

**Proposed Amendments to the NEA Constitution, Bylaws and Standing Rules  
For Vote by the 2017 Representative Assembly**

Proposed insertions of language are underscored; proposed deletions are shown in ~~striketrough~~.

**CONSTITUTIONAL AMENDMENT 1**

**TITLE:** To confer automatic delegate status to the chair of the Resolutions Internal Editing Committee for all purposes except voting for officers.

**Article III. Representative Assembly**

**Section 3(b). Election of Delegates**

Election to the Board of Directors by the Active NEA members within the state shall constitute election to the Representative Assembly for all purposes.

Election to the Board of Directors by the Active NEA members elected to serve as delegates to the state representative body shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

Election to the Board of Directors as an at-large director or a retired or student director shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

Election to executive office or to the Executive Committee shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

Election to the presidency of a state affiliate by vote of members in the state who are eligible to vote in such election shall constitute election to the Representative Assembly for all purposes.

Election to the presidency of a state affiliate by the state representative body shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

Selection as chairperson of the Internal Editing Committee shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

Selection as chairperson of the Advisory Committee of Student Members shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

Election to the presidency of National Education Association-Retired shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers.

**IMPACT STATEMENT:**

Standing Rule 7(C) provides that the president will appoint a chairperson of the Resolutions Committee annually from among the five members of the Internal Editing Committee, each of whom is also appointed by the president with the advice and consent of the Board of Directors. The chairperson presides over all meetings of the Internal Editing Committee and full Resolutions Committee. Members of the Internal Editing Committee are appointed to three-year terms, and no member may serve more than two terms. Members of the Internal Editing Committee are eligible for appointment as chairperson in any year of their term.

If the amendment were adopted, appointment of the Resolutions Committee chairperson would also constitute election as a delegate to the Representative Assembly for all purposes except voting in elections for Association officers. Should the chair wish to have voting rights for officer elections, he or she could decline the ex officio credential and seek nomination and election for any local or state delegate position for which he or she were eligible.

*Submitted by: 50 Delegates*

*Contact Person: Michael Bank, Delaware*

## CONSTITUTIONAL AMENDMENT 2

**TITLE:** To change the frequency of the Representative Assembly from every year to every other year beginning in 2022.

### Article III. Representative Assembly

#### Section 5. Meetings

The Representative Assembly shall meet at least annually. Effective 2022, the Representative Assembly shall meet in even-numbered years. This stipulation shall apply except in cases of emergency. The NEA Board of Directors shall develop and submit for Representative Assembly approval any necessary amendments to the NEA Constitution, Bylaws, and Standing Rules required to bring them into compliance with this provision.

#### IMPACT STATEMENT:

Article III, Section 5 of the NEA Constitution provides for a meeting of the Representative Assembly (“RA”) “at least annually” except in cases of emergency. Article III, Section 9 further provides the procedure by which the RA may be postponed in the event of an emergency.

If adopted, the amendment would change the frequency of the RA from annually to every other year, meeting in even-numbered years beginning 2022. The amendment also directs the NEA Board of Directors to consider and submit for RA approval any changes to NEA governing documents required to bring them into compliance with the new schedule. Because the NEA Constitution supersedes conflicting provisions in the NEA Bylaws and Standing Rules, the Board’s task would be to determine if there are governing document provisions the RA should consider amending to make other regularly scheduled business, such as officer election and adoption of the budget, consistent with a two-year cycle.

The amendment addresses only the conduct of the NEA Representative Assembly itself. Its passage would require decisions by the appropriate organizations or bodies about the frequency of other meetings, conferences and events held in conjunction with the Representative Assembly. Passage of the amendment could also impact activities conducted at the Representative Assembly, such as PAC fundraising and charitable community events, and would again necessitate decisions by appropriate bodies as to if and how to conduct such activities in the off years.

In terms of the financial impact of this amendment, the NEA Strategic Plan and Budget for 2016-18 includes approximately six million dollars for some, but not all, administrative expenses associated with conducting the Annual Meeting. These include items related to facilities and services, staff, and other expenses associated with running the Annual Meeting. There are other expenses not included in this total, such as those related to pre-conferences and events. The impact on such expenses would depend on whether organizers continue to hold these events in the off years.

In 2016, RA-related costs (including expenses within and outside the RA line item in the Strategic Plan and Budget) included pre-conference expenses of over \$900,000 (Joint Conference, Retired Annual Meeting, and Student Conference); the Human and Civil Rights dinner (\$382,156); staff attendance at the RA and related events (\$132,812 – lower in 2016 than in prior years because of the RA location in Washington, DC); transportation such as buses and metro cards (\$735,425); and convention center facilities such as, food, hall labor, audio visual, stage construction, signage, child care, and registration (\$3 million).

Passage of this amendment would impact affiliate costs such as for delegate election and expenses. The total cost of the annual Representative Assembly for state and local affiliates is not available.

NEA has agreements in place for RAs through 2024. Cities generally require five years notice to change convention dates. If adopted, because of the effective date, this amendment should not result in NEA incurring any penalties for cancellation of a planned RA, as NEA could notify the impacted city (Orlando, Florida for 2023) five years in advance and re-book the convention there in a later year.

*Submitted by: 50 Delegates*

*Contact Person: Sue Cahill, Iowa*

### CONSTITUTIONAL AMENDMENT 3

**TITLE:** To delete language that is no longer needed now that executive officer elections are on the same three-year cycle.

#### **Article IV. Executive Officers**

##### **Section 5. Elections, Terms, and Salaries**

~~Beginning in 1993 and each third year thereafter, the~~ The President, and the Vice President and the Secretary-Treasurer shall be nominated at and elected by the Representative Assembly at the Annual Meeting in accordance with this Constitution, the Bylaws, and the Standing Rules.

~~b. Beginning in 2014 and each third year thereafter, the Secretary-Treasurer shall be nominated at and elected by the Representative Assembly at the Annual Meeting in accordance with this Constitution, the Bylaws, and the Standing Rules.~~

~~c. b.~~ In an election for President, Vice President, or Secretary-Treasurer, if there is only one (1) candidate for the position, the Chair shall declare such candidate elected.

~~d. c.~~ The terms of the President, of the Vice President, and of the Secretary-Treasurer shall be three (3) years beginning September 1 following their election, ~~except that the term of the Secretary-Treasurer elected in 2012 shall be two (2) years.~~ Each executive officer shall remain in office through August 31 of the year in which a successor is elected, unless otherwise provided in this Constitution. An executive officer shall serve no more than two (2) terms in the office to which elected.

#### **IMPACT STATEMENT:**

Article IV, Section 5 of the NEA Constitution sets out the terms of the NEA President, Vice President and Secretary-Treasurer. Prior to 1991, the Constitution permitted executive officers to serve up to three two-year terms, with election of the President and Vice President taking place in odd-numbered years and election of the Secretary-Treasurer in even-numbered years. In 1991, this language was amended to allow officers to serve up to two three-year terms, with election of the President and Vice President taking place in 1993 and every third year thereafter, and election of the Secretary-Treasurer taking place in 1992 and every third year thereafter.

In 2010, the Constitution was amended to eliminate the staggered terms for officers starting in 2014. To accomplish this, language was added providing for a one-time two year-term for the Secretary-Treasurer elected in 2012. In 2014, all three officers were then elected for concurrent three-year terms.

The proposed amendment would clean up Article IV by striking the outdated references to 1993, 2012 and 2014, leaving intact the language setting forth the current officer election rules. The amendment would have no impact on the conduct of elections or the terms of officers.

*Submitted by: Committee on Constitution, Bylaws and Rules*

## STANDING RULE AMENDMENT 1

**TITLE:** To extend the minimum time required for consideration of new business items at each business session.

### **Rule 3. Order of Business and Debate**

#### **D. Scheduling of new business items**

Items of new business submitted in accordance with these Standing Rules shall be the first business item at all business meetings except the first business meeting of the Representative Assembly. These new business items shall be considered for at least ~~one hour~~ 90 minutes at the second business meeting and for at least ~~90 minutes~~ two hours at each subsequent meeting.

#### **IMPACT STATEMENT:**

Standing Rule 3(D) provides for consideration of new business items as the first order of business at all business sessions other than the opening session. Under this Rule, the body must consider NBIs for at least one hour at the second business meeting and for at least 90 minutes at each subsequent business meeting.

The proposed amendment would increase the time required for consideration of new business to at least 90 minutes in the second business session and at least two hours at each business session thereafter. If the amendment is adopted, the chair will set the RA agenda to reflect the increased time allotted for new business consideration in each session.

*Submitted by: 25 Delegates*

*Contact Person: Seth Rich, Maryland*

## STANDING RULE AMENDMENT 2

**TITLE:** To strike language allowing delegates to yield the unused portion of their allocated speaking time.

### **Rule 3. Order of Business and Debate**

#### **G. Yielding Speaking Time**

~~A member may yield the microphone or speaking time to another delegate only for the unused portion of his/her allotted time, and only for the purpose for which the member was recognized.~~

#### **IMPACT STATEMENT:**

Standing Rule 3(G) permits a delegate to yield a portion of his or her unused allotted speaking time to another delegate, for the purpose for which the original delegate was recognized.

The proposed amendment would strike Standing Rule 3(G) in its entirety, leaving the Standing Rules silent on the question of yielding speaking time. NEA Standing Rule 3(B) states that “The annual session of the Representative Assembly shall be conducted in accordance with provisions of the NEA Constitution, Bylaws, and these Standing Rules. Matters not specifically governed in these documents shall be governed by *Robert’s Rules of Order Newly Revised.*”

If the amendment were adopted, *Robert’s Rules* would then govern on the question of yielding time. *Robert’s* states, “Unless the organization has a special rule on the subject, a member cannot yield any unexpired portion of his time to another member, or reserve any portion of his time for a later time.” (*RONR 10<sup>th</sup> ed., p. 376*). Thus, delegates would not be permitted to yield any portion of their unused speaking time.

*Submitted by: 25 Delegates*

*Contact Person: Seth Rich, Maryland*

## STANDING RULE AMENDMENT 3

**TITLE:** To amend the speaking order process to take one request for information at a time in rotation with speakers for and against a motion.

### **Rule 3. Order of Business and Debate**

#### **H. Speaking Order/Closing Debate**

Requests for information shall be taken in turn: one speaker for; one against; one request for information.

No member speaking on a question may move to close debate.

A motion to close debate shall apply to no more than the single question immediately before the Representative Assembly.

Before a motion to close debate will be considered, the chair will recognize at least one speaker in support and one speaker in opposition if speakers have called in on the motion on the floor.

#### **IMPACT STATEMENT:**

NEA Standing Rule 3(B) states that “The annual session of the Representative Assembly shall be conducted in accordance with provisions of the NEA Constitution, Bylaws, and these Standing Rules. Matters not specifically governed in these documents shall be governed by *Robert’s Rules of Order Newly Revised*.” As the NEA governing documents do not address consideration of requests for information, *Robert’s Rules* governs current practice.

Under *Roberts Rules of Order*, a request for information is a request directed to the chair, or through the chair to another person, for information relevant to the business at hand. The request takes precedence and must be addressed before the chair recognizes speakers in favor or in opposition to the motion at hand. (*RONR 10<sup>th</sup> ed., p. 376*). Requests for information called in during debate immediately move to the front of the speaking order. Once all requests for information and parliamentary inquiries are addressed, the chair turns to speakers for and against, rotating one speaker in favor and one in opposition.

In 2016, the chair recognized 181 requests for information. The number of requests for information in previous recent years was: 219 in 2013, 223 in 2014 and 219 in 2015.

Should the proposed amendment pass, it would supersede *Robert’s Rules of Order*. Under the amendment, requests for information would be taken in rotation along with speakers for and against the motion. Thus, such requests would no longer take precedence in the speaking order. Speakers would be called in rotation – one speaker for the motion, one speaker against the motion and one request for information. This rotation would continue until all speakers for and against and all requests for information were addressed, or until the body moved to close debate.

*Submitted by: Committee on Constitution, Bylaws and Rules*

## STANDING RULE AMENDMENT 3A

**TITLE:** To amend the speaking order process to take requests for information in the order in which they are received by the presiding officer, rather than moving them to the front of the speaking order.

### **Rule 3. Order of Business and Debate**

#### **H. Speaking Order/Closing Debate**

Requests for information shall be considered in the order in which they are received by the presiding officer. They will not take precedence over motions or debate.

No member speaking on a question may move to close debate.

A motion to close debate shall apply to no more than the single question immediately before the Representative Assembly.

Before a motion to close debate will be considered, the chair will recognize at least one speaker in support and one speaker in opposition if speakers have called in on the motion on the floor.

#### **IMPACT STATEMENT:**

NEA Standing Rule 3(B) states that “The annual session of the Representative Assembly shall be conducted in accordance with provisions of the NEA Constitution, Bylaws, and these Standing Rules. Matters not specifically governed in these documents shall be governed by *Robert’s Rules of Order Newly Revised*.” As the NEA governing documents do not address consideration of requests for information, *Robert’s Rules* governs current practice.

Under *Roberts Rules of Order*, a request for information is a request directed to the chair, or through the chair to another person, for information relevant to the business at hand. The request takes precedence and must be addressed before the chair recognizes speakers in favor or in opposition to the motion at hand. (*RONR 10<sup>th</sup> ed., p. 376*). Requests for information called in during debate immediately move to the front of the speaking order. Once all requests for information and parliamentary inquiries are addressed, the chair turns to speakers for and against, rotating one speaker in favor and one in opposition.

In 2016, the chair recognized 181 requests for information. The number of requests for information in previous recent years was: 219 in 2013, 223 in 2014 and 219 in 2015.

Should the proposed amendment pass, it would supersede *Robert’s Rules of Order*. Under the amendment, requests for information would be taken in the order they are received, along with speakers for and against the motion. Thus, if a request for information were received, the chair would continue to call on all speakers for and against already in the queue prior to the request for information. The chair would then take the request for information followed by any other speakers or requests called in after the request for information.

*Submitted by: 25 Delegates*

*Contact: Arlene Pavey, California*

## STANDING RULE AMENDMENT 4

**TITLE:** To require the chair to ask delegates if they wish to close debate after five speakers for and five against any motion.

### **Rule 3. Order of Business and Debate**

#### **H. Closing Debate**

No member speaking on a question may move to close debate.

A motion to close debate shall apply to no more than the single question immediately before the Representative Assembly.

Before a motion to close debate will be considered, the chair will recognize at least one speaker in support and one speaker in opposition if speakers have called in on the motion on the floor.

Upon hearing five speakers for and five speakers against any item under discussion, the chair shall ask the delegates if they wish to close debate.

#### **IMPACT STATEMENT:**

Standing Rule 3(H) requires the chair to recognize at least one speaker in support and one speaker in opposition to a motion before closing debate, if such speakers have called in. After at least one speaker in support and one in opposition, any delegate may move to close debate or “call the question.” Closing debate requires a two-thirds vote, although the chair may ask the body if they wish to close debate without objection.

The proposed amendment would require the chair to call the question after the body has heard five speakers for and five in opposition to a motion. If the amendment were adopted, the chair would ask the body if they wish to close debate after five speakers for and five against the motion, even if no delegate moved to call the question. Closing debate would still require a two-thirds vote.

*Submitted by: 25 Delegates*

*Contact Person: Dean Beckett, Pennsylvania*



## STANDING RULE AMENDMENT 5

**TITLE:** To change the language used to indicate opposition to a motion from “no” to “aye.”

### **Rule 3. Order of Business and Debate**

#### **New Section I. Voting on the Question**

When taking the vote on any question before the representative assembly, the presiding officer shall ask those who are in support of the question to say “aye” followed by asking those who oppose the question to say “aye.”

#### **IMPACT STATEMENT:**

Under current practice, the chair asks delegates to signal their position on a motion before the body by voice vote – with delegates in favor saying “aye” and delegates opposed saying “no.” If the chair is in doubt as to the outcome, a second voice vote is called, followed by a standing vote if the chair remains in doubt.

The proposed amendment would change the language for indicating opposition to a motion from “no” to “aye.” Thus, the chair would ask delegates in favor to say “aye” and would then ask those opposed also to say “aye.”

*Submitted by: 25 Delegates*

*Contact Person: Donald Traxler, Ohio*

## STANDING RULE AMENDMENT 6

**TITLE:** To provide the maker of a motion to bundle and refer new business items one minute to explain the rationale for bundling.

### **Rule 3. Order of Business and Debate**

#### **M. Motion to Refer**

The vote on a motion to refer shall be in order only after the maker of the original motion has been given the opportunity to speak to the referral.

When a motion is made to combine or bundle new business items for referral to committees, the chair shall give the maker one (1) minute to explain the rationale to bundle. The chair will then ask the makers of each NBI if they support referral. The maker of each NBI shall be given one minute to explain whether they support or oppose referral.

#### **IMPACT STATEMENT:**

Standing Rule 3(M) states that a vote on a motion to refer any item of business before the body is in order only after the maker of the original motion has been given the opportunity to speak to the referral. Standing Rule 3(N) allows that any Standing Rule may be suspended without notice by a two-thirds vote of those present and voting.

The Representative Assembly currently may vote to suspend the rules to group multiple new business items together for the purpose of referral to an appropriate committee. In 2016, the Representative Assembly adopted an amendment to Standing Rule 3(M) allotting the maker of each NBI proposed for grouped referral one minute to speak in favor or against the referral.

The proposed amendment would provide the maker of a motion to bundle and refer a group of NBIs one minute to explain the rationale for bundling. If the amendment were adopted, the chair would give the maker of a motion to bundle one minute to explain his or her rationale before calling on the makers of the items proposed for bundling to speak in favor or against referral.

*Submitted by: 25 Delegates*

*Contact Person: Sonia Galaviz, Idaho*

## STANDING RULE AMENDMENT 7

**TITLE:** To allow one minute of speaking time to each maker of new business items proposed for bundling and approval by the body, as well as one minute of speaking time to a delegate in opposition to each item proposed for bundling.

### **Rule 3. Order of Business and Debate**

#### **New Section N. Motion to Bundle for Approval**

Whenever there is a motion to suspend the rules for the purpose of bundling new business items for approval, the chair will allow the maker of the new business items one minute to speak for, and recognize a speaker for one minute against, each new business item.

#### **IMPACT STATEMENT:**

Under current practice, a delegate may move to suspend the rules for the purpose of bundling new business items, either for referral to committee or for adoption by the body. Any such motion requires a two-thirds vote. Under Standing Rule 3(M), if a motion is made to bundle and refer new business items, the makers of each item proposed for referral are allotted one minute to speak in favor or against referral. A motion to bundle and approve a group of new business items is not subject to this requirement.

The proposed amendment would allot one minute of speaking time to the maker of each new business item proposed for bundling and adoption. In addition, it would allot one minute of speaking time to a delegate in opposition to each item. If the amendment were adopted, once a motion were made to suspend the rules for the purpose of grouping and adopting several new business items, the chair would call on the maker of the first item to speak, followed by a speaker in opposition to the item, if there were any such delegate. The chair would proceed in this manner for each item proposed for bundling. Once each maker and a delegate in opposition to each item had spoken for up to one minute, the chair would call for a vote on the motion to suspend the rules. If the motion passed, the NBIs in question would be adopted. If the motion were defeated, the NBIs would remain in the queue for individual consideration.

*Submitted by: 25 Delegates*

*Contact Person: Ross Hickman, Georgia*

## STANDING RULE AMENDMENT 7A

**TITLE:** To strike language requiring that a vote on the budget occur after consideration of all new business items.

### **Rule 4. Reports**

#### **D. Report of the Committee on Program and Budget**

Appropriation requests shall be considered by the Representative Assembly at the time of the adoption of the budget. The adoption of the budget shall be by vote of the Representative Assembly ~~after consideration of all new business items.~~

#### **IMPACT STATEMENT:**

NEA Bylaw 4-1 gives authority to the president to set the program for the Annual Meeting and Representative Assembly. Standing Rule 4(D) addresses consideration by the Representative Assembly of the Association's Strategic Plan and Budget, requiring that a vote on the budget occur only after all new business items have been considered. Under the current rule, debate and vote on the budget take place toward the end of the final day of the Representative Assembly.

If adopted, the amendment would strike language requiring completion of all debate on new business items prior to the vote on the budget. The amendment would provide flexibility to the president to place consideration of the budget at an appropriate time in the Representative Assembly program, under the general authority set forth in Bylaw 4-1. As always, the full program schedule, including consideration of the budget, would be printed in the RA program booklet.

*Submitted by: NEA Board of Directors*

## STANDING RULE AMENDMENT 7B

**TITLE:** To change from 25 to 50 the number of signatures required for submission of an amendment to the NEA Standing Rules by petition of delegates.

### **Rule 5. Amendments to the NEA Constitution, Bylaws, and Standing Rules**

#### **C (1)(a). Amendments to Standing Rules. Proposal of Standing Rule Amendments; Petition of Delegates**

Amendments to the Standing Rules may be proposed to the Representative Assembly by one or more of the following methods:

- (a) **Petition of Delegates** – petition signed by at least ~~twenty-five (25)~~ fifty (50) certified delegates and submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly.
- (b) **State Delegation** – a state delegation in the Representative Assembly whose concurrence in the proposed amendment is evidenced either by a majority vote of those delegates present and voting in such delegation at a regularly called meeting of the delegation held in connection with the Annual Meeting or by petition signed by a majority of the members of such delegation. Proposals shall then be submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly.
- (c) **NEA Board of Directors** – majority vote of the NEA Board of Directors and submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly.
- (d) **Committee on Constitution, Bylaws, and Rules** – a majority vote of the Committee on Constitution, Bylaws, and Rules.

**IMPACT STATEMENT:** The NEA Standing Rules set forth requirements for submission of all Representative Assembly business, including new business items; amendments to the legislative program, resolutions and policy statements; and amendments to the NEA Constitution, Bylaws and Standing Rules. Delegates may submit business to the Committee on Constitution, Bylaws and Rules via petition as follows:

- Amendments to the NEA Standing Rules by petition signed by at least 25 delegates (Standing Rule 5(C))
- New business items by petition signed by at least 50 delegates (Standing Rule 6(A)).
- Amendments to the NEA Legislative Program by petition signed by at least 50 delegates (Standing Rule 8(A)).
- Amendments to NEA Policy Statements by petition signed by at least 50 delegates (Standing Rule 9(D)).
- Amendments to the NEA Constitution and Bylaws by petition signed by at least 50 delegates or by petition signed by at least one hundred (100) Active members from two (2) or more states (Constitution Article IX, Section 1)

If adopted, the amendment would increase from 25 to 50 the required number of petition signatures for submission of amendments to the NEA Standing Rules. The Committee on Constitution, Bylaws and Rules would provide updated signature forms for submission of amendments, starting with those submitted at the 2017 Representative Assembly for consideration by the 2018 Representative Assembly.

*Submitted by: NEA Board of Directors*

**STANDING RULE AMENDMENT 8**

**WITHDRAWN**

## STANDING RULE AMENDMENT 9

**TITLE:** To allow deferral of consideration of a new business item if a majority of the maker's state delegation is not present due to voting.

### **Rule 6. New Business Items**

#### **New Section I. Deferral of Consideration**

The maker of a new business item shall be able to defer consideration of their new business item if a majority of their state delegation is not present due to voting.

#### **IMPACT STATEMENT:**

Election dates and times are governed by the NEA Standing Rules:

- Standing Rule 11(B)(7)(b) states that first ballot elections for NEA office "shall be on the second day of the Representative Assembly. Polls for voting on the first ballot shall be open from 8:30 a.m. to 12 noon on election day at such place or places as the President may designate."
- Standing Rule 11(B)(7)(i) states that "polls for voting on amendments shall be open from 8:30 a.m. to 12 noon on the third day of the Representative Assembly at such place or places as the President shall designate."
- Standing Rule 11(B)(7)(m) states that "The Representative Assembly shall not recess until the results of the election are certified and presented to the Assembly on the day of an election."

Timing of the consideration of new business items is also governed by NEA Standing Rules. Specifically, Standing Rule 3(D) requires that, "items of new business submitted in accordance with these Standing Rules shall be the first business item at all business meetings except the first business meeting of the Representative Assembly. These new business items shall be considered for at least one hour at the second business meeting and for at least 90 minutes at each subsequent meeting." Under this Standing Rule, new business is considered for at least 90 minutes on the mornings of the second and third days, at the same time elections are conducted pursuant to Standing Rule 11.

The proposed amendment would allow a maker to defer consideration of a new business item if a majority of the maker's state delegation is not present due to voting. If the amendment were approved, a maker could make a request to defer upon being called to move the item. If the conditions for deferral were met (the absence of a majority of the maker's delegation due to voting), the chair would move to the next business item. The specific time for returning to consideration of the deferred item would be in the chair's discretion.

*Submitted by: 25 Delegates*

*Contact Person: Denise Butler, Washington*

## STANDING RULE AMENDMENT 10

**TITLE:** To require that any vacancy on the Resolutions Committee in a slot held by an elected ethnic minority member be filled by an elected ethnic minority alternate member if available.

### **Rule 7. Resolutions Committee and Procedure**

#### **B (7). Resolutions Committee - Vacancies Between Representative Assemblies**

The procedure for filling vacancies on the Resolutions Committee between meetings of the Representative Assembly shall be as follows: If the number of vacancies exceeds the number of alternates elected to fill vacancies, additional alternates shall be appointed by the governing board of the state affiliate or by the NEA Advisory Committee of Student Members, if feasible, or appointed by the president of the state affiliate or the chairperson of the NEA Advisory Committee of Student Members. Retired member vacancies shall be filled as provided in the bylaws of NEA-Retired.

In the event that a vacancy occurs by an elected ethnic minority member from an ethnic minority group, that vacancy shall be filled when available by an elected minority alternate member from an ethnic minority group.

#### **IMPACT STATEMENT:**

Standing Rule 7(B)(7) sets forth the procedure by which governing boards and/or officers may fill vacancies in elected positions on the Resolutions Committee between meetings of the Representative Assembly.

Elected positions on the Resolutions Committee include members and alternates from among:

- Each state delegation to the Representative Assembly.
- Retired delegates to the Representative Assembly.
- Student members of the Association.

Determination of the order of alternates is the prerogative respectively of state associations, NEA-Retired and the Student Program. Alternates may be ranked by order of votes, assigned as alternates for specific members or assigned in another order determined by the state association, NEA-Retired or the Student Program.

If the amendment were adopted, state associations, NEA-Retired and the Student Program would be required to fill any vacancy in a position held by an elected ethnic-minority Resolutions committee member with an elected ethnic-minority alternate, when available. NEA would deem such an alternate to be available if an ethnic minority had already been elected as an alternate. If no ethnic minority had been elected as an alternate, state associations, NEA-Retired or the Student Program could then fill the vacancy in accordance with their own procedures and practices.

The requirement would not apply to vacancies arising among at-large committee members in the categories of education support professional, classroom teacher in higher education, administrator or ethnic minority. These at-large seats are appointed as necessary by the president, rather than elected, to ensure proportional representation in each employment category, and to ensure that ethnic minorities comprise at least twenty (20) percent of the committee.

*Submitted by: 25 Delegates*

*Contact Person: Penny Lee-Cox, Illinois*



## STANDING RULE AMENDMENT 11

**TITLE:** To strike language providing that NEA policy statements supersede NEA resolutions and that resolutions must be changed editorially to conform to positions addressed in policy statements.

### Rule 9. Policy Statements

#### C. Effect of Adopted Policy Statements

If a policy statement is adopted by the Representative Assembly, any ~~resolution~~, new business item, or provision in the Legislative Program that deals with the subject addressed in the policy statement shall be editorially changed to accommodate the positions taken in the policy statement. Any ~~resolution~~, new business item, or provision in the Legislative Program that deals with a subject addressed in an adopted policy statement shall be accompanied by a notation indicating that NEA's position with regard to the subject in question is set forth in full in the policy statement and that the policy statement is controlling and supersedes all other NEA pronouncements dealing with that subject except resolutions.

An adopted policy statement shall continue in force unless and until further action is taken with regard to that policy statement by a subsequent Representative Assembly.

#### IMPACT STATEMENT:

Prior to 2003, the NEA Representative Assembly (RA) maintained three primary areas of formally adopted NEA policies and actions: resolutions, new business items and the Legislative Program. None of these three were considered to control or supersede the other two. Through deliberations of the RA, the will of the body was determined by giving precedence to the position taken the last time the RA gave substantive consideration to (i.e., debated) the point at issue. For example, if the RA adopted an amendment to the Legislative Program that changed a position taken in an existing resolution, passage of the Legislative amendment would effectively represent the last time that the RA gave substantive consideration and, as such, precedence to the point at issue.

To allow NEA to act comprehensively on a particular issue of significance, rather than in a piecemeal fashion through separate and potentially conflicting new business items and amendments to resolutions and the Legislative Program, the RA adopted a standing rule in 2003 to establish the definition of, and process for, consideration of policy statements. Under Standing Rule 9 today, a policy statement will often operate as a single statement of NEA policy and actions on an issue of significance incorporating provisions that otherwise would have been dealt with separately in resolutions, new business and the Legislative Program. By definition, a policy statement sets forth NEA's positions with regard to a particular subject and may include expressions of opinion, intent or belief (reflecting, in part, NEA's definition of a resolution); may call for actions that are specific in nature and terminal in application (reflecting the purpose and scope of a new business item); and may indicate support for or opposition to federal legislation (reflecting the intent of the Legislative Program). Standing Rule 9 further establishes that policy statements are controlling and supersede resolutions, new business items and the Legislative Program, and sets forth procedures by which these policies must be aligned editorially to accommodate positions taken in an existing or newly adopted policy statement.

If this amendment were adopted, policy statements would continue to control and supersede new business items and the Legislative Program, requiring any new business item or provision in the Legislative Program that addresses a subject contained in a policy statement to be editorially changed to accommodate the positions taken in the policy statement. However, this would not apply to resolutions. As such, neither policy statements nor resolutions would control or supersede one another, and proposed amendments to resolutions or proposed new resolutions could be recommended by the Resolutions Committee to and adopted by the RA that would effectively change a position taken in a policy statement.

Through deliberations of the RA, the will of the body would continue to be determined by giving precedence to the position taken the last time the RA gave substantive consideration to (i.e., debated) the point at issue. For example, if the RA adopted a policy statement that changed a position taken in an existing resolution, passage of the policy statement would effectively represent the last time that the RA gave substantive consideration and, as such, precedence to the point at issue. The converse of this would also be true, whereby if the RA adopted a resolution that changed a position taken in an existing policy statement, passage of the resolution would effectively represent the last time that the RA gave substantive consideration and, as such, precedence to the point at issue.

If adopted, the amendment would not impact Standing Rule 9(D), which would remain in effect. That provision states that, at the RA, the Committee on Constitution, Bylaws and Rules shall treat as a policy statement amendment any proposed resolutions amendment that would have the effect of changing a position taken in an adopted or a proposed policy statement, and that any such amendment shall be acted upon when policy statements are being considered by the RA.

*Submitted by: 25 Delegates*

*Contact Person: Geoff Mize, Ohio*

## STANDING RULE AMENDMENT 12

**TITLE:** To prohibit the distribution, display or posting of any materials promoting passage or defeat of a Constitutional or Bylaw amendment at polling places or in locations visible from polling places on election day.

### **Rule 11. Elections Conducted at the Representative Assembly**

#### **B (3). Procedures – Campaign Materials**

No campaign materials may be distributed, posted, or displayed within the seating area of the auditorium or where they are visible from the seating area while the Representative Assembly is in session, provided that this prohibition shall not apply to the wearing of T-shirts, hats, pins, buttons, and the like.

No campaign materials or materials promoting passage or defeat of any Constitutional or Bylaw amendment, including T-shirts, hats, pins, buttons, and the like, shall be distributed, posted, or displayed at the polling places or where they are visible from the polling places on election day.

#### **IMPACT STATEMENT:**

Standing Rule 11(B)(3) addresses the display of campaign materials at polling places on election day, specifically prohibiting the distribution, posting or display of campaign materials, including T-shirts, hats, pins, buttons, and the like, at the polling places or where they are visible from the polling places on election day. Campaign materials are defined under Standing Rule 13(G) as items that have the purpose or effect of promoting the candidacy of an individual for NEA office.

The proposed amendment would extend the prohibition on materials at polling places to those promoting passage or defeat of any Constitutional or Bylaw amendment. If the amendment were adopted, any materials in support of or opposition to a Constitutional or Bylaw amendment – including hats, pins, buttons and the like – would be prohibited at or near polling places on election day. The amendment would not impact display or distribution of materials on the Representative Assembly floor.

*Submitted by: Committee on Constitution, Bylaws and Rules*