

Texas Association for the Education and Rehabilitation of the Blind and Visually Impaired

Bylaws

Revised 2010

ARTICLE I. NAME

The name of this organization shall be Texas Association for Education and Rehabilitation of the Blind and Visually Impaired and shall be known in abbreviated form as TAER.

TAER is a State Chapter of the Association for the Education and Rehabilitation of the Blind and Visually Impaired (AER) and is subject to all of its rules and regulations.

ARTICLE II. PURPOSE

The purpose of TAER shall be to render all possible assistance to the promotion, development, and improvement of all phases of the education and rehabilitation of individuals who are blind or visually impaired. TAER will:

Section 1. Increase public understanding of the social and economic gains to individuals and the state through providing opportunities for all individuals who are blind or visually impaired to become self-sufficient and self-supporting.

Section 2. Provide a forum on a state and/or local level for the discussion of all issues relating to services for persons who are blind or visually impaired, the prevention of visual impairments, and provide publications and training relating to this purpose.

Section 3. Encourage an interdisciplinary approach to programs and services to persons who are blind or visually impaired. This will be accomplished by maximizing the knowledge and skills of all related professions.

Section 4. Foster research to advance the knowledge and skills for the improvement of services to all persons who are blind or visually impaired.

Section 5. Assist in the development of professional standards for personnel engaged in providing specialized programs and services to all persons who are blind or visually impaired.

Section 6. Assist in the development of professional standards for specialized programs serving persons who are blind or visually impaired.

Section 7. Initiate, collaborate, and cooperate with other groups in the development of programs for the benefit of persons who are blind or visually impaired.

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Section 8. Increase public understanding of the etiology of visual impairment and its impact on individuals and society.

ARTICLE III. MEMBERSHIP

Section 1. Eligibility. All persons, agencies, and organizations who are members of the International Association, living or working within the state of Texas, and interested in services to persons who are blind or visually impaired are eligible for membership in the Association.

Section 2. Non-Discrimination. No person, agency, or organization otherwise eligible shall be denied membership in the Association on the basis of age, gender, race, religion, national origin, or disability.

Section 3. Types of Membership. Membership in TAER shall consist of individual and institutional members. Both types of membership shall be renewable annually.

- 3.1 Individual Membership. The Board shall establish, in policy, categories for individual membership defining eligibility requirements, benefits and privileges for each.
- 3.2 Institutional Membership. The Board shall establish, in policy, categories of institutional membership defining eligibility requirements and benefits for each.

Section 4. Membership Fees. Dues for individual and institutional memberships shall be established by the International Association.

Section 5. Membership Division. There shall be established membership divisions to encourage and promote professional standards and/or improvement of services to persons who are blind or visually impaired. Each member, by virtue of membership in the Association, may select membership in any of the divisions and if that member is a voting member of the Association, he or she shall also be eligible to vote in the selected division(s). Each division shall establish a membership fee, pursuant to guidelines set by the Council of Division Chairs and approved by the Board of Directors. Such fee shall be collected by AER at the time the member pays AER's dues and shall then be rebated to the appropriate division(s).

Each member of the Association shall have the privilege of attending any duly held meeting of any division, but may vote only in those divisions in which he/she is a member in good standing.

Each division shall elect from its membership a Chairperson-elect, a Secretary, and any additional officers or Board as decided by majority vote of the division members. Division officers shall serve until their successors have been elected except that the Chairperson-elect shall succeed to the Chair without election.

Each division shall adopt bylaws which are not in conflict with the Bylaws of the Association. Such bylaws and any revision shall be submitted to the Bylaws Committee of the Association for review and recommendation for action by the Board of Directors. A division's bylaws shall be on file in the Central Office of the Association.

The divisions of TAER shall be as follows and must have five (5) members to be recognized:

- Division 1 - Administration
- Division 2 – Rehabilitation Counseling & Employment & BEP Services
- Division 3 - Multiple Disabilities & Deaf/Blind
- Division 4 - Psychosocial Services
- Division 5 - Information & Technology
- Division 7 - Low Vision
- Division 8 - Infant & Preschool
- Division 9 - Orientation & Mobility
- Division 10 - Education Curriculum
- Division 11 - Rehabilitation Teaching
- Division 15 - Division on Aging
- Division 16 - Itinerant Personnel
- Division 17 - Personnel Preparation

Section 6. The membership shall serve as the lawmaking and policy making body of the TAER. It shall elect the Board of Directors and officers of the chapter.

ARTICLE IV. OFFICERS

Section 1. The officers of TAER shall consist of a President, President-Elect, Secretary, Treasurer and Past-President.

Section 2. The officers, except the President, shall be elected every two years by ballot according to procedures in Article VIII. The President-Elect shall succeed to the office of the President and then to the office of Past-President without election for a term of one year. In the event the office of the President-Elect becomes vacant, an additional office of President will be added to the ballot.

Section 3: The Secretary and Treasurer shall serve a two-year term. The Secretary and the Treasurer may be re-elected to successive terms of office but no other officer shall be re-elected to the same office until at least one year has passed following the date of expiration of that officer's term.

Section 4. In the event of a vacancy in the office of President, the President-elect shall serve the remainder of the term as acting President and, upon completion of said term, shall assume the presidency in normal order. In the event of a vacancy in the office of the President-elect, there shall be no replacement until the annual election at which time there shall be elected a President and President-elect. In the event of a vacancy in both the offices of President and President-elect, the immediate past President shall preside over the Board of Directors. The Board will then select a President to serve until the next election. In the event of a vacancy in the office of Secretary or Treasurer or Past President, the Board of Directors may appoint a replacement from its own body or the general membership for the remainder of the term.

Section 5. Duties of Officers. Subject to the control of the Board, all officers shall have authority and perform such duties in the management of TAER as may be

provided by the membership and these Bylaws, as generally pertain to their respective offices.

- 5.1 The President shall preside over all meetings of the membership and the Board of Directors.
- 5.2 The President-elect shall serve as assistant to the President, and, in the absence of the President, shall preside over meetings of the membership and the Board of Directors.
- 5.3 The Secretary shall be responsible for the records of the Association and shall have the minutes of meetings prepared in proper order. The Secretary shall conduct routine correspondence as directed by the President and/or Board of Directors and shall see that records are transmitted to the successor at the completion of his/her term of office. The Secretary shall preside at Board meetings in the absence of the President and the President-elect.
- 5.4 The Treasurer shall be the chief financial officer and shall be bonded. The Treasurer shall see that regular financial statements are prepared in accordance with recognized accounting principles and shall report to the Board of Directors prior to the annual conference and may, under the direction of the Board, report to the full membership at the annual conference. The Treasurer shall preside at board meetings in the absence of the President, President-elect, and Secretary.
- 5.5 The Past-President shall serve as the Chairperson of the Program Committee for the annual conference of TAER, and shall serve as assistant to the president and shall be an ex-officio member of all councils and boards. He/she shall serve as coordinator between these committees and the president.

ARTICLE V. BOARD OF DIRECTORS

Section 1. Authority. The Board of Directors shall consist of the officers of the chapter and four other members in accordance with the requirements of the Constitution and the terms of the Bylaws.

Section 2. Directors. Four members shall be elected to the Board of Directors with each one serving for a period of two years. Two members of the Board of Directors will be elected annually.

Section 3. Quorum. A quorum shall be constituted by the presence of a majority of the currently occupied seats on the Board of Directors.

Section 4. Purpose. The Board of Directors shall serve as the governing and policy-making body of the chapter between meetings of the membership.

Section 5. Meetings. The Board of Directors shall meet at the annual conference. The Board shall hold no less than 2 meetings during the calendar year to be at the call of the President or three other members of the Board. The Board may participate in special meetings by means of telephone conferencing or email.

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Section 6. Resignations. In the event that any member of the Board is unable to serve for any reason, the Board shall elect from the members-at-large a person to complete the unexpired term of that elected board member.

Section 7. Ex-officio Members. International officers, International Board members, regional officers and/or regional representatives shall be ex-officio members of the organization, and shall serve with the Board, but will have no voting status on the Board.

Section 8. Removal of Director(s). Any one or more of the Directors may be removed with cause by action by the Board of Directors, provided there is a quorum of the Board present and that seven days written notice of removal is given to the Director(s) concerned.

Section 9. Votes. Each member of the Board of Directors shall have the right to debate any question before the Board and other assembly of TAER. Each Board member shall have one vote. No officer or Director shall be permitted to assign his/her vote to another Board member.

Section 10. Policy Implementation. The Board of Directors shall have the authority to promulgate, rise or repeal policies governing the orderly business of TAER. Such policies and rules shall be:

- 10. 1 adopted by the Board in final form;
- 10. 2 included in the minutes of the meeting at which they were adopted;
- 10.3 published in a regularly updated Policy Manual to be made routinely available to the TAER membership, and
- 10.4be consistent with the Bylaws and with resolution adopted by the TAER membership.

Section 11. Annual Report and Budget. At the annual conference, the Board of Directors shall present to the membership a report verified by the President and the Treasurer and approved by an audit committee selected by the Board, showing in detail the following:

- 11.1 the assets and liabilities, including the trust funds, as of the end of a twelve month fiscal period.
- 11.2 the principal changes in assets and liabilities, including trust funds, during said fiscal period.
- 11.3 the revenue or receipts both unrestricted and restricted to particular purposes, during said fiscal period.
- 11.4 the expenses or disbursements for both general and restricted purposes, during said fiscal period.
- 11.5 the annual report shall be filed with the records of the Texas Chapter and a copy thereof entered in the minutes of the proceedings of the annual conference of the members. The Board of Directors shall review and make recommendations concerning the budget.

ARTICLE VI. COMMITTEES

Section 1. The President, upon assuming office, shall appoint standing committees and special committees as required. All appointed committee chairpersons and committee members shall be a member in good standing of said organization. The following standing committees are approved by the Board of Directors:

- Nominating
- Scholarships/Awards
- Resolution
- Constitution & Bylaws
- History & Memorial
- Annual Conference
- Ways & Means
- Public Relations
- Membership
- Audit
- Legislative

Section 2. Committee chairperson will be appointed by the President for a period of one year. The Nominating Committee Chair shall be the immediate Past President.

ARTICLE VII. MEETINGS

Section 1. An annual conference shall be held at a time and location determined by the President, Board of Directors, and program committee. The membership will then be notified of the time and place of the conference.

Section 2. The purpose of the annual conference shall be to promote the purposes of the Association and the interests of its membership.

Section 3. TAER shall make every reasonable effort to schedule and hold its annual conference in a location where all members can participate and be fully accommodated without discrimination on the basis of gender, age, race, religion, national origin, or disability.

ARTICLE VIII. ELECTIONS

Section 1. The purpose shall be to elect annually by a majority of the votes cast by ballot the following officers: President-Elect, Secretary, and Treasurer. Two members of the Board of Directors will be elected annually.

Section 2. All voting members of the Association shall be eligible to vote for the offices of President-Elect, Secretary, Treasurer, and Board of Directors.

Section 3. Procedures

- 3.1. The immediate Past President shall serve as the Chairperson of the Nominating Committee and shall solicit from the membership, via email, nominations for each elective office or seat on the Board of Directors.
- 3.2. Before any nomination shall be considered valid, the nominee shall submit a written statement of willingness to serve if elected. Current paid membership of the nominee and the nominator will be verified.
- 3.3. In the event that at least two nominees for each elected office are not submitted by the membership, the Nominating Committee will attempt to solicit two nominees for each elected position on the final election ballot.
- 3.4. Voting shall be by secret ballot, done at the annual conference, with each verified member casting his/her own ballot.
- 3.5. Each voting member may vote for one (1) candidate for each elective office or board seat on the ballot.
- 3.6. The candidate receiving the most votes for each elective position shall become the holder of the office at the final business meeting of the annual conference. In the event of a tie vote in the election for any office, the election shall thereon be decided by a drawn lot.

ARTICLE IX. CHAPTERS

Section 1. Members of TAER shall reside or work in the State of Texas at the time of the application for membership.

Section 2. TAER shall aid in planning and shall support and participate in regional and international meetings sponsored by the international association.

Section 3. Tax Status. Said chapter is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations under Section 501 (c) 3 of the Internal Revenue Code (or the corresponding section of any future Federal tax code).

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, directors, officers or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501 (c) 3 purposes. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501 (c) 3 of the Internal Revenue Code (or corresponding section of any future Federal tax code) or (b) by an organization, contributions to which are deductible under Section 170) (2) of the Internal Revenue Code (or corresponding section of any future Federal tax Code).

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c) 3 of the Internal Revenue Code (or corresponding section of any future Federal tax code), or shall be distributed to the Federal Government, or to a state or local government, for a public purpose. However, if the named recipient is not then in existence or no longer a qualified distribute, or unwilling or unable to accept the distribution, then the assets of this organization shall be distributed to a fund, foundation or corporation organized and operated exclusively for the purposes specified in Section 501 (c) 3 of the Internal Revenue Code (or corresponding section of any future Federal tax code).

ARTICLE X. AMENDMENTS

Section 1. This Constitution and Bylaws may be amended at any business meeting held during the annual conference or by mail ballot or email ballot involving the entire voting membership of TAER.

Section 2. The amendment shall originate in one of the following manners: 1) submission by petition of at least ten voting members, or 2) submission by a majority vote of the Board of Directors.

Section 3. Notification. A proposed amendment shall be submitted to the Board of Directors at least forty-five days prior to consideration by the Board and shall, in turn, be submitted to the entire membership no less than thirty days prior to the final vote by the membership.

Section 4. Adoption of Amendments. Adoption of proposed amendments requires a quorum and affirmative vote of at least two-thirds of the voting membership present at a business meeting or the affirmative vote of at least two-thirds of mail ballots returned.

ARTICLE XI. QUORUM

Section 1. A quorum at a regular business meeting shall be constituted by the presence of at least twenty percent of the membership who registered at the annual conference during which the business meeting is being held.

ARTICLE XII. BUDGET AND FISCAL

Section 1. In addition to the membership fees, TAER may accept gifts or donations from interested individuals or groups and may conduct fund raising activities as approved by the membership for the general purposes or special projects of TAER.

Section 2. All income shall be handled by the Treasurer. All monies shall be deposited in accounts by the Treasurer and approved by the President and Board of Directors. All funds deposited shall be reported to the President and Board of Directors.

Section 3. Regular expenditures of the Texas Chapter shall be made in accordance with a budget prepared by the Treasurer and approved by the Board of Directors. All

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checks for expenditures must be signed by the Treasurer and co-signed by the President.

Section 4. Special projects will be maintained under the direction of the Board of Directors.

Section 5. Any non-budgeted expenditure or amount(s) in excess of the approved budget shall need the approval of the Board of Directors before payment will be made.

ARTICLE XIII. PARLIAMENTARY AUTHORITY

Section 1. TAER, except as otherwise provided in this Constitution and Bylaws or in rules adopted by the Board of Directors, shall be governed in all of its meetings by parliamentary law as contained in Robert's Rules of Order, Newly Revised.

Section 2. Upon the opening of the annual membership business meeting and all board meetings, the President will announce the name of a qualified member who is at the meeting and who has agreed to serve as a Parliamentarian.

ARTICLE XIV. AWARDS

Awards may be presented at the annual conference as recommended by the Awards Committee. The awards are as follows:

Texas Chapter Award - The Texas Chapter Award is to be presented to an individual or organization not responsible for direct delivery of services to persons who are blind or visually impaired but who has made an outstanding contribution to work for these persons, with statewide implications. Examples of potential recipients include legislators, eye professionals, physicians, employers, public officials, and interested individuals or organizations.

Aubrey Boyd Tipps Memorial Award - The Aubrey Boy Tipps Memorial Award is presented to an individual or organization who consistently provides outstanding services in the field of placement or persons who are blind or visually impaired either in competitive employment or sheltered workshops.

Paraprofessional/Worker of the Year Award - This award will honor a full-time paraprofessional or worker. The award will be presented to a paraprofessional/worker who has performed duties conscientiously, has taken pride in the work performed, has shown initiative, has assumed additional responsibility when called upon, and has demonstrated a good working relationship with supervisors, co-workers, and the public. The recipient shall have promoted an understanding of blindness and acceptance of persons who are blind or visually impaired by the public. This person will also actively promote independence with the students he/she serves.

Sammie K. Rankin Memorial Award (Outstanding Member Award) - This award is to be presented to an individual or organization who is a member of the Association and has made an outstanding contribution to services for persons who are blind and visually impaired in Texas.

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Julia L. Young Award – This award is to be presented to an individual who has done outstanding work with children who are visually impaired in Texas.

Natalie Barraga Award – The Natalie Barraga Award recognizes excellence in public school programs for students with visual impairments. The award is given in honor of Dr. Natalie Barraga for her long and distinguished career in the education of students with visual impairments and in university personnel preparation. Awards are given to a small program (1-20 students) and to a large program (21 students and over). School districts and special education cooperatives may enter their programs in visual impairment for the award. After a program has been nominated, an entry form will be sent directly to the program to request more specific information.

Virginia Bishop Award – This award is to be presented to an individual, group, or agency who has contributed outstanding services and/or contributions to the field of early childhood education in relation to blindness and visual impairment.

Phil Hatlen Award – The Phil Hatlen Award recognizes excellence in leadership and innovative changes in the field of education of students with visual impairments. This award is given in honor of Dr. Phil Hatlen for exemplary and dedicated service to our field. A visionary of change, Dr. Hatlen has been an inspiration to countless professionals during his career as a teacher, university professor in teacher preparation programs, and in his many leadership roles in national and state organizations and committees.

Outstanding Parent of the Year Award – This award will be presented to a parent or parents of a person who is visually impaired who has demonstrated advocacy and dedication on the interest of persons who are visually impaired.

Outstanding Student of the Year Award – This award will be presented to an outstanding high school or college student who has demonstrated unparalleled accomplishment in: a) academic achievement, b) the pursuit of a vocational goal or c) athletic performance.

Awards – Other awards may be established and presented by the membership.

Amended and Approved by the TAER Membership at the Annual Conference Business Meeting, March 27, 2010, at the El Tropicano Hotel, San Antonio, Texas