect position for one year upon completion of the Vice-Presidency. After completion of the President-Elect term, s/he automatically assumes the Presidency for one year. Once this term is completed as President, s/he automatically assumes the position of Immediate Past-President for one year. The appointed officers and chairs may serve a consecutive two-year term as determined by the appointing President.
- B. The term of office shall be from June 1 to May 31 of the following year.

ARTICLE IV- SECTION 4: NOMINATION AND ELECTION

Nominations

- A. Nominations for the Elected Offices (i.e., Vice-President and Secretary) will open 30 days before the annual symposium. Nominations will be collected electronically and overseen by the sitting BEAM Vice-President and current Parliamentarian. The following information explains the process of nominations:
1. Announcement to Call for Nominations shared with BEAM Membership 30 days before the annual symposium.
 2. Verified nominees will be announced at the BEAM annual symposium.
 3. Announcement of those elected for the office shall be published at the BEAM Installation Ceremony.
 4. Any member or candidate may report campaign or election violations to the President per the guidelines established by the Executive Board.
 5. The President shall announce the results after all election contests have been considered.
 6. In the event of a tie, a run-off will be conducted between the two candidates using the same established procedures for the first balloting.

B. Election Process

1. The election of the President-Elect, Vice-President, or Secretary shall be by secret ballot.
2. The voting period will begin after the annual symposium and end 30 days after the closing annual symposium.
3. If an annual symposium does not take place, nominations shall begin March 1st through March 31st. The election term shall begin April 6th through May 6th.
4. If no candidate(s) file(s) for the elected officer, the Board shall nominate at least one candidate for each office listed above.
5. Newly elected officers shall be announced and installed at the June meeting of the Executive Board.
6. The Executive Board may not prevent or discourage current members from seeking nomination for an elected position.
7. The Executive Board members may not endorse or support campaigns for Executive Board candidates, other than for themselves if they are running for a position. Doing so would be considered interference with a fair election and violates the ethical and professional standards of the education professional.

ARTICLE IV- SECTION 5: ELECTED BOARD RESPONSIBILITIES

The **President** shall call and conduct Executive Board meetings, set the dates of a minimum of two (2) general membership meetings, preside over general board meetings, and always represent the association positively and professionally during the term of office. The President shall appoint the Treasurer, Parliamentarian, Historian, Instruction and Professional Development Chair, and Public Relations Chair. All appointed positions are subject to approval by the elected officers before the first Executive Board meeting. The President shall attend the annual Texas Association for Bilingual Education Conference and the annual House of Delegates Meeting. The President shall organize and ensure the submission of the delegates to represent the Association at the annual HOD. **Annual Symposium Responsibilities:** The president shall be an ex-officio member of all standing committees for the annual symposium planning. The President shall lead the efforts for the Vendor and Sponsor Committee and act as Chair. The President shall coordinate the development, maintenance, and periodic revision of specific and clear procedures

- A. The **President-Elect** shall preside at the BEAM Executive Board meetings and/or the General Membership meetings in the absence of the President and always represent the association positively and professionally during the term of office. The President-Elect shall serve as a member of the Membership Committee. **Annual Symposium Responsibilities:** The President-Elect shall organize the annual BEAM Symposium, serve as a member of the Vendor and Sponsor Committee, and update the annual BEAM Symposium planning guide. If a BEAM Annual Symposium does not take place, the President-Elect shall be the organizer of the event in place of the symposium.
- B. The **Vice President** shall be the chairperson of the Membership Committee, keeping and making available an accurate up-to-date list of BEAM members. The Vice President shall work with the President to submit the annual membership to TABE by November of each year. The Vice President shall organize the annual fall Membership Drive in conjunction with the Instruction & Professional Development Chair and Public Relations Chair. **Annual Symposium Responsibilities:** The Vice President shall co-chair the Registration Committee and serve on the Vendor and Sponsor Committee.
- C. The **Secretary** shall keep accurate written records of the proceedings of all business meetings of the Association. These records shall include, but are not limited to minutes, agendas, and correspondence. The Secretary shall keep attendance of members present at the meetings. The Secretary shall preserve all records in a permanent electronic file. The Secretary is tasked with conducting Association correspondence that informs the general membership of BEAM general meetings in conjunction with the Public Relations Chair. The Secretary shall work in conjunction with the Public Relations Chair to distribute the quarterly newsletter of the Association. The Secretary shall perform other duties as required by the President. The Secretary shall ensure that correspondences from the BEAM email accounts are answered promptly. **Annual Symposium Responsibilities:** The Secretary shall co-chair the Schedule & Program Committee and Communication & Promotion Committee.
- D. The **Immediate Past-President** shall serve in an advisory capacity, have voting privileges, and participate actively in the executive board meetings, sharing expertise to ensure the successful and effective business of the

Association. The Immediate Past-President may assist the President in identifying a timeline of events for his/her term of office. The Immediate Past-President shall complete all final Association initiatives implemented or established during his or her term as the Association's President, so long as those initiatives do not interfere with newly established initiatives of the current sitting President. **Annual Symposium Responsibilities:** The Immediate Past-President may serve on the Schedule & Program Committee. The Immediate Past-President may assist the President in the updating of the Annual Symposium Planning Guide.

ARTICLE IV- SECTION 6: APPOINTED BOARD RESPONSIBILITIES

- E. The **Treasurer** shall oversee the maintenance of the financial operations of the Association and shall present reports on the Association's financial operations and status to the Executive Board and at the Association's General Membership Meetings. The Treasurer shall keep an itemized account of all receipts and expenditures, deposit funds in the bank designated by the board, and disburse funds upon written order by the President. The Treasurer shall be the chairperson of the Finance Committee and submit a financial report at the regular meetings of the Association. 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 work with the Association's President to submit the annual affiliate fee to the Texas Association for Bilingual Education. **Annual Symposium Responsibilities:** The Treasurer shall co-chair the Registration Committee and Hospitality Committee. The Treasurer shall be a member of the Exhibitors & Sponsors Committee.
- F. The **Parliamentarian** shall maintain correct parliamentary procedures during all the Associations' meetings by following ROBERT'S RULES OF ORDER NEWLY REVISED (latest edition) and be responsible for all matters relating to the Constitution and Bylaws. The Parliamentarian may provide alternative training to BEAM members selected to serve as delegates at the annual HOD each year. The Parliamentarian shall work with the Association's Executive Board to submit all motions and resolutions in writing at HOD. The Parliamentarian shall keep the Association's Executive Board and general membership abreast of all constitutional changes of the Texas Association for Bilingual Education. The Parliamentarian shall annually review the Association's Constitution for updates, revisions, or deletions to present to the Executive Board in a timely

manner that allows for participation during the general membership election period for that year. It is the responsibility of the Parliamentarian to ensure that the Association maintains its status as a TEA-approved CPE Provider. The Parliamentarian shall serve as the chairperson of the Nomination and Election Committee. It is the responsibility of the Parliamentarian to organize and execute the Association's election of open positions annually. The Parliamentarian is a non-voting member of the Association's Executive Board.

Annual Symposium Responsibilities: The Parliamentarian shall serve on the Exhibitors & Sponsors Committee. The Parliamentarian may serve on additional committees at the request of the President.

- G. The **Public Relations Chair** is the chairperson of the Public Relations Committee. The Public Relations Chair shall be responsible for updating the website and other social media concerning the Association and bilingual/bicultural education. The Public Relations Chair shall organize and prepare the quarterly newsletter sent out by the Association. The Public Relations Chair shall create the Association's presentation for the annual Affiliate meeting each year. The Public Relations Chair collaborates with Board members to create materials that align with the brand for the Association upon the timely request of a member. **Annual Symposium Responsibilities:** The Public Relations Chair shall co-chair the Schedule & Program Committee and the Communication & Promotion Committee. The Public Relations Chair shall work with the chairs of the Registration Committee to organize the process of registration for the annual symposium. The Public Relations Chair works in collaboration with the Historian to document the annual symposium.
- H. The **Historian** serves as the chairperson of the Historian Committee. The Historian shall be responsible for documenting and archiving achievements and momentous events carried out by the Association. The Historian shall work in conjunction with the Public Relations Chair to share past achievements and events with the general membership through the website and social media platforms. The Historian may work toward archiving and/or updating the archiving of the Association with a partner university. **Annual Symposium Responsibilities:** The Historian shall oversee the BESO Facilitators Committee and shall co-chair the Awards & Scholarship Committee. The Historian works in collaboration with the Public Relations Chair to document the annual symposium.

- I. The **Instruction & Professional Development (IPD) Chair** shall be the chairperson of the Instructional & Professional Development Committee. The IPD Chair is responsible for organizing and securing all professional development for each general membership meeting. The IPD Chair shall work in conjunction with the Public Relations Chair to keep virtual and/or asynchronous professional development up to date. The IPD Chair will organize and document any CPE credits granted to the general membership on behalf of the Association. It is the responsibility of the IPD Chair to secure arrangements (i.e., registration; travel; lodging) for Bilingual TOY and ESL TOY to attend TABE. **Annual Symposium Responsibilities:** The IPD Chair shall co-chair the Proposals & Sessions and the Awards & Scholarships Committee. The IPD shall work to organize and present the award winners for TOY, Scholarship, and Student Essays.

ARTICLE IV- SECTION 7: VACANCIES AND SUCCESSION

- A. In the event of a vacancy in the office of the President, the President-Elect shall assume the duties and responsibilities of the office.
- 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 unexpired term. In the event of a vacancy in any other office on the executive board, the Executive Board shall fill the vacancy(ies) for the unexpired term(s) of the office(s) in question.

ARTICLE IV- SECTION 8: REMOVAL

Officers of BEAM may be impeached or removed from office for misfeasance, malfeasance, or nonfeasance in the office as prescribed in Article VIII.

ARTICLE V
GOVERNING BODIES

ARTICLE V- SECTION I: EXECUTIVE BOARD

A. MEMBERSHIP

1. The Executive Board shall be composed of four (4) elected officers: the President (one-year term), President-Elect (one-year term), Vice President (one-year term), Secretary (two-year term); one (1) transitional member, the immediate Past President (one-year term); and five (5) appointed officers and chairs: Treasurer, Parliamentarian, Public Relations, Instruction & Professional Development, and Historian.
2. All members, except the Parliamentarian, serving on the Executive Board are entitled to one vote. Voting by proxy will not be allowed.

B. MEETINGS

1. The Executive Board shall meet a minimum of four (4) times per year. Special sessions may be called by the President if deemed necessary. In the event of the absence of an Executive Board member from three (3) meetings and/or events of the Association, his/her office shall 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. Each vacancy shall be determined on a case-by-case basis by the Executive Board.
2. The general membership may attend any Executive Board meeting upon written request no later than one week before the scheduled date.
3. A quorum shall be a majority of the Executive Board, one being the President or the President-Elect
4. The Executive Board may cast secret ballots only upon matters about personnel, to purchase of real estate, and elections required of the Executive Board

C. FUNCTIONS

The Executive Board shall:

- Transact the necessary business of BEAM;
- Set the amount of the annual dues;
- Not take any action that conflicts with actions taken by the membership or TABE or NABE.

D. VIRTUAL MEETINGS AND COMMUNICATION PLATFORMS

1. Definition:

Virtual meetings are meetings conducted entirely or partially through electronic communication means, including but not limited to video conferencing, teleconferencing, or other online platforms.

2. Authorization:

The BEAM Executive Board and General Members acknowledge and accept the use of virtual meetings in addition to in-person meetings, as a valid and authorized method for conducting Executive Board, General Member, and committees of Association meetings.

3. Notice of Virtual Meetings:

Notice about virtual meetings shall be provided to all Executive Board members, members, and committees of the Association.

- a. The Secretary shall share the link and other information to participate in the Executive Board virtual meeting (and a dial-in number or other alternative as necessary) at least seven (7) calendar days before the meeting.
- b. The Secretary shall share the link and other information to participate in the General Member virtual meetings (and a dial-in number or other alternative as necessary) at least one (1) month before the meeting.
- c. The committee lead shall share the link and other information to participate in the committee virtual meeting (and a dial-in number or other alternative as necessary) at least seven (7) calendar days before the meeting.

4. Technology Failures:

In the event of technological failures or disruptions that impede the conduct of a virtual meeting, the meeting shall be temporarily adjourned until such issues are resolved, and notice shall be given to all participants regarding the rescheduled meeting.

5. Communication Platforms:

Communication platforms, including but not limited to text messaging groups (e.g., GroupMe, WhatsApp), may be used by the Executive Board and the committees of the Association for information sharing and discussions. Such platforms shall not be used as a medium for official voting on any proposals, decisions, or matters requiring formal voting approval by the Executive Board.

6. Quorum and Voting:

To establish a quorum and conduct votes, attendance and participation in virtual Executive and General Member meetings shall be considered equivalent to in-person attendance and participation. Provisions for quorum and voting will be followed as outlined in Robert's Rules of Order.

a. If practical, given the size of the meeting, voice voting, roll call voting, and unanimous consent votes for non-secret ballot votes may be used.

b. For virtual meetings with large participation, the Board may consider adopting an appropriate electronic voting platform (e.g., Google Form, Poll Everywhere, chat function, etc.).

7. Record Keeping:

Minutes and records of virtual Executive and General Member meetings shall be maintained in the same manner as traditional, in-person meetings, and shall be considered official and binding records of the Association.

8. Meeting Conduct:

a. Members who disconnect from a virtual meeting due to technical reasons shall be re-admitted by the co-host of the meeting.

b. Attendance at a virtual meeting shall count for attendance purposes for any of the meeting attendance requirements.

c. Members shall not record the meeting whether by audio, video, digital, or other means, unless agreed by the Board prior to the meeting.

d. Members shall take precautions to ensure that non-members do not hear the proceedings of the virtual Executive Board meeting.

9. Participation Protocols:

a. The Board shall select a videoconference platform (e.g., Zoom, Microsoft Teams, etc.) that allows for the identification of participants and those seeking recognition to speak, allows the display of the text of pending motions, and shows the result of votes.

b. The President shall designate a co-host in the virtual Executive Board meeting to be responsible for technical support during the meeting. If a waiting room is used, the co-host will monitor the waiting room and admit members to the meeting.

c. Members shall be able to join the virtual meeting platform ten (5-10) minutes before the meeting officially begins.

d. Members shall identify themselves upon joining the virtual meeting by entering their name as their screen name for other participants to view.

e. Roll call will be done at the beginning of the virtual Executive or General Member meeting to establish a quorum.

f. The designated co-host shall announce that any member that has joined the virtual meeting after the roll call has been done for the purpose of accurate minutes and attendance record keeping. The announcement can be made at an appropriate pausing point during the meeting.

g. Members who seek the floor to speak shall use the hand-raising function in the virtual meeting platform, and the President (or officer leading the meeting) shall recognize speakers in order.

h. All speakers should have their video camera on, if possible.

i. Members shall remain on mute during the meeting and will unmute the microphone when recognized by the President (or Board member leading the meeting).

j. Members are permitted to use the chat function if they wish to communicate information (ex. links, documents, examples.) regarding the topic at hand to the members in attendance.

ARTICLE VI **COMMITTEES**

ARTICLE VI- SECTION 1: PERMANENT AND STANDING COMMITTEES

There shall be the following Permanent and Standing Committees:

1. Finance Committee
2. Membership Committee
3. Annual Symposium Committee
4. Nomination and Election Committee
5. Instruction and Professional Development
6. Public Relations
7. Historian
8. Others as approved by the board

A. COMPOSITION, PURPOSES, AND FUNCTIONS

1. The Finance Committee shall consist of the Treasurer as Chairperson, and the Secretary, and may include up to three (3) current members 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.
2. The Annual Symposium Committee is chaired by the President-Elect who shall be responsible for the organizing, planning, and execution of the Annual Symposium of the Association. In the event the President-Elect is unable to perform such duties, the Annual Symposium Committee shall be chaired by the Vice President who will carry out the responsibilities previously mentioned.

3. The Membership Committee shall be chaired by the Vice-President. This Committee shall be responsible for promoting and recruiting all classes of membership. This committee shall organize and execute the Membership Drive.

4. The Nomination and Election Committee shall be chaired by the Parliamentarian and may include a minimum of 3 active members. The Nomination & Election Committee shall be responsible for:
 - Assuring that the election process per Article IV, Section 4 of this document is followed,
 - Presenting the final slate of candidates to the membership.
 - Sending out the ballots and tallying the final votes.

5. The Instructional and Professional Development Committee shall consist of the appointed Chair and up to four (4) current members of the Association. The Committee shall coordinate and conduct all BEAM competitions (i.e., Teacher of the Year, scholarships, and student essays). The IPD Committee oversees the call for proposals for the annual symposium. The IPD Committee coordinates consideration matters such as professional standards, certifications, teacher education, student and member scholarships, and teacher supply and demand, and shall inform the membership of changes and current conditions relevant to professional development. This committee shall recruit active members to contribute and publish content and/or professional development that supports the mission of the Association for the quarterly newsletter and/or website.

6. The Public Relations Committee shall consist of a chair and up to three (3) current members of the Association. The responsibilities of the Public Relations Committee shall be, but are not limited to, the following:
 - A. Make suggestions for the Association to maintain a positive public image.
 - B. Update the website and other social media with photos, memorabilia, information, and posts in support of the mission of the association.
 - C. Provide information to the community and the media via the BEAM website and other social media platforms regarding disseminating research, ideas, best practices, and information impacting emergent bilinguals.

B. RULES AND PROCEDURES

1. Chairpersons of BEAM Committees shall be current members of the Association.
2. Committees shall establish their own rules and procedures with the approval of the Executive Board.

ARTICLE VII **FINANCES**

ARTICLE VII- SECTION 1: CORPORATE STATUS

BEAM shall be incorporated according to the Non-Profit Corporation Act of the State of Texas.

ARTICLE VII- SECTION 2: THE AVAILABLE FUND

- A. The Available Fund shall consist of all funds received by the Association except for those funds designated for the Permanent Fund.
- B. Interest earned by the Permanent Fund shall be deposited in the Available fund.

ARTICLE VII- SECTION 3: ADMINISTRATION OF AVAILABLE FUND

- A. Disbursements from the Available Fund shall be made under the current year's budget. Any disbursements that are outside of the approved budget must be voted on by the board.
- B. The Treasurer shall have custody of the Available Fund.
- C. Monies disbursed shall be through checks signed by the Treasurer and the President. The signature of a third officer or a paid bookkeeper may be added as determined by the Executive Board for internal control. Monies shall be disbursed by the Treasurer from the Available Fund account through a debit card or check with approval from the President and under the approved budget.

- D. Financial records shall be reconciled monthly by the Treasurer, and 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. Funds are reviewed annually by a certified bookkeeper or accountant to file taxes on behalf of the organization.
- E. The Executive Board shall set other methods of internal control it deems necessary.

ARTICLE VII- SECTION 4: THE PERMANENT FUND

- A. The expenditures of monies in the Permanent Fund shall be limited to expenditures relating to the purpose of BEAM as stated under Article II. Section A-E.
- B. The Permanent Fund shall consist of the balance accumulated, transfers from the Available Fund, \$2.00 from each annual membership dues paid, and any donations made to the Permanent Fund.
- C. A vote of the simple majority of the Executive Board shall be necessary to expend funds from the Permanent Fund.

ARTICLE VIII **DUE PROCESS**

ARTICLE VIII- SECTION 1: HEARINGS COMMITTEE

- A. COMPOSITION
 - 1. The Hearings Committee shall be composed of members who do not serve on the Executive Board.
 - 2. The members of the Hearings Committee shall be appointed by the President with the approval of the Executive Board. 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.

B. PURPOSE

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

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

ARTICLE VIII- SECTION 2: INITIATION OF CHARGES

- A. Charges against a member who fails to adhere to any of the conditions of membership outlined in this Constitution and Bylaws 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:

1. Signing of Petitions

- a. By petition of at least twenty percent (20%) of the membership; or

2. Processing of Petitions

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

ARTICLE VIII- SECTION 3: HEARINGS COMMITTEE

- A. Upon the dissolution of this association, remaining assets after satisfaction or liabilities shall be transferred to TABE for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.
- B. 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.
- C. The charges shall be heard by the Hearings Committee no sooner than fourteen (14) days and no more than twenty-one (21) days after notification.
- D. The local affiliate or person charged shall have the right to be heard and to be represented by counsel.
- E. 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 from office. Failing a two-thirds (2/3) vote, the charges shall be dropped.
- F. Additional procedures for conducting hearings shall be established by the Hearings Committee.

ARTICLE VIII- 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 IX

PARLIAMENTARY AUTHORITY

ROBERT'S RULE OF ORDER NEWLY REVISED shall be the authority on all questions or procedures not specified by this Constitution and Bylaws. Should there be a need for additional assistance in complying with current parliamentary procedures, the Parliamentarian may utilize external resources for support and assistance.

ARTICLE X
AMENDMENTS

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

ARTICLE X- SECTION 1: PROCEDURES FOR AMENDMENTS

- A. A member of the Executive Board, or by committees of the Association, may propose amendments.
- B. A member, an Executive Board member, or a member of a committee of the Association shall submit in writing to the Executive
- C. Board no later than forty-five (45) days before the Annual Symposium, a/an Amendment(s) to the Constitution and Bylaws.
- D. The Association 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 an amendment; make recommendations; and shall submit the proposed amendment to the Executive Board.
- E. Proposed amendments shall be posted on the BEAM website at least thirty (30) days before the Annual Symposium for review by the BEAM membership. They shall be sent electronically to all members before it being voted upon.

ARTICLE X- SECTION 2: ADOPTION OF AMENDMENTS

- A. Proposed amendments shall be reviewed and clarified by the author of the amendment(s) These amendments shall be written and published for the members as prescribed in Section 1.
- B. Proposed amendments submitted and published as prescribed in Section 1 shall be approved by a two-third (2/3) vote of the membership to be approved.

- C. All voting on amendments by the Association membership shall be by secret ballot. Active members in attendance shall approve or disapprove.
- D. Amendments shall become effective sixty (60) days after adoption unless:
 - 1. a proviso is adopted specifying a different date, or
 - 2. a referendum is called.

ARTICLE X- SECTION 3: REFERENDUM ON AMENDMENTS

- A. A referendum shall be held no earlier than sixty (60) days nor 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. The annual election ballot shall be made accessible to each active 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.

BYLAWS

NOMINATION AND ELECTION

A. Eligibility Criteria

- 1. Individuals wishing to run for Executive Board positions must meet the following eligibility criteria by the time the election nominations are initiated, as outlined in this article.

B. Active Membership Requirement:

- 1. Individuals interested in running for Executive Board positions must be active members of both the local affiliate (BEAM) and the state organization (TABE) for a minimum of one entire calendar year. This ensures a level of commitment and engagement with the organization.

C. Prior Service on the BEAM Executive Board:

1. Candidates must have previously served at least one full term on *any* Executive Board, but in an appointed position. Appointed positions include Treasurer, Parliamentarian, Historian, Instructional and Professional Development Chair, and Public Relations Chair.

D. Full Term Completion:

1. Candidates must have completed their full term of service in a previous position without any premature resignation during that period. This criterion emphasizes the importance of commitment and the ability to fulfill responsibilities for the entire term.
2. These eligibility criteria are designed to ensure that candidates have a certain level of experience within the organization, both in terms of active membership and prior service on the Executive Board in an appointed capacity. This helps in selecting candidates who are familiar with the organization's operations and have demonstrated commitment through their previous roles.

RULE 7: DEFINITIONS OF TERMS

- A. An open nomination procedure shall mean a procedure by which every eligible delegate 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 Bylaws and/or any other reasonable restrictions that are uniformly imposed.
- B. A 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 other delegate.
- C. A Run-off election shall mean an election in which those unsuccessful candidates having the most votes, and whose combined total of votes constitutes a majority of the ballots cast in the previous balloting, shall become the candidates. In the event the above procedure does not provide at least one more candidate than the number of positions to be filled, the candidate(s) with the next highest number of votes. If more than one position is to be filled, and more nominees than required receive a majority vote, the person(s) receiving the highest number of votes shall be elected.