

Penalties for Rules and Policies Infractions

To maintain the important role of music in the education of children, Texas music educators must clearly understand their duties and obligations and must perpetuate the dignity and honor of the profession. To ensure that members do establish and maintain their duties, obligations, dignity and honor with respect and equity for all, this Penalties for Rules & Policies Infractions is established.

Any member who by any act or omission causes a representative of or a participating organization to be in violation of published documents of TMEA and/or ATSSB may be subject to private or public reprimand. Situations involving repeated or severe infractions may result in loss of TMEA membership (see TMEA Constitution, Article II, Section 6b). Examples of published documents include, but are not limited to, rules, guidelines, policies and procedures for audition activities, the ATSSB OPS selection process and eligibility requirements.

I. Submitting a Grievance

- A. Any student, parent, director, member, school official or concerned party may submit a grievance.
- B. Grievances must be submitted to an ATSSB Region Coordinator, ATSSB State Officer, TMEA State Band Division Vice-President or the TMEA Executive Director.
- C. The TMEA Executive Director shall immediately inform, in writing, the member(s) who is (are) the subject of the grievance. TMEA will not furnish a copy of the grievance to the accused. Any action taken would be as a result of an independent TMEA investigation.
- D. The ATSSB Region Coordinator, ATSSB State Officer, State Band Division Vice-President and the Executive Director shall investigate and report to the TMEA Presidents' Committee.

II. Jurisdictions

- A. The Presidents' Committee shall have decision jurisdiction to determine the merit of a grievance and instruct the Executive Director to proceed with action deemed appropriate.
- B. The TMEA Executive Board shall have appellate jurisdiction. Appeals of a Presidents' Committee decision will be considered during a regularly scheduled meeting.
- C. The TMEA State Board shall have final jurisdiction. Appeals of an Executive Board decision will be considered by the State Board during a regularly scheduled meeting.
- D. Cases with a decision recommending loss of membership shall be submitted directly to the State Board for consideration and final decision.
- E. The Executive Director has no jurisdiction authority in this process.

III. Penalties

- A. Private Reprimand - At the direction of the Presidents' Committee and subject to the appeals process, a letter of reprimand shall be sent to the member only and a copy kept in a confidential file at the TMEA office in the custodial care of the Executive Director. It shall not be published in the Southwestern Musician.
- B. Public Reprimand - At the direction of the Presidents' Committee and subject to the appeals process, a letter of reprimand shall be sent to the member, campus level administrator, and district level superintendent, and the reprimand shall be published in the Southwestern Musician stating the violation found. A public reprimand may include a probationary period of up to three years and may include any reasonable conditions, which, if not fulfilled, may result in a more stringent penalty.
- C. Loss of Membership - The Presidents' Committee may choose to recommend loss of membership as a penalty for a period not to exceed three years. The State Board, by constitutional provision, is the only body which has decision-making authority over loss of membership. Consequently, the Presidents' Committee must submit all recommendations for loss of membership to the State Board for action.