

**HOUSTON AREA ASSOCIATION FOR BILINGUAL EDUCATION
CONSTITUTION**

**ARTICLE VIII
DUE PROCESS**

SECTION 1: HEARINGS COMMITTEE

A. PURPOSE

- a. The Hearings Committee shall hear charges of Executive Board Members or individual members of the association:
 - i. If such officer or individual member fails to comply with minimum standards set forth in this Constitution and Bylaws shall be subject to censure, suspension, or disaffiliation (see Article IV Section III).
 - ii. An officer or a member of the Executive Board may be impeached and removed for misfeasance, malfeasance, or nonfeasance in office.
 - iii. A member who fails to adhere to any of the conditions of membership shall be subject to censure, suspension, or expulsion.

B. THE HEARINGS COMMITTEE COMPOSITION

- a. Shall be composed of four (4) members who do not serve on the HAABE Executive Board.
- b. Shall be elected by the HAABE Executive Board to serve three-year, staggered terms. Should a member or members of the Executive Board be the subject of or under review, then the remaining Executive Board members shall have the authority to select the members of the Hearings Committee.
- c. Members may not be re-elected.

C. CHARGES/IMPEACHMENT PROCEDURES

- a. Charges against a member who fails to adhere to any of the conditions of membership set forth in this Constitution and By Laws may be filed with the Recording Secretary by a member. Should the Recording 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 Article, Section 1: D and E:

D. SIGNING OF PETITIONS

- a. By petition of at least twenty percent (20%) of members
- b. By petition of at least thirty (30%) of the Executive Board members.

E. PROCESSING OF PETITIONS

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

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

SECTION 2: GUARANTEE

The Association has the authority to censure, suspend, or expel an individual member. The Association shall/guarantee that every member shall include an appellate procedure.

(Appellate is the jurisdiction exercised by the executive board committee in reviewing a ruling of a previous hearing.)

SECTION 3: PROCEDURE

A committee appointed by the President or by the Executive Board when deemed necessary shall hear the charges brought against an individual member. This person then has the opportunity to present his case. If the individual is not satisfied with the decision of the committee, the person may then appeal to the full Executive Board. The hearing committee members shall not take part in the appeals procedure.

SECTION 4: RULES AND REGULATIONS

The membership shall approve specific rules and regulations governing the procedure.

SECTION 5: IMPEACHMENT OF OFFICERS

- A. Any officer may be impeached for:
 - a. Non-performance of duties of the office
 - b. Unlawful performance of duties of the office
 - c. Misconduct in office
 - d. Impeachment proceedings may be started by 20% of the membership. The procedures followed shall be similar to those of due process.