

# **TEXAS COALITION OF BLACK DEMOCRATS**

## **Constitution & By-Laws**

### **ARTICLE I- Name of Organization**

The name of the organization shall be the "COALITION OF BLACK DEMOCRATS OF THE STATE OF TEXAS" or the "TEXAS COALITION OF BLACK DEMOCRATS" or "TCBD" as it is hereinafter referred to.

### **ARTICLE II - Purpose**

The purpose of this organization shall be:

- {a) to stimulate in Black Americans an active interest in governmental affairs;
- (b) to facilitate the participation of Black Americans in the Democratic Party;
- (c) to perpetuate the ideals and principles of the Democratic Party;
- (d) to attract new members to the Coalition of Black Democrats;
- (e) to help acquaint voters and potential voters with the issues and candidates;
- (f) to promote by our efforts the highest degree of governmental response to public need;
- (g) to promote and facilitate economic development as it impacts and interfaces with political participation in the Black American communities of this state.

### **ARTICLE III - Policy**

**SECTION 1.** This organization may endorse or support the candidacy of any person for public office prior to nomination in the Texas Democratic Primary in those elections involving multi-county jurisdiction, such as statewide races, congressional races, state school board races, and state court of appeals races. A Nominations Committee may be appointed by the TCBD Chair for the purpose of screening candidates for endorsement, and TCBD shall not endorse or support the candidacy of any person for public office during the primary cycle, unless they have been screened and received the affirmative vote of the Nominations Committee; this provision shall only apply to candidates running for offices representing a multi-jurisdictional geographic boundary, congressional, or statewide during the Texas Democratic Primary election cycle.

TCBD shall not in any manner apply its influence as an organization to the cause of any candidate or faction of the Texas Democratic Party, other than in an election campaign. TCBD retains the option of conducting an election "Straw Poll" to gauge the bearing of the General Body. While candidates can communicate the "Straw Poll" results, those results shall not be misconstrued as an endorsement of the full body of the TCBD.

**SECTION 2.** This organization shall actively support and by appropriate means the nominees of the Democratic Party in National, State, and Local elections. It shall endeavor to maintain permanent contact with voters

throughout the area and shall function continuously in order that it may contribute to the growth and influence of the Coalition of Black Democrats.

SECTION 3. This organization shall be responsible for and committed to affirmative action goals within the Democratic Party.

SECTION 4. Counties with multiple local chapters who endorse in local elections must hold joint endorsement meetings for any candidates, except as such described in Article III, Section 4, that cross the jurisdiction of two or more TCBD affiliated chapters. In the event that there is no consensus, no endorsement will be made by any chapter that has an interest in that particular election.

SECTION 6. No chapter of TCBD may accept monetary or in-kind contributions that can be construed directly or indirectly as a payment, donation or contribution in conjunction with an endorsement or an endorsement process.

SECTION 7. The Chair and members of the executive committee of each TCBD Chapter is prohibited from endorsing a candidate for any election prior to the official endorsement process undertaken by TCBD or the chapter and announcement of the results by TCBD or the Chapter. No chair of any TCBD Chapter shall publicly endorse or show any favor toward any candidate that was not endorsed by the chapter. The TCBD Chapter chair can support any candidate in his or her private capacity that received a "no endorsement" from the TCBD Chapter after the Chapter endorsement process has concluded.

#### **ARTICLE IV - Membership**

SECTION 1. Any person who is 18 years or older and is a Democrat, defined by having previously voted in a Democratic Primary, casting your most recent primary ballot in a Democratic Primary or never having voted in a Republican Primary is eligible to apply for membership through a TCBD Chapter or alternatively can apply directly to TCBD as an At-Large Member.

SECTION 2. There shall be four (4) classes of memberships. (All membership classes are permitted to attend all meetings of the Coalition.)

- (a) Regular membership is open to Black Democrats eighteen (18) years or older.
- (b) Associate membership is open to Democrats eighteen (18) years or older.
- (c) Premier membership is open to any Democrat under eighteen (18) or a full-time student.
- (d) Sustaining membership is open to Democrats eighteen (18) years or older.

Application for voting membership shall be open to any eligible individual as described above. For individuals seeking Regular membership for the first time, their membership application is subject to approval by the Executive Board, following receipt of the prospective member's application and annual dues by TCBD. For individuals who have been previously admitted as Regular members, membership may be renewed at any time upon the individual's payment of annual dues.

SECTION 2.2: Annual Dues

A. TCBD Chapters shall pay annual membership dues to TCBD based on the size of their membership as follows:

- 1) TCBD Chapter with 10 to 15 members: \$100
- 2) TCBD Chapter with 16 to 25 members: \$150
- 3) TCBD Chapter with 26 to 39 members: \$250
- 4) TCBD Chapter with 40 to 50 members: \$400
- 5) TCBD Chapter with 51 or more members: \$500

B. At-Large Members shall pay the following fee schedule based on membership class:

1. Regular Member - \$50
2. Associate Member - \$100
3. Premier Member - \$500
4. Sustaining Member - \$2,500

SECTION 3. Admission of a TCBD chapter and its members is on receipt of dues or as otherwise provided.

(a) All TCBD annual chapter dues shall be payable by the local chapter no later than the first quarterly meeting of each calendar year.

SECTION 4. Members may be suspended for cause and in cases of exceptional gravity, may by three-fourths vote of the membership be expelled. Any member so expelled shall have the right to appeal to the members in good standing, call for a special meeting, by written notice, to hear such appeal, whose action determined by a majority vote thereof, shall be final.

(a) The process of making an appeal for remedy is outlined in the Grievance Policy.

(b) The outcome of the grievance procedure, whether executed in full by the Executive Board, or by the membership at the next quarterly meeting, is final.

SECTION 5. The Executive Board shall have the sole power to create such additional chapters as it may deem desirable with the approval of the body.

(a) Upon written submission to the Executive Board at a regularly scheduled meeting or specially called meeting, a list of ten (10) proposed members, proposed officers, and tender of dues and by vote of the Executive Board, the additional chapter shall be approved.

(b) No chapter shall bear a deceptively similar name to an existing chapter.

(c) There shall be no more than one chapter per county, except in such case as the population of a county shall exceed two million or comprises two or more senatorial districts.

(d) New chapters may be organized by geographical area, be that a city, county, multi-county or any area approved by the body.

- 1) No two chapters may co-exist in one geographical area.
- 2)
- 3) Any conflicts of jurisdiction between two chapters or a chapter and a proposed chapter will be resolved by recommendation of the Membership Committee and 2/3 (two-third) approval of the general body.
- 4) Appeals for new chapters where a county chapter pre-exists must be accompanied with a

brief, outlining the necessity of and benefit in establishing the new chapter. Preexisting chapters must be notified and provided with a copy of the appeal by the state within 15 days. Upon receipt of appeal, the existing chapter has the right to submit a brief to the state within 30 days either in support of the appeal or in opposition of the appeal with compelling argument.

(e) All new TCBD Chapters will be referred to as the Texas Coalition of Black Democrats– "Area" Chapter, with the exception of reestablishing dormant chapters. Example: Texas Coalition of Black Democrats – Hunt County Chapter

(f) All participating members of chapters with TCBD affiliation must pay both local and state dues.

(g) The Executive Board of the TCBD has expressed power to waive the 10 member requirement for chapters that have demonstrated viability with less than 10 members.

(h) All chapters will submit a current copy of their constitution, by-laws and rules at the first quarterly meeting of the year. These documents will be submitted to the Rules Committee to ensure that all chapter documents are in compliance with the state TCBD Constitution, By-Laws and Rules. Any non-compliant language will be corrected by the state Rules Committee and are binding to the chapter.

(i) Every chapter must have officer elections at least once every two years, and provide election results and minutes of meeting where election was conducted to state Secretary and Vice Chair of Membership, in order to be eligible to vote in state meetings and for state officers.

(j) A Council of Chapter Presidents may be created by authorization of the Chair in order to organize, coordinate, and support the work of local chapters.

(k) The organization hereby declares that the name Texas Coalition of Black Democrats belongs exclusively to TCBD, and only TCBD is authorized to use the name and official logo; any other persons, entities, or chapters who seek to utilize the TCBD name and or logo may only do so after receiving express permission from TCBD.

(l) **Annual Chapter Reports** – On or before the first TCBD meeting of each year:

- (i) All chapters will be required submit an annual financial report, the three most recent bank statements, a copy of a list of active members, and certification of the chapter's most recent election.
- (ii) Chapters who fail to provide appropriate documentation as required of this article, or have been found to have violated the constitution or by-laws of the organization, or have failed to hold a certified election within the specified period will be subject to any of the following remedies:
  - a. In the event a chapter has failed to provide the required documents, TCBD may suspend the chapter causing it to cease and desist from all activity until the required documents are provided.
  - b. In the event the chapter is found to have misappropriated funds or has not held an election as stipulated by these bylaws, TCBD may assume operation of the chapter for purposes of conducting an election or to appoint a slate of officers until the next election is held no more than 18 months from the date such appointment of officers is made.
  - c. Disaffiliation by TCBD in the event a chapter is found to have engaged in an egregious violation of the by-laws of the state organization.

(m) Chapters who fail to meet the statutory reporting requirements or found in violation of any of TCBD's regulations shall be notified in writing, and shall be given a period of no less than 90 days, but not more than 180 days, to cure such violations. In the event a chapter fails to cure the violation, then the chapter may by an affirmative vote of the Executive Board be disaffiliated or merged into a chapter within the same or a nearby jurisdiction.

## SECTION 6. Membership Rights

- a) **Regular Member:** Regular Members have the full rights of membership including voting rights.
- b) **Associate Member:** Associate Members have the full rights of membership excluding voting rights except otherwise authorized by the Executive Board as a Regular Member.
- c) **Premier Member:** Associate Members have the full rights of membership excluding voting rights except otherwise also authorized by the Executive Board as a Regular Member.
- d) **Sustaining Member:** Associate Members have the full rights of membership excluding voting rights except otherwise also authorized by the Executive Board as a Regular Member.

### Eligibility

- (a) Any person under 18 years of age.
- (b) Any person 16 years of age or older that identify as a “Democrat” or embrace progressive ideals and committed to supporting election of Black Democrat or Progressive
- (c) Any qualified voter 18 years of age or older who participates in the county of residence and who votes consistently in the Democratic Primary, whether early or in person, shall be eligible to serve as a member of the Texas Coalition of Black Democrats.

## ARTICLE V - Officers

SECTION 1. The officers of the organization shall consist of a Chair, Vice-Chair for Program, Vice-Chair for Membership, Vice-Chair for Finance, Secretary, Treasurer and collectively shall comprise the Executive Board of the organization.

SECTION 2. To be eligible to hold office, a person must have been a member of the Coalition for at least twenty four (24) calendar months and have attended at least fifty percent (50%) of the regularly scheduled Coalition meetings during the same period of time, or be a member of any chapter’s Executive Board for at least twelve (12) calendar months and have attended at least fifty percent (50%) of the regularly scheduled meetings during the same period of time. At the point the officer falls below the 50% requirement, that officer shall be dismissed of their duties unless there is a personal illness, family illness, or during bereavement of a family member.

SECTION 3. The duties of the officers shall be:

- (a) **The Chair** shall preside at all meetings of the organization and shall appoint members to the following Standing Committees: Rules, Budget and Finance, Long Range Planning, Audit; the Chair shall also appoint committees as needed to fulfill the purpose of the organization;
- (b) **The Vice-Chair for Program** shall assist the Chair in the preparation of all meeting and special events;
- (c) **The Vice-Chair for Membership** shall be responsible for maintaining an accurate list of members as well as conducting systematic campaigns for increasing the number of members;
- (d) **The Vice-Chair for Finance** shall act in the capacity of a fund raiser and shall have direct responsibility for the sustaining membership program;
- (e) **The Secretary** shall keep minutes and records of the organization. At the termination of office the Secretary shall release to the successor all records;
- (f) **The Treasurer** shall be the custodian of all organization funds and shall disburse them at the direction of the officers. All checks shall be signed by the Treasurer and/or Chair. The Treasurer shall keep an accurate, itemized account of all receipts and disbursements and present a report at each regular meeting. At termination of the office, the Treasurer shall prepare an audit for the organization. The Treasurer shall collect dues and keep the Vice-Chair for Membership and the Vice-Chair for Finance informed of the current roster of active members;

## STANDING COMMITTEES

RULES COMMITTEE

The Rules Committee shall be the originating committee for all amendments, deletions and editions to the constitution and by-laws of the organization, and may write specific rules for special meetings as may be requested by the Executive Board. The committee shall be comprised of members selected by the Chair

BUDGET AND FINANCE COMMITTEE

(i) The Budget and Finance Committee shall devise ways and means of financing, sustaining, and promoting the organization. The committee shall be comprised of up to 15 Treasurers from individual chapters as selected by the Chair.

STRATEGY LONG RANGE PLANNING COMMITTEE shall evaluate strategic outlook and recommend strategic initiatives for the organization. The committee shall also be responsible for developing and updating a three-year long range plan that sets objectives and goals for TCBD internally and externally. Committee shall present recommended strategic initiatives and long range plans during quarterly meeting with all chapters. The committee shall be comprised of members selected by the Chair.

AUDIT COMMITTEE shall be responsible for reviewing TCBD’s financial reporting process and internal controls. An internal audit shall be conducted once a biennium, including considering soliciting services from an external third party to participate in the audit. The committee shall develop an audit report inclusive of findings and recommendations to the TCBD membership base during second quarterly meeting of the following year. The committee shall be comprised of members selected by the Chair, however, no more than 51% of the committee membership shall consist of TCBD Executive Board Members.

SECTION 4. All officers shall be elected for two (2) year terms by a majority of the members present and voting and shall hold office until the election of their successor.

SECTION 5. All order of succession shall be:

- (a) Vice-Chair for Program
- (b) Vice-Chair for Membership
- (c) Vice-Chair for Finance
- (d) Secretary
- (e) Treasurer

SECTION 6. Officer Vacancies. When a vacancy occurs in any of these offices, a majority of the members of the TCBD shall elect a successor. Members shall receive written notice issued by the State Chair, or, if that office be vacant, by the Vice Chair of Programs, at least one month prior to the meeting at which an election will be held. Any member of the TCBD, in good standing, may nominate a candidate for the vacant office. When an interim vacancy in the office of the State Chair is filled by the TCBD, the term of office for the interim Chair shall be for the duration of the unexpired term. Vacancies to the Executive Board may be filled by appointment by the State Chair until a successor is elected.

SECTION 8. The TCBD Chair may serve as an ex officio member of all TCBD chapters and on all committees.

**ARTICLE VI - Meetings**

SECTION 1. There shall be held at least four (4) regularly scheduled meetings of the Coalition each calendar year with the time, date, and place set at a preceding meeting.

SECTION 2. Special meetings may be called by one or more of the elected officers at a time, place, and in a

manner to be decided upon by the organization in its by-laws.

## **ARTICLE VII – Voting**

Regular Members who are current in their dues shall have voting rights at regular and special called meetings. Any Associate, Premier, or Sustaining Member who is approved by the Executive Board as a Regular Member shall also have voting rights at regular and special meetings. The members described hereafter shall be referred to as “Voting Members”.

SECTION 1 . All decisions to be made by the general membership of the organization shall be by majority vote of the Voting Members present and voting, except in those instances otherwise provided for by the Constitution and By-laws or Roberts Rules of Order.

SECTION 2. Only Regular Members who are current in their dues and in good standing for thirty (30) days prior to an election shall be eligible to vote and participate as Voting Members.

### **SECTION 3. TCBD Executive Board Election**

#### **Texas Coalition of Black Democrats (TCBD)**

##### **Executive Board Election**

Except where dictated by our Standing Rules, our meeting is conducted using Robert’s Rules of Order. To this end, here’s an outline of the Standard Operating Procedures with explanations of how we will conduct executive board elections:

#### **Credentialing**

Credentialing for the Executive Board Elections will be done at registration of delegates for the meeting during which the election occurs.

On-site credentialing will be available for attendees who do not register in advance of the meeting, and the process will be handled by members of the nominating committee or their designees at the business meeting prior to commencement of balloting; on-site credentialing will begin no less than an hour prior to the start of the business meeting.

## **Meeting Rules & Procedure Rules of Officer Elections**

At which point the agenda for the business meeting calls for elections, the TCBD Chair will turn over the meeting to the chair of the Nominating Committee, who shall serve as Presiding Chair or may appoint a designee from the Nominating Committee to serve as Presiding Chair for the election.

Recommendations of the Nominating Committee will be presented as the committee report. If the committee report is accepted, then a motion might be made to accept the candidates put forward by the Nominating Committee by acclamation. If the committee report is not unanimously acceptable to the body, then a member may make a motion to divide the question and separate out certain races for individual consideration.

Members wishing to debate an item must be recognized by the Chair and should proceed to speak only after being recognized. Debate must be germane to the item being debated; filibustering or speaking infinitely is not allowed. When speaking on an item, all comments or questions shall be address to the presiding chair, Nominating Committee, or the Membership generally.

### **Voting**

Pursuant to the bylaws, voting for TCBD Board Election will be by secret ballot.

Prior to the vote, the Vote Tabulators, as determined by the Nominating Committee, will take their places and distribute numbered ballots to members who present proper credentials making them eligible to vote. Each voting member shall receive a numbered ballot, and will have their name checked off the list once they have received a ballot.

The ballots will be pre-printed with the names of the candidates recommended by the nominating committee in each race listed in the first column, and a blank space in the second column to write in the name of another candidate who has been nominated from the floor. Voting members will make their selection in each race either by circling the Nominations Committee recommendation, or by writing in the name of a different candidate nominated from the floor.

After ensuring that all voting members have a ballot, the Chair will announce that voting has begun. Once members have completed voting, they will fold their ballot and deposit it in the ballot box. After it appears that everyone has voted, the Chair will ask if everyone who desires to cast a ballot has voted and submitted their ballot. The



presiding Chair waits for a response, and if no one rises to hand in a ballot, the Chair will declare the polls closed.

The Vote Tabulators will then count the ballots and collate the results. The head Vote Tabulator will hand the report to the Chair of the Nominating Committee, who shall announce the results

Chair: *“The election report reads...*

- a. How many ballots were cast
- b. Race by race vote count, followed by the statement by a vote of \_\_\_\_, the body has voted to elect “Candidate \_\_\_\_\_ as the \_\_\_\_\_. Then move to the next race.

### **ARTICLE VIII - Amendments**

Provisions of this constitution may be amended in the following manner:

Any member desiring to so amend must propose the amendment or amendments at regular meeting called for that purpose. The membership of the organization shall be notified of the proposed amendment or amendments and of the date of the meeting to be held at which the proposed ratification of the said amendment will be acted upon. Ratification will require affirmative vote of not less than two-thirds (2/3) of the membership present and voting. There shall be three readings of proposed amendment or amendments at regular meetings of which membership is notified before the ratification vote.

### **ARTICLE IX- Caucus**

SECTION 1. As required by the Texas Democratic Party State Rules, TCBD shall conduct a caucus during even numbered years at Texas Democratic State Convention. The caucus shall be governed utilizing Robert Rules of Order.

SECTION 2. TCBD State Chair shall appoint a chair and secretary for the caucus.

SECTION 3. Caucus shall elect two (2) Democratic National Committee (DNC) members (1 man and woman) during presidential years. In order to be eligible to be nominated for DNC member, a person shall have attended at least six (6) local chapter meetings and two (2) quarterly state meetings in the previous twelve (12) months. Nominations shall be held on caucus floor following Robert Rules of Order. Each nominee shall be given one (1) minute to express intentions to be DNC member. DNC members shall be elected by majority vote. DNC members shall provide a report to all TCBD members twice a year and said report shall be posted on the State TCBD website or Monthly Newsletter.

SECTION 4. Resolutions that will be presented during caucus shall be distributed to all members at least 30 days before caucus convene. Resolutions shall be voted by attendees of caucus and determined by majority vote.

## **ARTICLE X - By-Laws**

The organization may amend and restate such by-laws as from time to time it shall deem necessary. By-Laws shall be adopted when approved by two-thirds vote of the Voting Members who are current in their dues and in good standing present at a regular meeting, or at a special meeting called by written notice stating the purpose for which the special meeting is called.

## **ARTICLE XI**

Local TCBD Chapters shall adopt by-laws for the conduct of its business, so long as they are not prohibited by law or are not inconsistent with these TCBD Constitution & By-Laws. Such by-laws shall be filed with the State TCBD Chair. The local TCBD Chapter by-laws are required to substantially reflect provisions of the TCBD By-laws including but not limited to the following sections: Article IV, Article VI, and Article VII.

## **STANDING RULES**

### **DATABASE RULES**

1. Only chapters in compliance with the TCBD Constitution and By-Laws and with approved membership rolls will have access to data on current and potential members in their geographic area.
2. Database users must be recommended by the Chair or the Local Chapter Executive Board or serve as the Membership Chair for a local chapter or the state, be authorized by the Executive Board and sign User's Agreement before access is granted.
3. All chapters, including the state, must update the database with names of active members (within 30 days of paying membership dues) or prospect members and their most current contact information. Failure to do so will result in loss of access.
4. Database information cannot be used for any other purpose other than official TCBD political and organizational communications. Reported abuse will be investigated and may result in organizational or legal remedy as recommended by the Executive Board or provided by law. TCBD Database data is also restricted to helping organize, inform and recruit Democratic TCBD chapter members or potential members and may not be used to support Republican, or Independent candidates in partisan elections or non-partisan elections.
5. Database information and files may not be transferred to others. Database Users may not sell, share, distribute, print lists or labels or in any other way provide data to other TCBD chapters, candidates, party affiliates, business or consulting entities, non-profit entities or any other entity or person not authorized by the TCBD Executive Board. Database information is property of the TCBD, not the User, and may not be contributed or maintained outside of the database (currently NGP On-line) without the TCBD's consent except for the State Chair and Membership Chair. To do so may create campaign finance problems for all involved.
6. Chapter access to data will be augmented as necessary when/if new chapters are approved.

7. No more than two members of any one chapter will be granted database access.

## **COMMUNICATION RULES**

Communications to members, prospect members, democratic party officials, elected officials and otherwise are required to include the full name of the entity producing the communication, be that by electronic communication, sound recording, print or otherwise.

## **MATERIAL OWNERSHIP**

All items purchased with or reimbursed with TCBD funds are and remain the property of the TCBD.

Computers, software and other material items will remain in the custody of the current State Chair to be transferred within thirty (30) days upon exit of office.

## **CHAPTERS IN GOOD STANDING**

All chapter members must be in compliance with the rules, constitution and by-laws of the State TCBD to remain in good standing and retain individual and chapter voting privileges.

## **CALENDAR YEAR**

The calendar year begins January 1<sup>st</sup> of each year.

## **REIMBURSEMENTS**

All reimbursements must be made within 60 days of the expenditure, provided the person incurring such expense provides a report about the expenditure to the Treasurer along with a receipt for such expenditure. Operational expenses (office supplies, stamps, etc) may be purchased without approval if under \$100 and all expenses over \$100 must have prior approval by the Executive Board.

## **QUARTERLY MEETING FINANCIAL RESPONSIBILITIES**

Quarterly meetings shall be the responsibility of the state TCBD, and any excess proceeds from registration fees shall be appropriated as deemed necessary to local chapters by the Budget and Finance Committee.

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The TCBD will file a Treasurer (which will be whosoever currently serves as the TCBD's Treasurer), maintain a state PAC and file timely reports with the Texas Ethics Commission. The TCBD/PAC Treasurer will stay abreast of changes in state ethics legislation, advisory opinions and will train their successor to use PAC reporting software and serve as an advisor regarding reporting laws as needed. The P.A.C. is to be filed as Texas Black Democrats PAC.

### **TCBD LOCAL CHAPTER PACs**

*A political committee that supports candidates who are members of a particular political party is a general-purpose political committee.* (Texas Ethics Commission: Campaign Finance Guide for Political Committees)

1. Whereas the State TCBD and local affiliated chapters constitute individual general-purpose committees as defined by the Texas Ethics Commission, any TCBD chapter or affiliate may not knowingly make political expenditures that exceed \$500 unless it has had its campaign treasurer appointment on file with the Ethics Commission for at least 60 days and has accepted contributions from at least 10 persons. In no instance may a TCBD chapter establish a new political action or general purpose committee without express authorization from the Executive Board.

2. All TCBD chapters will comply with state law on an ongoing basis. Failure to comply will result in adverse action as determined necessary by the Executive Board.

3. All Political Action Committee (PAC) filings will be submitted to the state Chair on the day it is filed with the Texas Ethics Commission and will be kept on file.

### **GRIEVANCE POLICY**

A Grievance Committee shall be convened comprised of three members approved by the Chairman, who shall be responsible for investigating any allegations against a TCBD member accused of violating the constitution or by-laws of the organization.

1. Complaint of alleged violations of the Constitutions and By-laws, or concerning unethical behavior must be submitted to the TCBD Chairman and or Executive Board in writing.
2. Complaints regarding the Constitutions, By-laws or Rules will be reviewed by the Rules Committee to determine viability prior to a recommendation being made to the Executive Board regarding pursuing an investigation into the matter. The Rules Committee's role is simply to advise the Executive Board regarding allegations, however, the Executive Board retains authority over investigations into all complaints or allegations.
3. The Executive Board has 15 days to respond to a complainant acknowledging receipt of the complaint, though no response regarding the matter might occur during such period.
4. The TCBD Chair will decide to either refer the matter to the Grievance Committee or to have the Executive Board take up the matter directly.

5. The Grievance Committee will have 30 days from the date the complaint is referred to report back to the Executive Board their findings regarding the allegations, and the TCBD shall deliberate the matter at the next regularly scheduled executive board meeting or at a specially called meeting within 45 days, whichever occurs first. Alternatively, TCBD shall deliberate on the matter and either issue a ruling regarding the matter or simply respond back to the parties involved within 45 days of receiving the complaint.
6. Following its deliberations, the Executive Board will submit a written response back to the parties involved, and will include in the response a statement that the parties involved have the right to submit evidence supporting or refuting the complaint to TCBD within 21 days of receipt of the response from TCBD.
7. After the 21 days for delivery of additional evidence from the parties involved has lapsed, TCBD shall further deliberate the matter at the next regularly scheduled executive board meeting or at a specially called meeting within 45 days, whichever occurs first.
8. TCBD will subsequently have 15 days following its meeting to notify the parties involved of its final decision, which requires a  $\frac{3}{4}$  votes in the affirmative of the Executive Board. In the event  $\frac{3}{4}$  votes are not obtained in support of the state's recommendation regarding the matter, then the state's will be put before the full body at the next quarterly meeting of the membership, where a simple majority vote will be required to take action on the state's recommendation, or an alternatively proposed recommendation.
9. Following the final action by TCBD, the non-prevailing party may appeal the decision of the Executive Board. Such an appeal will be presented at the next general quarterly meeting, and at such meeting, a  $\frac{3}{4}$  vote of the body is required to overturn the decision of the Executive Board. If  $\frac{3}{4}$  votes are not obtained, then the issue is fully and finally resolved.

**This revised edition of the constitution and by-laws was adopted on June  
12, 2021**