



# Constitution and Bylaws

Texas Industrial Vocational Association  
111 W. Anderson Ln. Suite E330  
Austin, Texas 78752

# Texas Industrial Vocational Association, Inc.

## Constitution

*As Passed August 1992 and Amended July 1994, July 2004, July 2013, January 2014, January 2016, July 2018*

### **Article I Name and Incorporation**

- Section 1 This organization shall be known as the Texas Industrial Vocational Association, Inc. (TIVA). Hereafter in this Constitution and Bylaws it may be referred to as "the association."
- Section 2 The Texas Industrial Vocational Association shall be incorporated pursuant to the Non-Profit Corporation Act of the State of Texas.
- Section 3 In event of dissolution of the Texas Industrial Vocational Association, the remaining assets will be distributed to one or more like organizations to be selected by a two-thirds (2/3) majority vote of the state board of directors.

### **Article II Purposes**

- Section 1 To provide leadership in the promotion, acceptance and development of career and technical education, including guidance services for youth and adults.
- Section 2 To promote the interests of teachers of career and technical education.
- Section 3 To cooperate with other educational associations in the further development of national and state programs of career and technical education.
- Section 4 To cooperate with the Texas Education Agency and its staff in continued development of career and technical education in Texas.
- Section 5 To expand and improve public knowledge and understanding of the advantage of career and technical education.
- Section 6 To support SkillsUSA and all subsequently formed youth leadership development associations related to career and technical education.
- Section 7 To unify its membership with the Association for Career and Technical Educators (ACTE).
- Section 8 To recognize and honor individuals for outstanding contributions to career and technical education.

## **Article III Memberships**

- Section 1 Professional membership, and life members, in this association may be obtained by all teachers, coordinators, supervisors, directors, teacher trainers, apprentice teachers, counselors and extension teachers who are actively engaged in career and technical education.
- Section 2 All professional members of the Texas Industrial Vocational Association are required to be members of the Association for Career and Technical Educators (ACTE). Texas Industrial Vocational Association is a unified division affiliate, requiring membership in both Texas Industrial Vocational Association and ACTE.
- Section 3 Professional members shall have the right to vote at all general membership meetings of the association; the right to hold office in accordance with requirements set forth by the Constitution and Bylaws; any other rights and privileges approved by the state board of directors or as set forth by the Constitutions and Bylaws.
- Section 4 A teacher holding a certificate to teach career and technical education who is teaching academic courses in a Texas school; the heads of university and college career and technical education departments and professional staffs in universities and colleges qualifying to train teachers for career and technical programs; a career and technical administrator engaged in carrying out career and technical programs in schools of Texas; and persons in related fields may be professional members of this association.
- Section 5 Associate membership may be held by any person not qualified for professional membership who is interested in the purposes and aims of this association. Associate members shall have all rights and privileges accorded to professional members except the rights to hold office and vote.
- Section 6 The director of the career and technical division of the Texas Education Agency and the professional staff of that division; the directors and the professional staff in curriculum labs specializing in career and technical instructional materials in Texas; and persons in related fields may be associate members of this association.
- Section 7 Student memberships may be obtained by persons majoring in career and technical education at Texas post-secondary educational institutions or persons engaged in an apprenticeship training program. Student members shall have all rights and privileges of professional members except those of voting and holding office.
- Section 8 Membership dues shall be set by the state board of directors.
- Section 9 Retired membership will be bestowed on career and technical teachers who are members of TIVA upon their retirement from teaching. Retired members shall have all rights and privileges accorded to professional members except the rights to vote and hold office.

- Section 10 Honorary membership may be conferred by the state board of directors. Honorary members shall have all rights and privileges of professional members except the rights to vote and hold office.
- Section 11 Industrial membership may be obtained by a business or industry entity.
- Section 12 All types of membership can be terminated due to noncompliance of association standards, failure to pay fees, conflict of interest with the association, breach of confidentiality with the association, and/or conduct found to be against the ideals, purposes and interests that embody the TIVA association. After due notice, the Executive committee may cancel the membership of any member; and may reinstate a member who has previously been suspended or expelled. The terminated member, within 14 days after notice, will have the opportunity to appeal the decision by making a written submission to the executive committee that will be presented at the next TIVA board meeting to be reviewed.

#### **Article IV Headquarters and Staff**

- Section 1 The location of the headquarters for this association shall be determined by the state board of directors.
- Section 2 The staff of the Texas Industrial Vocational Association, Inc. shall be directed by the executive director.

#### **Article V Organizational Structure**

- Section 1 Districts will correspond to the districts used by SkillsUSA Texas.

#### **Article VI State Board of Directors**

- Section 1 The state board of directors shall be the policy making body of this association.
- Section 2 The policies of the state board of directors shall be subject to review by the membership of this organization.
- Section 3 The executive director shall meet with the state board of directors in a non-voting, advisory capacity.

#### **Article VII Officers**

- Section 1 The state officers of this association shall consist of a president, president-elect, secretary-treasurer and the immediate past president.
- Section 2 The district officers of this association shall consist of a district director, one per district.

- Section 3 Specific duties of state and district officers shall be enumerated in the Bylaws of this association.
- Section 4 Term of office for all state officers shall be for two years. The term for president-elect shall be for six years (president-elect, president, and past president).
- Section 5 All board members, including the secretary-treasurer, may succeed themselves for 1 term.

## **Article VIII Committees**

- Section 1 The state president shall appoint the chairs of any state level committees.
- Section 2 There shall be standing committee chairmen responsible to the state board of directors for continuing the work of the association.
- Section 3 Standing committee chairmen shall be appointed by the incoming state president prior to the adjournment of the annual summer in-service meeting with the approval of the state board of directors.
- Section 4 The duties of the standing committees shall be developed by the state board of directors.
- Section 5 The state president and district directors may appoint other committees to serve their offices as deemed necessary and practical.
- Section 6 Standing committees shall be formed to ensure compatibility with the bylaws of affiliated organization. The standing committees of the association shall be: membership, legislative, budget, public relations and nominations.
- Section 7 The executive committee shall be the elected state officers and the immediate past president. The executive director shall serve as ex-officio member.
- Section 8 Committee chairs and members shall be members of the association. Representative from industry and/or the community may serve in an advisory capacity.

## **Article IX Checks and Balances**

- Section 1 All action taken by the executive director shall be subject to review and approval by the state board of directors.
- Section 2 All action taken by presidential appointees shall be subject to review and approval by the president.

- Section 3 All activities on the district level must be consistent with the Constitution, Bylaws and purposes of this association and shall be subject to review and approval by the state president.
- Section 4 All action taken by the state president shall be subject to review and approval by the state board of directors.
- Section 5 All action taken by the state board of directors shall be subject to review and approval by the membership at large.

## **Article X Unexpired Terms**

- Section 1 Should the office of state president be vacated for any reason, within thirty days, the state board of directors, by a majority vote, shall elect the past president or the president-elect to fill the unexpired term.
- Section 2 Should the office of state president-elect be vacated for any reason, the state president shall appoint a qualified person, with the approval of the state board of directors, to temporarily fill the unexpired term until an election shall be held at the next annual membership meeting to fill the unexpired term.
- Section 3 Should the office of secretary-treasurer be vacated for any reason, the state president shall appoint a person, with the approval of the state board of directors, to fill the unexpired term.
- Section 4 The unexpired term of a district director shall be filled by appointment of the state president as set forth in the Bylaws.

## **Article XI Impeachment**

- Section 1 An individual officer or district director of the Texas Industrial Vocational Association, may be impeached for cause in the performance of the duties of the office.
- Section 2 The impeachment process shall include:
- a. State Officer-Charges specifying cause shall be filed with the state board of directors by petition carrying the signatures of one-fifth (1/5) of the current membership.
  - b. District Officer-Charges specifying cause shall be filed with the state board of directors by petition carrying the signatures of one-fifth (1/5) of the current district membership.
  - c. A defense to those charges may be made by the individual.
  - d. The state board of directors will deliberate on the evidence presented.

- e. A two-thirds (2/3) vote of the state board of directors shall be required to remove an officer from office.

Section 3 Valid cause shall be:

- a. Continued, gross or willful neglect of the duties of the office.
- b. Failure or refusal to disclose necessary information on matters of association business.
- c. Conflict of interest with the purposes and beliefs of the association.
- d. Breach of confidentiality with the association.
- e. Misuse of association funds.
- f. Unwarranted attacks on or refusal to cooperate with board members.
- g. Misrepresentation of the association and its officers to outside persons.
- h. Conviction of a felony.

Section 4 Appeal Process:

Removed state officers or district directors may appeal their removal to the state board of directors in writing within twenty (20) calendar days. In such instance, the state president shall file charges of cause within ten (10) calendar days before the state board of directors; the discharged person may answer such charges of cause; the state board of directors will review the facts and either uphold or reject the removal by a simple majority vote of its membership.

## **Article XII Amendment**

Section 1 The Constitution may be amended by a two-thirds (2/3) vote of the general assembly, provided the proposed amendment has been received by the state board of directors or the executive director and has been published on the TIVA webpage at least thirty (30) calendar days prior to the general membership meeting.

Section 2 The Constitution may be amended by a four-fifths (4/5) vote of the general assembly when the amendment has not been previously submitted and published. Members of the general assembly may have copies of the amendment. Proponents of the amendment must distribute copies of the proposed amendment to members of the general assembly prior to its presentation.

Section 3 Voting on all Constitution and Bylaws amendments shall be by written, electronic, or roll-call ballot.

- Section 4 The Bylaws of this association may be amended by a simple majority of the general assembly or by a two-thirds (2/3) majority of the entire state board of directors, not just those present.
- Section 5 The Constitution of this association may never be suspended.
- Section 6 Specific provisions of the Bylaws of this association may be temporarily suspended by a four-fifths (4/5) majority of either the general assembly or the state board of directors.
- Section 7 In the event that an annual membership meeting is not held, amendments to the Constitution and Bylaws shall be voted on as follows:
- a. Copies of the proposed changes with a ballot shall be available to all members.
  - b. Ballots shall be returned to the state board of directors within fifteen (15) calendar days.
  - c. Approval shall be by a majority of those ballots returned.
- Section 8 Unless otherwise provided by the amendment, the amendment shall become effective immediately upon adoption.



**Texas Industrial Vocational Association, Inc.**

**Bylaws**

*As adopted August 1992 and*

*Amended: 5/1993; 7/1994; 10/1996; 3/1998; 4/1999; 9/2001; 3/2003; 1/2004; 4/2006; 4/2007; 5/2009; 10/2009; 10/2010; 7/29/11, 4/2012; 7/2012; 4/2013; 9/2013; 4/2014; 1/2016; 4/21/2018*

**Article I Headquarters**

Section 1 The place of business of the association shall be Austin, Travis County, Texas which shall be known as headquarters office for the Texas Industrial Vocational Association. The staff shall be directed by a non-voting, salaried executive director.

**Article II Districts**

Section 1 The association shall be divided into districts that correspond to the districts used by SkillsUSA Texas.

**Article III Fiscal and Membership Year**

Section 1 The fiscal and membership year of the Association shall be from July 1 through June 30.

**Article IV Quorums and Meetings**

- Section 1
- a. Quorums for state board of director meetings shall be 50% of the membership plus one.
  - b. Quorums for general membership meetings shall be those present and voting.
  - c. Quorums for balloting conducted by mail shall be those ballots returned.
- Section 2
- a. General membership meetings shall be held at a time and place designated by the state president and approved by the state board of directors. The general membership shall be notified of the meeting time and place at least sixty (60) calendar days prior to the meeting.

- b. A state general membership meeting shall be called when a petition from one-fifth (1/5) of the membership of the association and from a simple majority of the state board of directors is received by the state president. The requested meeting shall be scheduled no later than thirty (30) calendar days from receipt of the petition. When a quorum is present, the called meeting may proceed.

Section 3 The state board of directors shall meet at least four times a year. The state board of directors shall attend the Mid-Winter conference and Summer Conference and shall hold two (2) mandatory meetings - spring and fall; but with sufficient regularity to properly supervise the affairs of the association.

Section 4 Other state board of director meetings may be called by the state president as necessary.

Section 5 Nominations Committee meetings shall be held as scheduled by the procedure adopted by the state board of directors. The members must meet in sufficient time to solicit and screen nominations for state president-elect and state secretary-treasurer, in order to submit the names of the candidate to the state board of directors at the spring board meeting for their approval.

- Section 6
- a. Association districts shall hold a minimum of one meeting per fiscal year at a time and place specified by the district director.
  - b. District directors may call other district general membership and district committee meetings as necessary.
  - c. A district meeting shall be called when a petition from one-fifth (1/5) of the district membership is received by the district director. The meeting may proceed at its scheduled time.

Section 7 Agendas shall be distributed prior to meetings of the association according to procedures developed by the state board of directors.

## **Article V Dues**

Section 1 Annual dues for professional membership in TIVA shall be determined by the state board of directors.

Section 2 Annual dues for associate membership shall be 30% of regular TIVA annual dues.

Section 3 Annual dues for student memberships shall be 10% of regular TIVA annual dues.

Section 4 Annual dues for industrial membership shall be determined by the state board of directors.

## **Article VI Elections**

- Section 1 Election of the state officers by secret ballot of the general membership shall be held at the annual summer conference according to procedures approved by the state board of directors.
- Section 2 Candidates for office shall be taken from the Nominations Committee slate, from nominations made from the floor of the annual general membership meeting and from write-in nominations that have submitted proper documentation prior to the election. Candidates for office must have information submitted to the nomination committee by March 1<sup>st</sup>.
- Section 3 The Nominations Committee will present a slate of officers to the state board of directors at the spring board meeting.
- Section 4 Qualifications of the candidates will be posted on the TIVA web site at least 60 days prior to the annual membership meeting.
- Section 5 All candidates for office of secretary-treasurer shall be current, professional members of the association and shall have been association members for at least one (1) year.
- Section 6 Candidates for president-elect shall have served on the state board of directors for two (2) consecutive years within the prior six (6) years.
- Section 7 Candidates shall be elected by a majority of votes cast.
- Section 8 Runoff elections shall be held prior to adjournment of the annual summer conference.
- Section 9 The election tellers shall certify to the state board of directors the names of the persons duly elected.
- Section 10 The state board of directors shall elect those officers who are reported to be the winners by the election tellers as the officers of the board.
- Section 11 In the event that an annual membership meeting is not possible, balloting will be by electronic mail.
- a. Ballots, with a provision for write-in candidate in lieu of nominations from the floor, will be electronically mailed by June 15 and must be returned one week prior to the scheduled Annual Business Meeting held at summer in-service.
  - b. Ballots will be returned to a source approved by the state board of directors, and the unopened ballots will be turned over to the election tellers for counting prior to the Annual Business Meeting held at summer in-service.

- c. The election tellers shall present the ballot count to the state board of directors to be certified.

Section 12 Absentee balloting shall be provided the membership.

- a. An electronic mail, which lists the nominated candidates, will be sent to all professional members; a ballot shall be included.
- b. This ballot shall list the nominated candidates and provide space for write-in candidates.
- c. To be valid, the ballot must be postmarked one week prior to the annual summer conference.
- d. The ballot must be marked by the member's name on the outside.
- e. The unopened absentee ballots received will be turned over to the election tellers for counting.

## **Article VII Deposit and Disbursement of Funds**

Section 1 All deposits and expenditures of association funds shall be duly recorded, itemized and reported at least monthly by the executive director to the executive committee and chairs of the budget and audit committees.

Section 2 All persons responsible for association funds shall be bonded and accountable, subject to audit, to the state board of directors for such expenditures.

Section 3 The state board of directors shall have association accounts audited annually by an outside accounting firm; the annual internal audit shall be the responsibility of the Audit Committee serving during the fiscal year being audited.

Section 4 All checks drawn from accounts held by the Texas Industrial Vocational Association shall be signed and countersigned by two (2) of the following individuals: president, secretary-treasurer, executive director.

Section 5 Funds of the association shall be deposited in a bank or banks so designated and approved by the state board of directors.

Section 6 The executive director shall be responsible for deposits and disbursements of association operating funds as directed by the state board of directors.

Section 7 All funds not the property of the Texas Industrial Vocational Association, shall be deposited and accounted for separately from the funds of the association.

## Article VIII Board of Directors

Section 1 The state board of directors shall have the management and control of the affairs and funds of the association, subject to the dictates of the membership expressed at the annual membership meeting and among its duties shall:

- a. Have direction and charge of conferences, conventions, workshops and seminars.
- b. Approve all publications.
- c. Develop procedures and objectives for implementation of the association program of work.
- d. Evaluate the accomplishments of the association.
- e. Coordinate the various committee activities with the program of work.
- f. Approve the annual budget.
- g. Receive and act upon committee reports.
- h. Provide for the safe keeping and proper investment of all funds of the association.
- i. Appoint the executive director and designate the term of office and compensation of the executive director.
- j. Develop the managerial procedures to guide operations of the association.
- k. Approve the location of the headquarters of the association.
- l. Divide the membership into districts that correspond to those used by SkillsUSA Texas.
- m. Establish the fiscal year of the association.
- n. Establish necessary quorums for the conduct of business of the association in those instances where a quorum is not specified in the Bylaws.
- o. Designate and cause to be bonded those members and employees depositing and distributing funds of the association.

Section 2 The state board of directors shall include the elected state officers, the district directors, Industrial advisors, one ex-officio member from SkillsUSA Texas and one ex-officio member from a Post-Secondary institution to be appointed by the president.

- Section 3 The executive director and the standing committee chairmen, if not current member of the board, shall meet with the state board of directors in a non-voting, advisory capacity.
- Section 4 The policies and procedures of the state board of directors shall be subject to approval by the membership.
- Section 5 If a district director is absent for two or more meetings during their two-year term without designating a substitute, they may forfeit their office and the state president will appoint a new district director. If they are absent from three meetings during their term, regardless of the appointment of a substitute, they may forfeit their office and the state president will appoint a new district director. If removed from office for the reasons listed above, the member will be ineligible to participate as a board member for two years. All district substitutes must be an active, current member of TIVA and the district they are representing. Meeting requirement for this section are specified in Bylaws Article IV, Section 3, mandatory board meetings.
- Section 6 Members of the board of directors shall execute the Officer/Board Member pledge prior to participation as members of the board. Any member who fails to perform his or her duties as promised in the pledge to the organization shall be subject to impeachment pursuant to Article XI of the Constitution.
- Section 7 Board members who have a conflict of interest must reveal that conflict in writing to the executive director within seven days of learning of the conflict, and before participating in any board activity. The executive director shall immediately notify the full board of the notice when received. The board shall then decide by majority vote of those members present whether the member with the conflict may continue to participate, or must remove the conflict before continuing to act as a board member. A “conflict of interest” is defined as any situation that has the potential to undermine the impartiality of a person because of a possibility of a clash between the member’s private or persona interests of those of TIVA. If a board member believes another member has a conflict of interest that has not been revealed, he or she shall immediately notify the executive director. If no action is taken by the notified member within seven days to declare conflict of interest, the full board shall consider at its next meeting whether a conflict does exist that should be removed, by a vote of the majority present. If the board determines that a conflict must be removed, the conflicted member shall rid him- or herself of the conflict before the next participating as a board member, or face a vote of impeachment. It is also possible for the board to decide that a board member, having acknowledged a conflict of interest, may still participate as a member without removing that conflict.
- Section 8 Board members recognize and acknowledge that the knowledge of the business activities, plans for business activities, and all other proprietary information of TIVA, as it may exist from time to time, are valuable, special and unique assets of the business of TIVA. Board members will not, during or after the term on the board, disclose any knowledge of the past, present, planned or considered business activities or any other similar proprietary information of TIVA to any person, firm, corporation, or other entity for any reason or purpose whatsoever unless expressly authorized by the board of directors or required by law. Any

board member who breaches the confidentiality of TIVA shall be subject to impeachment pursuant to Article XI of the Constitution.

## **Article IX Executive Director**

- Section 1 The executive director shall be the administrative head of the association and shall be directly responsible to the state board of directors for conducting the general affairs of the association.
- Section 2 The major functions of the position include overall management and direction of the day to day business of the association, public relations, interpreting the career and technical education program to policymakers, maintaining close contact with the Texas Education Agency staff, association meetings, membership campaigns and promotion of workable relations with other group and/or organizations.
- Section 3 The executive director shall, under the general direction of the state president, make all necessary arrangements for the planning and policymaking functions.
- Section 4 The executive director shall advise and assist the state president and the executive committee of the association in their planning and policy making functions
- Section 5 The executive director shall keep a record of all meetings of the association, the executive committee and the state board of directors.
- Section 6 The executive director shall receive, record and deposit all monies received by the association and shall secure an indemnity bond annually in an amount determined by the state board of directors for all employees responsible for funds. The expense of said bond shall be paid by the association.
- Section 7 All available funds shall be disbursed by the executive director in compliance with the current budget adopted by the state board of directors on checks that bear signatures of the president and/or secretary-treasurer and/or executive director.
- Section 8 The executive director shall have responsibility for organizing and maintaining headquarters and staff to accomplish the goals, objectives, and program of work of the association.
- Section 9 The executive director shall perform all the duties assigned to that office.
- Section 10 The executive director, as administrative head of the association, shall have the responsibility of investigating sexual harassment claims, if necessary, and determining if proper actions were taken by TIVA management personnel in dealing with sexual harassment claims as management shall make a full report to the executive director in all matters relating to sexual harassment claims.

## **Article X State President Duties**

- Section 1 The state president shall have the power to remove any of his or her appointees from their appointed positions
- Section 2 The state president shall have the power to appoint all committees.
- Section 3 The state president may authorize non-budgeted expenditures of funds which shall be subject to review and approval of the state board of directors.
- Section 4 The state president may initiate executive action to cope with unexpected situations. All such action shall be subject to review and approval by the state board of directors.
- Section 5 The state president shall preside at all meetings of the general membership and of the state board of directors.
- Section 6 The state president shall utilize the TIVA webpage as a medium of informing the membership on all pertinent issues affecting career and technical education.
- Section 7 The state president may or designate represent the first one-hundred (100) members of the association as a delegate to the ACTE Convention.
- Section 8 The state president shall appoint a Nominations Committee prior to September 1 of an election year consisting of not less than three or more than six members with an alternate list to fill any vacancies.
- Section 9 The state president shall be empowered to fill vacancies created by the establishment of new state districts by SkillsUSA Texas.
- Section 10 The state president shall appoint a district director to fill a vacancy on the state board of directors. All district appointees must be a member in the district they are representing.
- Section 11 The state president shall coordinate the activities of the state board of directors with the executive director.
- Section 12 The state president shall call a meeting of the state board of directors within ninety (90) days of assuming office.
- Section 13 The state president shall appoint the chairs of the state level committees. Standing committee chairmen shall be appointed by the incoming president prior to the adjournment of the annual summer in-service meeting.
- Section 14 The state president shall designate the time and place of general membership meetings.
- Section 15 The state president shall call a meeting no later than thirty (30) calendar days from receipt of a petition from one-fifth (1/5) of the membership or a simple majority of the state board of directors requesting such a meeting.



- Section 16 The state president shall be one of the authorized co-signers of checks to disburse association funds.
- Section 17 The state president shall appoint a member of the state board of directors to fill the unexpired term should a vacancy occur in the office of state secretary-treasurer.
- Section 18 The state president shall appoint one or more persons to act as parliamentarian(s) at business sessions.
- Section 19 The state president shall appoint a Committee of Tellers consisting of three to five members at the annual general membership meeting.
- Section 20 The state president shall serve as an ex-officio member of all committees.
- Section 21 The state president shall perform all the duties assigned to that office.

## **Article XI State President-Elect Duties**

- Section 1 The state president-elect shall fill any vacancy arising in the office of state president until the state board of directors chooses a successor to fill the unexpired term.
- Section 2 The state president-elect shall assist the state president when he/she is prevented from fulfilling an association obligation in the state president's name.
- Section 3 The state president-elect shall serve as a member of the state board of directors.
- Section 4 The state president-elect shall coordinate the available ACTE services to the districts needing administrative support and counsel.
- Section 5 The state president-elect shall periodically revise and update the officer handbook under the direction of the state board of directors.
- Section 6 The state president-elect shall conduct the officer orientation at the annual summer conference coordinating such preparations with the state president.
- Section 7 The state president-elect shall develop procedures to implement the program of work under the direction of the state board of directors.
- Section 8 The state president-elect shall serve as an ex-officio member of all committees.
- Section 9 The state president-elect shall work with the state president and members of the staff in the study and recommendations of an association program of work.

## **Article XII State Security-Treasurer Duties**

- Section 1 The state secretary-treasurer shall function as a member of the state board of directors.
- Section 2 The state secretary-treasurer shall record the minutes of the annual and special meetings of the full membership; record the minutes of all regular and special meetings of the state board of directors and forward completed minutes to the executive director within ten (10) calendar days of the meeting for distribution.
- Section 3 The state secretary-treasurer shall keep a record of financial transactions made with TIVA funds, properties or investments.
- Section 4 The state secretary-treasurer shall render, upon request, a financial statement to the state board of directors.
- Section 5 The state secretary-treasurer shall be one of the authorized co-signers of checks to disburse association funds.
- Section 6 The state secretary-treasurer shall remit all records in possession to the state president or executive director or successor in office upon termination of term as state secretary-treasurer.
- Section 7 The state secretary-treasurer shall serve as an ex-officio member of all committees.

## **Article XIII State Past President Duties**

- Section 1 The state past president shall serve as a member of the state board of directors and executive committee for a period of two years immediately upon completion of term as state president with full voting privileges.
- Section 2 The state past president shall arrange for research to be undertaken and continued pertinent to the development and improvement of the overall operation of the association.
- Section 3 The state past president may study and recommend policy to the state board of directors relating to the projects and activities that were initiated during the previous year under his/her term as state president.
- Section 4 The state past president may study and recommend policy to the state board of directors relating to association involvement with business and industry.
- Section 5 The state past president may represent the association on ACTE committees to which he/she has been appointed or hold regional or national office in ACTE.
- Section 6 The state past president shall serve as the Nominations Committee chairperson.

Section 7 The state past president may be elected by the state board of directors to fill an unexpired term of the state president.

Section 8 The state past president shall serve as an ex-officio member of all committees.

## **Article XIV District Director Duties**

Section 1 District directors shall be the executive officers of the various districts of the association.

Section 2 The powers and duties of the district director shall parallel those of the state president, but on the district level only.

Section 3 District director shall be members of the state board of directors.

Section 4 District director shall have a two (2) year term of office.

Section 5 Even numbered districts shall elect district directors during even numbered years; odd numbered districts shall elect district directors during odd numbered years.

Section 6 District directors shall take office on the same day as newly elected state officers.

Section 7 District directors shall have held active membership in the association for at least one year immediately preceding their election.

Section 8 District directors shall preside at all regular and called district level association meetings.

Section 9 District directors shall arrange for a time and place for district meetings to be held as necessary, communicating the information to the state president.

Section 10 District directors shall hold elections and make appointments necessary to carry out the programs of the association.

Section 11 District directors shall have the power to remove any of their appointees from their appointed positions.

Section 12 District directors shall send copies of all correspondence pertaining to the association to the president, president- elect, secretary-treasurer, executive director and other board members it might concern.

Section 13 District directors shall send copies of material to be mailed to the membership, in whole or in part, to the state president for approval prior to mailing.

Section 14 Election of the District Director shall be held at the TIVA District Meeting during the Summer Conference.

## **Article XV Committee Duties**

- Section 1 The Executive Committee shall be the elected state officers and the immediate past president. The executive director shall serve as ex-officio member.
- Section 2 Minutes of actions taken at any executive committee meeting shall be communicated to the state board of directors as soon as possible after a meeting.
- Section 3 Budget Committee (Standing) duties shall include:
- a. Monitor the finance of the association.
  - b. Prepare, together with the executive director and the executive committee, a recommended budget for the year.
  - c. Submit a proposed budget to the state board of directors for approval.
  - d. Receive and review monthly or quarterly financial reports on expenditures and income. If necessary, require an accounting of items not consistent with those budgets approved by the state board of directors.
  - e. Review the results of an annual external audit of the previous year's accounts.
- Section 4 Legislative Committee (Standing) duties shall include:
- a. Assist ACTE and other associations and groups to further the objectives of career and technical educators.
  - b. Make written, telephone and personal contacts with local, state and national political leaders to promote the official position of the association on legislative matters.
  - c. Study legislative issues and make recommendations for official association positions.
  - d. Prepare reports on legislative issues for dissemination to the membership.
  - e. Make recommendations to the Award Committee for nominees for Outstanding Service Awards for worthy policymakers.
- Section 5 Membership Committee (Standing) duties shall include:
- a. District level committees shall consist of members and a chairperson appointed by the district director.

- b. All membership committees, including state, district and school district, are responsible for maintaining the continued support of all present members and securing new members including student members.
- c. Wherever possible, there should be a member appointed to the district committee.
- d. Members of this committee should accept their function as related to information, education, encouragement and cooperation.

Section 6 Public Relations Committee (Standing) duties shall include:

- a. Recommend policy to the state board of directors relative to the conduct of an effective and continuing public relations program.
- b. Study and arrange for obtaining adequate factual background data through research to determine the existence of problems that indicate the need for a public relations program.
- c. Study and recommend a plan to implement a public relations program taking into account methods of carrying out the program considering existing staff, use of an outside firm, financing the program, and media sources.

Section 7 Nominations Committee (Standing) duties shall include:

- a. Consider nominations for the offices of state president-elect and secretary-treasurer.
- b. Submit a minimum of one name and a maximum of three names for each office under considerations. This slate of names, along with a biographical sketch of each nominee, should be submitted to the executive director by the spring state board of directors meeting each year to assure publication on the TIVA website.
- c. Send an acceptance form to the nominee, after the deadline has passed, to be returned within ten (10) calendar days indicating the nominees' interest in running for office and contact by phone any individual who does not respond to the form.
- d. Excuse from the committee while such candidacy is being considered any member of the Nominations Committee who is a potential candidate for the office.
- e. If a candidate withdraws, make sure the membership is apprised of the situation prior to voting time.

Section 8 Audit Committee duties shall include:

- a. Review and evaluate periodically the financial activities of the association.

- b. Review the results of an annual external audit of the previous year's accounts.
- c. Ensure that the bookkeeping and financial records required are kept in an appropriate manner.
- d. Prepare and submit to the state board of directors a report and analysis of the association's finances.

Section 9 Awards/Scholarships Committee duties shall include:

- a. Ensure that adequate preparations are made for receiving nominations for the Administrator Award (may be any of the following: principal, supervisor, superintendent, career and technical director career and technical supervisor and/or career and technical counselor).
- b. Ensure that adequate preparations are made for receiving nominations for the Outstanding Service Award (may be any of the following: legislator, advisory committee member or TIVA member).
- c. Be responsible for receiving nominations for Outstanding Texas Education Agency Member Award and Outstanding University or College Staff Member Award.
- d. Study and recommend the recipients of these awards to the state board of directors.
- e. Present the awards to the winners.

Section 10 Committee of Tellers duties shall include:

- a. Secure all ballots cast, open and count them.
- b. Certify to the state board of directors the names of persons duly elected. This certification may take the form of a signed proclamation with accompanying ballots sent to the office of the executive director.

Section 11 Parliamentarian duties shall include:

- a. Serve as a consultant to the state president on procedural matters.
- b. Have a working knowledge of parliamentary law.
- c. Have the ability to give opinions based upon parliamentary law not upon bias.
- d. Be a person in whom others have confidence, since he/she may be called upon to settle controversial issues.
- e. Serve as a source of parliamentary information, having no authority to enforce his/her ideas or rulings.

- f. Call attention to any error in procedure which he/she observes.
- g. Keep in his/her possession necessary references to check if a decision is questioned. These references should include *Roberts Rules of Order, Newly Revised*.

Section 12 Resource Development Committee duties shall include:

- a. Determine, through research and study, the needs of the organization, recommending policy to the state board of directors on meeting these needs through association efforts.
- b. Review, on a continuing basis, organizational objectives and study problems as well as current trends.
- c. Work with the state president and the staff in the study and recommendation of new activities.
- d. Work with the budget committee to determine the amount of income needed to support the program of work.
- e. Ensure that adequate preparations are made for future needs, staff and facilities.
- f. Ensure that member service activities expand in proportion to membership growth.
- g. Make direct efforts to ensure that policy decisions will contribute to and be in harmony with long range objectives of the association.

## **Article XVI Travel Reimbursements**

Section 1 The travel policy will apply to all state board of directors, staff and others who are authorized by the association to travel for the association.

Section 2 All travel must be approved by the state president before payment is authorized. After approval, reimbursements will be mailed within ten (10) business days.

Section 3 Mileage will be reimbursed for round trip mileage as computed by Google Maps at the current state teacher rate per mile for board members, officers and volunteers. Mileage will be reimbursed only if funding is not provided by the member's school district. Copy of Google Map must be attached to Travel Voucher.

Section 4 If it is deemed to be more expedient for both the individual and the association, reimbursement will be made for the actual cost of a coach airline ticket, round trip. Receipt is required for reimbursement.

- Section 5 No in-town mileage will be paid unless specifically authorized.
- Section 6 State board of directors will be reimbursed for meals when traveling out of state only. Staff will be reimbursed for meals when traveling on association business. Meal reimbursement rate will be the same as state employees receive.
- Section 7 When practical, the headquarters lodging will be selected in advance of any meeting and a special rate established for association members. Reimbursement for lodging will be at the rate established at the headquarters property. In no instance, will reimbursement exceed the amount actually expended by the individual. A receipt will be required for reimbursement. Individuals may stay at a property of their choice; however, the reimbursement rate will not exceed the established rate at the headquarters property.
- Section 8 The association will reimburse state board members at a rate of half the double room rate for state board of directors meetings. Individuals who stay in single rooms by choice will be responsible for the balance of the room rate. Board members will be reimbursed for lodging necessary to complete board business.
- Section 9 The association will pay out of state travel for the state president, state president-elect, state secretary-treasurer, immediate past president and executive director.
- Section 10 All requests for travel reimbursement must be submitted to the association for payment within forty-five (45) calendar days after travel has been completed. Any travel vouchers submitted after forty-five (45) days will not be paid.
- Section 11 Any expenses incurred that are not listed above will not be paid without state board of directors approval.

## **Article XVII Fraternization With Employees By Board Members**

- Section 1 TIVA takes its organizational goals extremely serious and feels that romantic relationships between board members and employees may hinder these goals.
- Section 2 TIVA strongly discourages board members from engaging in romantic relationship with employees; and if necessary, the state president may use his or her authority under Article X, Section 4 to take executive action to cope with unexpected situations, which will then be brought before the state board of directors.

## **Article XVIII Parliamentary Authority**

- Section 1 *Robert's Rules of Order, Newly Revised* shall govern procedural matters in the conduct of business meetings not specifically covered in the Constitution and Bylaws.



## Texas Industrial Vocational Association, Inc.

# Policies and Procedures

*Amended: 1/2004; 6/2008; 5/2009*

The Policies and Procedures of TIVA must be approved by a majority vote of the state board of directors and become effective upon approval, unless otherwise noted.

### Voting Policy

1. The state President shall appoint an election judge and two assistants who will serve as the Committee of Tellers.
2. No officer candidate or their campaign team shall be on the Committee of Tellers.
3. Voting and campaigning shall take place following the summer conference business meeting until 5:00pm the following day of the conference.
4. No campaigning shall be within 30ft of the TIVA ballot box.
5. No campaigning or campaign paraphernalia shall be allowed at the TIVA membership booth.
6. The election location must be held away from the TIVA membership booth and registration.

### Board of Director Terms

1. If a member of the board of directors or executive committee retires from teaching during their elective term, they may fulfill their duties in that capacity until the elective term expires.
2. A teacher is considered retired when they have retired and are no longer teaching under a standard teaching contract.

### Industry Advisory Board Member Terms

1. Advisory board member will be appointed by the president to serve a four-year term expiring at the end of the said president's term as past president.
2. Advisory board member will be ineligible for reappointment for a term of one year.
3. Any vacancy of advisory board member will be filled by the officer who appointed that position.

**Texas Industrial Vocational Association, Inc.**

# **Investment Policy Statement**

*Effective Date: January 19, 2010*

## **SCOPE OF THIS INVESTMENT POLICY**

This statement of investment policy reflects the objectives, constraints and guidelines for the TIVA Endowment Net Assets.

## **PURPOSE OF THIS INVESTMENT POLICY STATEMENT**

This statement of investment policy is set forth by the TIVA Board of Directors in order to:

1. Define and assign the responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of the assets.
3. Establish a basis for evaluating investment results.
4. Manage Fund assets according to prudent standards.
5. Establish the relevant investment horizon.

In general, the purpose of this statement is to outline a philosophy and attitude that will guide the investment management of the TIVA Endowment Net Assets toward the desired results. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

## **RESPONSIBILITY OF THE TIVA BOARD OF DIRECTORS**

The Board of Directors is charged with the responsibility for management of the endowment net assets. The Board of Directors shall discharge its duties solely in the interest of TIVA. The specific responsibilities of the Board of Directors relating to the investment management of the endowment net assets include:

1. Determining the risk tolerance and investment horizon.
2. Establishing reasonable and consistent investment objectives, policies and guidelines.
3. Prudently and diligently selecting qualified investment professionals.
4. Regularly evaluating the performance of the Investment Manager to assure adherence to policy guidelines and monitor investment objective progress.
5. Review monthly reports on the investment performance and financial condition.

## **INVESTMENT OBJECTIVES**

In order to meet its needs, the investment strategy of the TIVA Endowment Net Assets is as follows:

*Preservation of Capital - To minimize the probability of loss of principal over the investment horizon. Emphasis is placed on minimizing return volatility rather than maximizing total return.*

*Liquidity - To ensure the ability to meet all expected or unexpected cash flow needs by investing in securities which can be sold readily and efficiently.*

#### SPENDING POLICY

The spending requirements on the Endowment Net Assets will be determined annually upon Board approval but will never exceed 50% of the dollar return on investments.

#### INVESTMENT POLICY REVIEW

To ensure continued relevance of the guidelines, objectives, financial status and Capital markets expectations, the Board of Directors will review the investment policy at least twice annually.

*Adopted by the TIVA Board of Directors on 01/10/2010.*

**Texas Industrial Vocational Association, Inc.**

# **Investment Policy Statement**

*Revised: April 22, 2017*

The following document outlines the guidelines and goals for the organization, TIVA, investable assets and funds. The first paragraph describes the investment philosophy and goals for TIVA's investable assets. The second paragraph defines the parameters by which investment professionals, investment advisors, wealth managers or equivalent title who directly assists the Board of Directors of TIVA conduct their professional responsibilities.

The investment policy of TIVA wishes to minimize investment risk to TIVA's funds, while preserving liquidity of the assets invested. Also of concern are overall costs to TIVA, exposure to complicated investments or investments that could risk the validity of TIVA's non-profit, tax exempt status. TIVA's investment return is of secondary importance to the above mentioned guidelines. The advisor of record is required to attend at least one board meeting a year and update the Board of Directors to the status of TIVA's invested assets.

Following from the above paragraphs, the specific investment guidelines for TIVA are as follows:

1. TIVA will not have direct ownership in the common, preferred, or other designation stock of any publicly or non-publicly traded company. Indirect ownership of stock, by way of Mutual Funds must be disclosed to the Board before placing any action that would result in said ownership.
2. TIVA will not own any investment defined as "emerging markets", "high risk", "commodity", or "aggressive" as defined by an average market analyst; either directly or indirectly
3. TIVA can own Corporate Bonds rated AAA as defined by Standards & Poors or Aaa by Moodys. If two or more such bonds are recommended, preferential consideration must be given to bonds that have additional safeguards, such as being insured.
4. TIVA can own non-Taxable Municipal Bonds rate AA to AAA by Standards & Poors or Aa to Aaa by Moodys. If two or more such bonds are recommended, preferential consideration must be given to bonds that have additional safeguards, such as being insured.
5. TIVA's funds can never be leveraged or borrowed against.
6. TIVA will not own UITs, options, or short a position.
7. Any investment not strictly outlined in the above regulations must be discussed with the Board of Directors.

*Adopted by the TIVA Board of Directors on 04/22/2017.*