

# Texas Association of Professional Electrologists Bylaws

## An Affiliate of the American Electrology Association

### ARTICLE I NAME

The name of this organization will be the Texas Association of Professional Electrologists, hereinafter referred to as TAPE, or the Association, which will be affiliated with the American Electrology Association, hereinafter referred to as AEA. ~~The Association is a non-profit, 501(c)(3) organization, incorporated in 1999 in the State of Texas.~~

### ARTICLE II OBJECTIVES

The objectives of the Association shall be to:

- A. Recognize the identity of electrologists as permanent hair removal specialists promoting the highest standards of education, ethics, and practice;
- B. Provide continuing education for electrologists;
- ~~C. Promote and assist in the development of licensure regulations for electrologists within the State of Texas;~~ We deleted this from our new articles of incorporation so this should be removed from our Bylaws.
- D. Convey to the general public information regarding the electrology profession;
- E. Encourage discussion, exchange information and ideas among electrologists; and
- F. Promote professional pride as an Allied Health profession within our electrology practices;
- ~~G. Maintain an effective affiliation with the AEA;~~ Not in our Articles of Incorporation

### ARTICLE III SEAL/COLORS/LOGO

**Section 3.1 Seal.** The TAPE seal is for use on membership certificates. This impression seal is round in shape. Incorporated 1999 is imprinted in the center and is enclosed by a circle surrounded by the name of the Association which is enclosed by a second circle. The color of the seal is gold.

**Section 3.2 Colors.** The official colors of TAPE are navy and gold.

**Section 3.3 Logo.** The TAPE logo is the shape of the State of Texas with a caduceus in the center.

### ARTICLE IV MEMBERSHIP/DUES

**Section 4.1 General Requirements.**

- A. Membership in TAPE shall be open to electrologists **and hair removal professionals**, who practice, ~~and/or~~ teach, **or have been trained in permanent hair removal utilizing needle electrode type epilation. ~~with a minimum of 320 training hours. which includes electrolysis (direct current/DC), thermolysis (alternating current/AC), or combination of both (superimposed or sequential blend).~~**
- B. Membership will not be restricted by race, color, creed, sex, religion, or nationality.
- C. Applicant must be an electrologist who resides and/or practices within the State of Texas.
- D. Non-members are invited to attend ~~one (1) meeting per year~~ **CEU conferences but not annual membership meetings.**

#### **Section 4.2 Types of Membership.**

- A. **Regular** - Regular members shall be electrologists residing in and/or practicing in the state in which they are a member of the AEA affiliated State Association.
- B. **Student** - Student members ~~while under electrolysis instruction, are entitled to one (1) year membership with all rights of a regular member, with the exception of initiating motions, voting and holding office. Dues shall be half of the established TAPE dues. must be actively enrolled in a minimum 320-hour electrolysis-specific education. The Student Member fee is a one-time fee and good for a maximum of two years. The Student Membership fee is one-year full price dues, however, lasts for two years, making the Student Membership fee 50% of Regular Membership dues. You must complete your qualifying electrolysis education program within the two-year time frame. Students have no voting rights and are ineligible for AEA membership.~~
- C. **Honorary** - Honorary membership will be conferred by a two-thirds vote of the Board of Directors (Board) upon persons who have rendered distinguished service to TAPE and the profession. They will be exempt from payment of TAPE dues. Honorary life members shall be entitled to all ~~rights and~~ **privileges and benefits** of regular **membership, except the right to vote or hold office.** Dues will be required if membership is chosen.
- D. **Retired** - Retired membership shall be granted to an electrologist, no longer practicing, who has been a member of AEA and/or TAPE for at least ten (10) years. Retired members shall have all privileges, benefits and obligations of Regular Members **and subject to Regular Membership dues.**

**Section 4.3 Application for Membership.** Application for membership will be ~~made on forms provided by TAPE and must be completed in entirety and signed the AEA website.~~ Applicants will be notified as to their membership status. By ~~signing the membership application becoming a member,~~ the applicant has declared to abide by both the TAPE and AEA Bylaws, ~~and~~ the AEA Code of Ethics; Policies and Procedures;

Standards of Practice; Infection Control Standards; ~~AEA/TAPE Affiliate Agreement~~ and to support their goals and policies.

**Section 4.4 Dues.**

- A. The fiscal year of TAPE shall be the calendar year January 1 through December 31 (Article XV).
- B. The amount of TAPE dues shall be set by the Board of Directors (Article IX, ~~F~~).
- C. Membership will receive one bill from the AEA Membership Committee for their annual dues to TAPE and AEA. ~~in the fall of each — year.~~
- D. All dues are due upon receipt of billing.
- E. The AEA Treasurer will reimburse TAPE dues to the Treasurer of TAPE.

**Section 4.5 Membership Certificate.** Upon acceptance for membership, regular members will be issued a certificate of membership from TAPE. ~~The TAPE certificate remains the property of TAPE and upon resignation, expulsion, or failure to pay current dues the member will immediately return the certificate, in good order, to the treasurer.~~ A membership certificate is valid only when displaying a current year sticker.

**Section 4.6 Change of Address.** All members will promptly notify the TAPE ~~Treasurer~~ **Membership Chairperson** of any change of address or other pertinent information ~~as provided on the membership application.~~ It is the member’s responsibility to notify AEA of any changes.

**Section 4.7 Transferability.** Under no circumstances will membership be transferred to any person other than the one to whom it was originally issued.

**Section 4.8 Resignation.** Members who wish to resign must notify the ~~Treasurer~~ **Membership Chairperson** in writing of their resignation from TAPE.

**Section 4.9 Affiliation.** No member who is in arrears for dues shall vote, ~~or~~ hold office, or ~~shall be entitled to~~ receive reports of the transactions of TAPE. It shall be the duty of the Membership Committee to remove, from the rolls of membership, the name of any person who is in arrears for more than ninety (90) days. Any member dropped from the rolls, for nonpayment of dues, may be reinstated only upon ~~applying for reinstatement and payment of the dues and assessment for the year of reinstatement-current year’s dues.~~

**Section 4.10 Expulsion.** The Board, by a two-thirds vote, may recommend revoking, suspending, dismissing or not renewing any membership as disciplinary action for failure to comply with the regulations herein set forth.

- A. Causes for expulsion are:
  - 1. Conviction of a crime involving moral turpitude;

2. Willful conduct of advertising detrimental to the profession; and
3. Dissemination of information misleading to the public. ~~;~~
- ~~4. Employment by a firm whose advertisements are not in accord with the standards of this Association.~~

B. Procedure for expulsion:

1. Any three (3) members, in good standing, may file a complaint with the Secretary. The complaint shall be in ordinary, concise language and shall state the facts.
2. Within sixty (60) days after such complaint is filed, the Board shall hear the testimony of all parties concerned and shall find:
  - a. That the facts stated in the complaint are untrue;
  - b. That the facts stated in the complaint are true, but do not constitute cause for expulsion; or
  - c. That the facts stated in the complaint are true and do constitute a cause for expulsion.
3. If the Board makes findings “a” or “b” of this paragraph, it shall dismiss the complaint and shall report at the next regular membership meeting that a complaint had been filed and dismissed. If the Board makes finding “c” of this paragraph, it shall report at the next membership meeting the particular facts found and shall recommend that the member be expelled.
4. The recommendation for expulsion shall be voted upon and approved by a two-thirds (2/3) vote of the members present and voting at the annual meeting.

## ARTICLE V OFFICERS.

**Section 5.1 Designation.** The officers shall consist of a President, a Vice-President, a Secretary, and a Treasurer.

**Section 5.2 Election.** To maintain continuity of experience on the Board, officers shall be elected on alternating years. The Secretary and Treasurer shall be elected ~~in even-numbered years one year.~~ ~~The President and the President~~ and Vice President shall be elected ~~on odd-numbered years the next year.~~ With Board approval, the President shall appoint a parliamentarian.

**Section 5.3 Term of Office.**

- A. The term of all officers shall be two (2) years or until their successors are duly qualified and elected.
- B. The term of office shall commence at the adjournment of the election meeting.

**Section 5.4 Eligibility.** Any member (other than those holding honorary or student membership status) will be eligible to serve as an officer. Preference ~~being will be~~ given to members who are Certified Professional Electrologists (CPE) ~~and to those members who have served on a committee for at least one year.~~

### **Section 5.5 Properties and Reimbursements.**

- A. All properties, correspondence, records and materials acquired during the tenure of office become the property of TAPE and will be relinquished within 14 days of completion of term.
- B. Officers will serve without compensation but will be reimbursed for expenses incurred in the performance of their duties, within the limits of the budget, as authorized by the Board.
- C. An annual settlement of accounts must be completed **seven (7)** days after the close of the annual membership meeting.

### **Section 5.6 Resignation and Removal.**

- A. Officers may resign by written notice to **all officers of the Board**. ~~The written notice shall be sent to the President. Written notice of the President is to be sent to the Secretary.~~
- B. An officer may be removed from office, for cause, by a two-thirds (2/3) vote of the Board.

### **Section 5.7 Vacancy.**

- A. In the case of vacancy in the office of President, the Vice President shall assume the duties of President. In the event of a vacancy in any other office, the Board, having been notified, will proceed to fill the vacancy.
- B. Any person serving more than half of a term, will be recognized as having served a full term.

## **ARTICLE VI DUTIES OF OFFICERS**

### **Section 6.1 The President shall:**

- A. Preside at all meetings of the Association and the Board;
- B. Serve as a Delegate to the AEA;
- C. Be an ex-officio member of all committees except the Nominating Committee;
- D. With the exception of the Nominating Committee, appoint all chairmen and the parliamentarian **(with Board approval) (Article V)**;
- E. Represent TAPE, when necessary, for professional or official business purposes;
- F. Ensure all decisions of the Board are implemented;
- G. Cosign TAPE membership certificates;
- H. Oversee arrangements for Board and membership meetings; and
- I. Perform other duties as directed by the Board or as may be incidental to this office.

### **Section 6.2 The Vice-President shall:**

- A. Preside in the absence of the President;
- B. Become President if a vacancy occurs;
- C. Serve as a Delegate to the AEA;

- D. Serve as chairman of the Continuing Education Committee which plans and develops TAPE's education program;
- E. Cosign TAPE membership certificates; and
- F. Perform other duties as directed by the Board or as may be incidental to this office.

**Section 6.3 The Secretary shall:**

- A. Keep a record (minutes) of all proceedings of the Association and Board ~~in a permanently bound book with numbered pages;~~
- B. ~~Maintain~~ **Accept** an accurate record of all members **from the Membership Chairperson;**
- C. File copies of correspondence;
- D. Have available, at all times, copies of **the** TAPE Bylaws and Standing Rules, **the AEA/TAPE Affiliate Agreement, TAPE Articles of Incorporation,** ~~in addition to and~~ the AEA Bylaws, Policy and Procedure Manual, Code of Ethics, Standards of Practice, and Infection Control Standards;
- E. ~~Mail newsletter with~~ **Submit** proposed Bylaw changes to all members, **postmarked** at least 30 days before the annual membership meeting;
- F. ~~Ensure the distribution of the~~ **Distribute** annual **membership** meeting minutes and updated Bylaws to all members ~~in the newsletter~~ following the annual **membership** meeting;
- G. Retain the TAPE seal press; and
- H. Perform other duties as directed by the Board or as may be incidental to this office.

**Section 6.4 The Treasurer shall:**

- A. Have custody of all TAPE funds;
- B. Collect all dues and moneys owed **to** TAPE;
- C. **Accept receipts for all expenditures;**
- D. Deposit all funds in TAPE's bank account;
- E. Keep accurate records of all transactions in **books accounts** belonging to TAPE;
- F. Distribute TAPE funds, within the budgetary limitation, as directed by the Board;
- G. Pay TAPE bills ~~by check;~~
- H. Report to the Board and membership accurate accounts of transactions and the financial condition of TAPE;
- I. Submit completed Treasurer's **book(s) accounts** and records for audit no later than 14 days after the conclusion of the annual **membership** meeting or within 10 days if a vacancy occurs in the office;
- J. Deliver to the incoming Treasurer all material upon the completion of the audit;
- K. Present the budget, which the Board has adopted, ~~to~~ **at** the annual **membership** meeting;
- L. Prepare any report(s) required by IRS; and
- M. Perform other duties as directed by the Board or as may be incidental to the office.

## ARTICLE VII MEETINGS

### Section 7.1 Membership.

- A. There shall be at least one membership meeting of the Association each year. ~~It and it shall be designated as the annual membership meeting. and will be set by the Board. It's-The Board will set the meeting, specific date, time and place. will be set by the Board also.~~ The purpose of the meeting shall be to:
1. Receive reports of the officers, Board and committees;
  2. Elect officers and Board members as prescribed in the Bylaws;
  3. Discuss availability of yearly CEUs; and
  4. Conduct any other business that might arise.
- B. All members will be notified of membership meetings at least thirty (30) days prior to the meetings.

### Section 7.2 Special.

- A. Special meetings of the membership may be called by a two-thirds (2/3) vote of the Board or by a petition signed by ten (10) TAPE members in good standing sent to the President.
- B. The call must contain the purpose and agenda of the special meeting. Only the items listed in the call may be transacted.
- C. Notice of a special meeting shall be given to the membership at least ten (10) days prior to the date of the meeting.

**Section 7.3 Quorum.** A quorum at a membership or special meeting shall consist of **a minimum of** five (5) members who are TAPE members in good standing and have voting privileges.

## ARTICLE VIII BOARD OF DIRECTORS

**Section 8.1 Designation.** The Board will consist of TAPE officers, immediate past President and chairmen of all standing committees.

**Section 8.2 Eligibility.** Any regular or retired member, who is in good standing with the AEA and TAPE, may serve on the Board as an officer or committee chairmen. No officer or chairman of TAPE shall concurrently be an officer, chairman or member of the Board of Directors of another state or national organization in the field of electrology ~~with the exception of~~ **except for** the AEA.

**Section 8.3 Reimbursement.** Board members serve without compensation, but may be reimbursed for expenses incurred, as authorized by the budget, and approved by the Board (**Article V, Section 5.5**).

**Section 8.4 Meetings.** Meetings shall be held at least two (2) times per year at a time and place as determined by the President.

**Section 8.5 Quorum.** A quorum will be a majority of the members of the Board of Directors (see Section 8.1 for members of the Board of Directors).

**Section 8.6 Resignation/Removal/Vacancy.**

- A. Board members may resign by written notice to **all officers** of the Board. ~~The written notice shall be sent to the any officers of the Board.~~
- B. A Board member may be removed from office by a two-thirds (2/3) vote of the Board.
- C. The Board will appoint qualified members to fill any vacancy as directed in Article V, Section 5.7.

**ARTICLE IX DUTIES OF THE BOARD OF DIRECTORS**

The Board shall:

- A. Have custody of TAPE properties;
- B. Supervise the allocation of funds;
- C. Transact the general business;
- D. Establish major administrative policies;
- E. Appoint and dissolve committees as appropriate;
- F. Grant honorary memberships;
- G. Report Board proceedings at membership meetings;
- H. Select dates, **times** and locations for membership meetings;
- I. Set membership dues and fees;
- J. Employ persons or companies as necessary to conduct TAPE business;
- K. Recommend expulsion of TAPE members for causes listed in ~~4.11 Article IV,~~ **Section 4.10** of these Bylaws;
- L. Approve a budget which shall be presented by the Treasurer at the **annual** membership meeting; and
- M. Strive to achieve TAPE's goals.

**ARTICLE X DELEGATES**

**Section 10.1 Designation.** The Delegates to the AEA **Board meetings** will be the President and Vice-President.

**Section 10.2 Alternates.** Alternates attending the AEA Board meetings will be the Secretary and Treasurer, in that order. If any positions are still open to attend the AEA Board, volunteers may be approved to attend by the TAPE Board.

**Section 10.3 Purpose.** It shall be the purpose of Delegates to represent TAPE, attend AEA Board meetings and disseminate information to TAPE members. The Delegates attending the AEA Board meeting will prepare a delegate report. When two Delegates attend, the higher-ranking officer will prepare the report. If no Delegate attends, the President will prepare the report. This report shall be published in the TAPE newsletter following the AEA event.

1. **Section 10.4 Reimbursement.** Delegates or alternates attending AEA Board meetings will be reimbursed in an amount not to exceed the budget allocation. ~~For two (2) officers to attend three (3) yearly AEA Board meetings, the reimbursement to each officer will be \$100.00. If only one (1) officer attends, \$200.00 will be reimbursed to that officer.~~

## ARTICLE XI COMMITTEES

**Section 11.1 Standing Committees.** Except as otherwise provided in these Bylaws, the President shall appoint, with the Board's approval, all chairmen of standing committees. Each chairman will select the members of the committees.

- A. **Continuing Education Committee.** The Vice President shall ~~chair~~ be the liaison for this committee. It will be the responsibility of this committee to provide an educational avenue for all electrologists, involving, but not limited to, sponsoring AEA approved programs to provide Continuing Education Units (CEUs) for CPE recertification.
  1. **Venue / Hotel:** Continuing Education Committee Member – Duties include contacting potential venue/hotel locations, obtaining quotes from venues and/or hotels for lodging, food, and AV, and presenting contracts to the Board. Performs other duties as directed by the Board;
  2. **Lecture Content:** Continuing Education Committee Member – Presents lecture subjects at the annual membership meeting to the Board, searches and identifies speakers for the subjects approved by the Board, as well as performing other duties as directed by the Board;
  3. **Speakers:** Continuing Education Committee Member – Contact potential speakers and obtains CVs or resumes, lecture outlines, and PowerPoint downloads, and submits all information necessary to the AEA for CEU approval. Performs other duties as directed by the Board.
- B. **Membership Committee.** The Treasurer shall ~~chair~~ be the liaison for this committee. It will be the responsibility of this committee to solicit new members for enrollment in TAPE and to encourage continued membership of current members. Accurate records shall be maintained for all members. ~~Application form will be available at all times.~~
- C. **Newsletter Committee.** It will be the responsibility of ~~the~~ this committee to produce an informative publication. The publication will be ~~mailed sent~~ to the membership at least two (2) times per year.
- D. **Public Relations Committee.** It will be the responsibility of this committee to positively promote TAPE, electrolysis, and the field of electrology to the public.

**Section 11.2 Special Committees.** Special committees may be established by the Board as it considers necessary. Chairmen of special committees shall be appointed by the President, ~~with Board approval~~. They include but are not limited to the following:

- A. **Audit Committee.** It will be the responsibility of this committee to review the treasurer's ~~books, accounts,~~ records, vouchers and receipts ~~for the preceding calendar year.~~ The committee will receive this material ~~by one (1) to two (2) days before the Board meeting prior to the annual membership meeting and~~ no later than 14 days after the close of the annual ~~membership~~ meeting or ten (10) days whenever a vacancy occurs. The audit ~~report~~ will be given at the next meeting of the Board. The membership will be advised of the action of the Board on the audit report ~~in at the next newsletter annual membership meeting or by written correspondence.~~
- B. **Bylaws Committee.** It shall be the responsibility of this committee to update the TAPE Bylaws and prepare any amendment(s) or revision. These proposals will be submitted to the Board for review and recommendations.
- C. **Nominating Committee.**
  - 1. A Nominating Committee ~~of at least two (2) members shall consist of one Board member and one (1) member at large. The Board shall be selected the members of the Nominating Committee~~ prior to the ~~even numbered year~~ annual membership meeting. The committee shall elect its own chairman.
  - 2. The term of the Nominating Committee shall be for one election and shall begin no later than one month ~~following the annual meeting~~ prior to the meeting in which elections are held.
  - 3. A vacancy occurring on the Nominating Committee shall be appointed by the Board. Any vacancy occurring will be filled with a person from the same category of membership.
  - 4. It will be the responsibility of the committee to follow the procedures outlined in Article XII of the TAPE Bylaws.
- D. **Elections Committee.** ~~The Nominating Committee shall become the Elections Committee if there is more than one candidate running for an office and a ballot vote is necessary. It will be the responsibility of this committee to ensure that ballots are printed and distributed to the membership and to ensure that the procedures in Section 12.2 of these Bylaws are understood and followed.~~

## ARTICLE XII NOMINATIONS AND ELECTIONS

### Section 12.1 Nominations.

- A. Recommendation may be made to the Nominating Committee. Nominees must meet officer requirements as Bylaws Article V, Section 5.4 states.
- B. Chairman will notify nominees and receive consent to serve if elected.
- C. A report, by the Nominating Committee Chairman, listing a candidate for each office, will be published in the newsletter ~~or by written correspondence~~ at least 30 days prior to ~~odd numbered year's~~ the annual membership meeting. Nominations may also be made from the annual membership meeting floor provided consent of the nominee has been previously obtained.

### Section 12.2 Elections.

- A. If there is but one nominee for any office, the vote for that office shall be viva voce (by voice vote). Any office for which there is more than one candidate, the vote shall be by ballot.
- B. If a ballot vote is necessary, the Nominating Committee will serve as the Elections Committee (**Article XI, Section 11.2D**).
- C. If a ballot election is necessary, a majority vote will elect. **Votes will be counted and tallied by a person independent of TAPE.** In case of a tie, the decision will be by lot drawn by the-President.

### **ARTICLE XIII PUBLICATIONS**

Members are entitled to all TAPE publications. The Board has the authority to initiate, continue or terminate any TAPE publication.

### **ARTICLE XIV ADVERTISING**

TAPE members may advertise their affiliation. An electrologist who has resigned or not renewed membership ~~will~~ shall not indicate affiliation in any form of advertising.

### **ARTICLE XV FISCAL YEAR**

The fiscal year of the Association shall be the calendar year January 1<sup>st</sup> through December 31<sup>st</sup> (**Article IV, Section 4.2**).

### **ARTICLE XVI GRIEVANCE**

A grievance will be any written complaint brought about by any member or non-member against any member, committee, or the Board of Directors. Violations of: the Code of Ethics or Bylaws; misrepresentation of credentials or affiliations; negligent performance of duty or any action detrimental to the electrology profession or TAPE will be addressed in accordance with the “grievance procedures” outlined in the AEA Policy and Procedures Manual which is held by the Secretary.

### ~~**ARTICLE XVII PARLIAMENTARY AUTHORITY**~~

~~The current edition of *Robert's Rules of Order, Newly Revised*, will be the parliamentary authority on all matters to which they are applicable, provided they are consistent with AEA Bylaws and TAPE Bylaws.~~

### ~~**ARTICLE XVIII**~~ ~~**XVII**~~ **AMENDMENTS**

**Section 18.1-17.1** All proposed amendments or revisions shall be sent for review to the TAPE Bylaws Committee at least six (6) months prior to the annual meeting. The Committee forwards proposed amendments to the Board of Directors for its consideration and recommendations.

**Section 18.2- 17.2** After consideration by the TAPE Board of Directors, the proposed amendments or revision shall be forwarded to the AEA Bylaws Committee for review and recommendations. This must be done at least four months prior to TAPE annual

membership meeting. The AEA Bylaws Committee comments will be returned to the TAPE Bylaws Committees to be reviewed. Corrections can be made if necessary, and then the Bylaws can be prepared for publication to the membership.

**Section 18.3-17.3** The TAPE Bylaws may be amended at any membership meeting, provided that written notice of the proposed amendment(s) or revision has been sent to the members at least 30 days prior to said meeting. Any revision of the Bylaws must be ordered by the Board or a majority of the membership. Approval shall be by a two-thirds vote of members present and voting.

## **ARTICLE ~~XIX~~-XVIII DISSOLUTION**

In the event of the dissolution of TAPE, none of its funds and property shall be distributed to any of the members. All such funds and property shall be transferred to such other organization as the Board of Directors shall determine to have purposes and activities most nearly consistent with those of TAPE, provided that such organization shall be exempt under Section 501(c)(3) of the Internal Revenue Code or corresponding provision of the Internal Revenue Laws.

## **STANDING RULES**

Standing rules may be amended by a majority vote, provided notice of the proposed amendment was given or may be amended without notice by a 2/3 vote of those members present and voting.

- ~~2. The treasurer of TAPE shall have custody of the seal described in Article III of these Bylaws. Membership Chairperson? This (treasurer having custody of seal) is not described in Article III at all. This has been moved to the Secretary's duties (6.1 G)~~
- ~~3. The membership dues reflect the total of both the AEA and TAPE dues. The total is sent directly to AEA. AEA returns the TAPE portion to the Association Treasurer of TAPE. (Remove: This is already stated in Article IV, Section 4.4)~~
- ~~4. All requests for expenses should have receipts attached and forwarded to the treasurer. Removed and added to Treasurer's duties in 6.4C~~
- ~~5. For two (2) officers to attend three (3) yearly AEA Board meetings, the reimbursement to each officer will be \$100.00. If only one (1) officer attends, \$200.00 will be reimbursed to that officer. Removed and added to Delegate's section 10.4~~

Revised Bylaws Approved 10/22/17