

**Proposed Amendments to the NEA Constitution, Bylaws and Standing Rules  
For Vote by the 2018 Representative Assembly**

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

**CONSTITUTIONAL AMENDMENT 1**

**TITLE:** To open NEA membership to public education allies while preserving NEA governance positions for education professionals and active equivalents.

**Article II. Membership**

**Section 2. Membership Eligibility: Provisions and Limitations.**

a. Membership, as provided in the Bylaws, shall be open to persons who are: (i) engaged in the profession of teaching or in other educational work; or (ii) members of a state affiliate in the state affiliate's membership category that is equivalent to the Association's Active membership category; or (iii) persons interested in advancing the cause of public education. All members of the Association shall agree to subscribe to the goals and objectives of the Association and to abide by its Constitution and Bylaws.

b. Members engaged in teaching or in other educational work shall adhere to the *Code of Ethics of the Education Profession*.

c. An application for membership shall be subject to review as provided in the Bylaws.

d. The Association shall not deny membership to individuals on the basis of race, color, national origin, creed, gender, sexual orientation, age, handicap, marital status, or economic status, nor shall any organization which so denies membership be affiliated with the Association.

e. Persons interested in advancing the cause of public education who are granted membership pursuant to section 2a(iii) above and who are not eligible for any other category of membership shall not have the right to serve as officers of the Association, as members of the Board of Directors, or as delegates to the Representative Assembly.

**IMPACT STATEMENT:**

Article II, Section 2 of the NEA Constitution sets out the eligibility parameters for membership in the Association. Currently, membership is open to persons who are engaged in the education profession or are members of a state affiliate in a category equivalent to the Association's Active membership category. Within the parameters set forth in the Constitution, NEA Bylaw 2-1 further defines six membership categories -- Active, Student, Retired, Substitute, Reserve, and Staff.

If adopted, the amendment would open membership to other persons interested in advancing the cause of education. The amendment would further prohibit individuals eligible for membership only under this new category from serving as Association officers, members of the Board of Directors, or delegates to the Representative Assembly.

Specific details of the new membership category, including the rights and benefits afforded to such members, would be established via amendments to the NEA Bylaws and other appropriate policies.

*Submitted by: Majority Vote of the Board of Directors*

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## CONSTITUTIONAL AMENDMENT 2

**TITLE:** To change the allocation of delegates to the Representative Assembly.

### Article III. Representative Assembly

#### Section 2. Allocation of Delegates.

a. Except as otherwise provided in Subsection (c) below, allocation of delegate credentials to state affiliates shall be based on the ratio of 1:1,000 Active members of the Association within the state. No state shall receive fewer than fifteen (15) delegate credentials. Other delegate credentials shall be allocated as provided in the Bylaws. Beginning with the 2022 Representative Assembly, the allocation of delegates under this subsection will be based on a ratio of 1:1,200 Active members of the Association and no state shall receive fewer than eight (8) delegate credentials.

b. Except as otherwise provided in Subsection (c) below, allocation of delegate credentials to local affiliates shall be based on the ratio of 1:150 Active members of the Association or major fraction thereof. Local affiliates within a state may similarly join together to form membership units for the purpose of representation. Allocation of delegate credentials for such clustered local affiliates shall be based on the ratio of 1:150 Active members of the Association or major fraction thereof. Beginning with the 2022 Representative Assembly, the allocation of delegates under this subsection will be based on a ratio of 1:300 Active members of the Association.

c. The ratios to be used for the allocation of delegate credentials to state affiliates, dual-national state affiliates, and dual national local affiliates shall be proportionately adjusted to reflect the reduction in Association dues paid by Active members of such affiliates pursuant to Bylaw 2-7.m., provided that this Article III, Section 2 (c) shall not apply to Active members of a dual national local affiliate (i) in a state that does not have a dual-national state affiliate, and (ii) that became affiliated with the Association as a dual-national local affiliate prior to September 1, 1999.

d. The Bylaws shall define the term ethnic minority and shall seek to achieve ethnic-minority representation in the Representative Assembly.

#### IMPACT STATEMENT:

Article III, Section 2 of the NEA Constitution provides for the allocation of state and local delegates to the Representative Assembly. Under this section, state affiliate delegate allocations are based on a ratio of one delegate for every 1,000 Active members, with no state receiving fewer than fifteen delegate seats. Local affiliate delegate allocations are based on a ratio of one delegate for every 150 members or major fraction thereof.

If adopted, the amendment would change the ratios and minimum delegate allocations beginning with the 2022 Representative Assembly. State affiliate delegate allocations would be based on a ratio of one delegate for every 1,200 members, with no state receiving fewer than eight delegates. Local affiliate allocations would be based on a ratio of one delegate for every 300 members.

In 2017, the total number of allocated state plus local delegate seats was 16,327 (2,288 state and 14,039 local) based on the current ratios provided under the Constitution. Under the ratios proposed by the amendment the number of allocated state and local delegate seats in 2017 would have been 7,947 (1,846 state and 6,101 local). In 2017, a total of 7,191 delegates attended the RA. This included state and local delegates plus retired, student, and ex officio delegates. Because future membership totals are not known, it is not possible to estimate the number of allocated seats for 2022, when the amendment would go into effect.

*Submitted by: 50 Delegates*

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## CONSTITUTIONAL AMENDMENT 3

**TITLE:** To replace the word student with the term “Aspiring Educator” when referring to student members.

### Article III. Executive Officers

#### Section 3. Election of Delegates

b. 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 as an at-large director or a retired or ~~student~~ aspiring educator director 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~~ Aspiring Educators shall constitute election to the Representative Assembly for all purposes except voting in elections for Association officers....

### Article III. Executive Officers

#### Section 6, Committees

All appointive bodies of the Association except the Review Board shall be designated by the term committee. A Committee on Constitution, Bylaws, and Rules shall be established by the Representative Assembly. All other committees shall be established or discontinued as provided in the Bylaws. All committees except the Advisory Committee of ~~Student Members~~ Aspiring Educators shall be comprised of at least one (1) classroom teacher and one (1) education support professional. There shall be a minimum of twenty (20) percent ethnic minority representation on each committee.

### Article V. Board of Directors

#### Section 1. Composition

The Board shall consist of (a) at least one (1) director from each association affiliated with the Association as a state affiliate, (b) six (6) directors for the Retired members of the Association, and (c) three (3) directors for the ~~Student~~ Aspiring Educator members of the Association....

The executive officers and other members of the Executive Committee shall be members of the Board of Directors ex officio....

h. ~~Student~~ Aspiring Educator and retired representation on the Board of Directors shall not be computed in determining the representation entitlements of administrators, classroom teachers in higher education, or Active members employed in education support professional positions.

### Article V. Board of Directors

#### Section 2. Terms of Office

b. NEA state and at-large directors shall serve no more than two (2) terms. Prior service as a ~~student~~ an aspiring educator director shall not be counted toward the two (2) term limit for state and at-large directors....

f. One (1) ~~student~~ aspiring educator director shall serve a term of two (2) years and two (2) ~~student~~ aspiring educator directors shall serve terms of one (1) year. No ~~student~~ aspiring educator director may serve more than two (2) years. The directors shall be ~~student~~ Aspiring Educator members of the Association.

#### IMPACT STATEMENT:

In 2017, delegates to the Representative Assembly approved a New Business Item changing the name of the NEA Student Program to “NEA Aspiring Educators” beginning with the 2018-2020 Budget.

The amendment would update language in the NEA Constitution, changing the term “student” to “aspiring educator” only where referring to student members of the Association. The amendment would not change any references, including in the preamble to the Constitution, where “student” refers not to Association members but to the students educated by NEA members. The amendment would also not change the student membership category, established under Bylaw 2-1(a).

*Submitted by: 50 Delegates*

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**CONSTITUTIONAL AMENDMENT 4**

**WITHDRAWN**

## CONSTITUTIONAL AMENDMENT 5

**TITLE:** To establish the Representative Assembly as the only body to recommend or endorse presidential candidates for both the primary and general election.

### **Article III. Representative Assembly**

#### **Section 7. Functions**

j. Recommend, endorse, or actively choose not to recommend or endorse, a candidate for President of the United States during both the primary and general election process. Any recommendation, endorsement, or other action carrying the weight of a recommendation or endorsement by any other person or body in NEA shall not constitute a recommendation, endorsement, or official position of NEA.

#### **IMPACT STATEMENT:**

Article III, Section 7, sets out the functions of the Representative Assembly, including:

- a. Establish Association policies and objectives;
- b. Elect the President, the Vice-President, the Secretary-Treasurer, the at-large members of the Board of Directors, and the members of the Executive Committee;
- c. Adopt the budget;
- d. Establish dues;
- e. Approve or ratify the establishment of subsidiary corporate structures;
- f. Exercise final authority in all matters of the Association;
- g. Amend this Constitution and the Bylaws in accordance with Article IX hereof;
- h. Adopt the rules and agenda governing its meetings; and
- i. Enact such other measures as may be necessary to achieve the goals and objectives of the Association which are not in conflict with the Charter, this Constitution, or the Bylaws.

The Representative Assembly currently has authority to establish a procedure for the recommendation of presidential candidates, and has exercised such authority through the NBI process to establish the current process. This process is set out in the Guidelines for the NEA Fund for Children and Public Education, as adopted by the NEA Board of Directors.

For a primary recommendation, the Guidelines provide that, at any time, the NEA Fund Council may recommend the official primary election recommendation of a Presidential candidate or candidates to the NEA Board of Directors. Concurrence of the Fund Council's recommendation by the NEA Board requires 58 percent of those voting. An NEA primary recommendation of one or multiple candidates requires the concurrence of the appropriate state association governance body before implementation and before any NEA resources can be expended on behalf of the recommended candidate in that state.

For the general election, the Guidelines provide that, at any time, the Fund Council may put before Representative Assembly delegates the recommendation for a Presidential candidate. Delegates may vote either by a secret mail ballot or appropriate electronic means, or by secret ballot at the NEA RA. If the official ballot contains three options (e.g., two candidates and "no recommendation"), a majority of those voting is required for recommendation. If the official ballot contains two options (e.g. a "yes" or "no" choice), 58 percent of those voting is required for recommendation.

If adopted, the amendment would require that only the Representative Assembly itself recommend, endorse, or actively choose not to recommend or endorse a candidate for President of the United States during both the primary and general election process. The amendment would further provide that any action carrying the weight of a recommendation or endorsement by any other person or body would not constitute an official recommendation, endorsement, or position of NEA.

If the amendment is adopted, the PAC Council and other appropriate governing bodies will determine the timing of sending primary and general election recommendations elections to the Representative Assembly.

*Submitted by: 50 Delegates*

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## CONSTITUTIONAL AMENDMENT 6

**TITLE:** To move the deadline to submit a proposed amendment to the Constitution from the end of the previous RA to 120 days preceding the RA.

### **Article IX. Amendment of Constitution and Bylaws Section 2. Amendment of the Constitution**

A proposed amendment to the Constitution shall be presented in writing to the Committee on Constitution, Bylaws, and Rules ~~and read by title to the Annual Meeting immediately prior to its proposed adoption~~ postmarked no later than one hundred twenty (120) days preceding the Annual Meeting. Documentation of timely submission of an amendment shall be the responsibility of the contact person for the amendment, provided that the time of submission of an amendment that is proposed by a majority vote of the NEA Board of Directors shall be when the language of the amendment is approved by the Board of Directors.

#### **IMPACT STATEMENT:**

Robert's Rules of Order states that Article IX of the NEA Constitution sets out the requirements for submission of amendments to the NEA Constitution and Bylaws. Under Section 2, amendments to the Constitution must be submitted in writing to the Committee on Constitution, Bylaws, and Rules one year in advance of their consideration. The titles of amendments submitted to the Committee are read to the Representative Assembly in the year they are submitted and are then published and sent to all members via *NEA Today*, along with impact statements, the following spring.

Under Section 3, amendments to the NEA Bylaws must be submitted to the Committee on Constitution, Bylaws, and Rules postmarked no later than 120 days preceding the Annual Meeting. This deadline falls in early March. Amendments to the Bylaws are published and sent to all members via *NEA Today*, along with impact statements, in the spring - at least sixty days prior to their consideration at the Representative Assembly.

NEA Standing Rule 5.C.2 sets the deadline for amendments to the Standing Rules at 120 days preceding the Annual Meeting. Amendments to the Standing Rules are published and sent to all members via *NEA Today*, along with impact statements, in the spring - at least sixty days prior to their consideration at the Representative Assembly.

If adopted, the amendment would strike language requiring submission of amendments to the Constitution a year in advance and would, instead, align the deadline with that for amendments to the Bylaws and NEA Standing Rules. The deadline for submission of Constitutional Amendments would fall in early March, on the same day as the deadline for Bylaw and Standing Rule amendments. All proposed amendments to the Constitution, Bylaws, and Standing Rules would continue to be printed in the spring issue of *NEA Today* and sent to all members.

*Submitted by: 50 Delegates*

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## BYLAW AMENDMENT 1

**TITLE:** To create a new membership category of “community ally” and charge the NEA Board of Directors with establishing the dues, benefits and services for such members, while preserving NEA governance positions for education professionals and active equivalents.

### Bylaw 2. Membership

#### 2-1. Categories

- a. There shall be seven (7) categories of membership in the Association: Active, Student, Retired, Substitute, Reserve, Community Ally, and Staff.
  
- g. Community Ally membership shall be open to any person who demonstrates support in advancing the cause of public education, who advocates for the mission, vision, and core values of the Association, and who is not eligible for any other membership category. The NEA Board of Directors shall establish the dues, benefits, and services for such members, including the qualifications and application process for such membership. Community Ally members shall not have the right to vote, nominate candidates for elected office, or hold elected or appointed positions within the Association.

#### 2-7. Membership Dues

- i. Dues of Community Ally members shall be established by the Board of Directors.

#### IMPACT STATEMENT:

Bylaw 2-1 establishes six categories of membership in the Association – Active, Student, Retired, Substitute, Reserve, and Staff. If adopted, the amendment would create a seventh membership category for Community Allies.

The amendment defines community ally membership as open to any person who demonstrates support in advancing the cause of public education, who advocates for the mission, vision, and core values of the Association and who is not eligible for any other membership category. It also directs the Board of Directors to establish the dues, benefits, and services for Community Ally members, including the qualifications and application process for such membership. Community Ally members would not have the right to vote, nominate candidates for elected office, or hold elected or appointed positions within the Association.

Article IX, Section 4 of the NEA Constitution provides that amendments to the NEA Constitution and Bylaws take affect at the beginning of the fiscal year following their adoption unless otherwise provided in the amendment. Thus, if adopted by the 2018 Representative Assembly, the new membership category would become effective on September 1, 2018. However, the Committee on Constitution, Bylaws, and Rules notes that there will, by necessity, be a lag time in implementation, as the Board will need to adopt the required guidelines and staff will need to develop appropriate materials and administrative practices. Full implementation and enrollment of new members could, therefore, take up to a year.

Standing Rule 5.B.2. states that a proposed amendment to the Bylaws which is dependent upon adoption of a proposed amendment to the Constitution shall be deemed to have failed unless the proposed amendment to the Constitution is adopted. Passage of this Bylaw amendment is dependent on adoption of Constitution Amendment 1, which would open NEA membership to public education allies while preserving NEA governance positions for education professionals and active equivalents. Thus, if Constitutional Amendment 1, which needs a two-thirds vote to pass, fails, this Bylaw amendment will also be deemed to have failed regardless of the actual vote on the Bylaw amendment.

*Submitted by: Majority Vote of the Board of Directors  
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## BYLAW AMENDMENT 2

**TITLE:** To replace the word student with the term “Aspiring Educator” when referring to student members.

### **Bylaw 2. Membership**

#### **2-1 Categories**

a. There shall be six (6) categories of membership in the Association: Active, ~~Student~~ Aspiring Educator, Retired, Substitute, Reserve, and Staff.

c. ~~Student~~ Aspiring Educator membership shall be open to any ~~student~~ aspiring educator (i) who is enrolled in a postsecondary program that is preparatory for employment in a position that would make him or her eligible for Active membership or (ii) who is serving as chairperson of the NEA Advisory Committee of Aspiring Educators ~~Student Members~~. A ~~student~~ An aspiring educator who is eligible for Association membership in both the ~~Student~~ Aspiring Educator and Active membership categories may, with the approval of the Executive Committee, join the Association as a ~~Student~~ an Aspiring Educator member. ~~Student~~ Aspiring Educator members shall be eligible to be voting delegates at the Representative Assembly. ~~Student~~ Aspiring Educator members shall maintain membership in the state affiliate provided the affiliate has a membership category for ~~student~~ aspiring educator members.

#### **2-7 Membership Dues**

c. The Association shall allow credit to first-year Active members who join the Association during their first year of membership eligibility, the reduction of their dues being twenty dollars (\$20) per year for each year of their membership in ~~Student~~ Aspiring Educator NEA and/or for each year of their NEA ~~Student~~ Aspiring Educator membership up to four (4) years. The first-year Active member shall provide proof of membership in ~~Student~~ Aspiring Educator NEA to be eligible for credit, and the Association shall verify NEA ~~Student~~ Aspiring Educator membership.

g. Annual dues of ~~Student~~ Aspiring Educator members shall be established by the Representative Assembly in the program budget.

n. ... The annual membership dues of ~~Student~~ Aspiring Educator members of the Association, as established pursuant to Bylaw 2-7.g, shall include one dollar (\$1.00) to be allocated to the Ballot Measure/Legislative Crises and Media Campaign Fund.

### **Bylaw 3. Representative Assembly**

#### **3-1 Allocation of Delegates**

d. Except as otherwise provided in Bylaw 3-1.k, each state affiliate shall be allocated one (1) delegate credential for the first fifty (50) ~~Student~~ Aspiring Educator members of the Association. The state affiliate shall receive a second credential when ~~Student~~ Aspiring Educator membership in the state reaches seven hundred fifty (750) and an additional credential for each five hundred (500) ~~Student~~ Aspiring Educator members thereafter. The allocation shall be on the basis of ~~Student~~ Aspiring Educator membership in the Association as of March 15 of the calendar year in which the Representative Assembly convenes.

#### **3-13 Committee Appointment, Qualifications, and Vacancies.**

a. ....The chairperson of the NEA Advisory Committee of ~~Student~~ Aspiring Educator Members shall recommend ~~student~~ aspiring educator candidates for committees.

### **Bylaw 5. Board of Directors**

#### **5-1. Election.**

a. ... ~~Student~~ Aspiring Educator directors shall be elected by duly elected ~~student~~ aspiring educator delegates to the NEA Representative Assembly.

d. Terms of the directors shall be staggered except for ~~student~~ aspiring educator directors.



### **5-3. Vacancies.**

...Recommendations to fill vacancies in the office of retired or ~~student~~ aspiring educator director shall be made by the NEA-Retired Executive Council or the Advisory Committee of ~~Student~~ Aspiring Educator Members respectively. Vacancies shall be filled by the Board of Directors when in session, or when not in session, by the Executive Committee.

### **5-6. Alternate Directors.**

a. (i) A state or the retired or ~~student~~ aspiring educator delegates to the NEA Representative Assembly may elect an alternate director to serve in the place of a state or retired or ~~student~~ aspiring educator director, as the case may be, who is unable to attend a meeting of the Board of Directors. The number of alternate directors need not equal the number of directors in a state or representing NEA-Retired or the number of ~~student~~ aspiring educator directors, but in no event shall any alternate director be designated to substitute for more than one (1) director at a meeting.

d. Prior to the opening of a Board meeting, the president of the state affiliate or the president of NEA-Retired or the chairperson of the NEA Advisory Committee of ~~Student~~ Aspiring Educator Members, or the president of NEA in the case of an at-large alternate director, may request that the alternate director be seated by the Board of Directors if the director is to be absent from that meeting.

f. An alternate director temporarily may fill a vacancy in the office of state, retired, ~~student~~ aspiring educator, or at-large director in accordance with requirements set forth in these Bylaws.

g. Service as an alternate director, whether prior to or following service as a state, at-large, ~~student~~ aspiring educator, or retired director, shall not be counted toward the two-term limit for any director position.

### **8-11 Standards for State Affiliates**

c. ... The affiliate shall require ~~Student~~ Aspiring Educator membership in the Association for its ~~student~~ aspiring educator members.

### **IMPACT STATEMENT**

In 2017, delegates to the Representative Assembly approved a New Business Item changing the name of the NEA Student Program to "NEA Aspiring Educators" beginning with the 2018-2020 Budget.

The amendment would update language in the NEA Bylaws, changing the term "student" to "aspiring educator" only where referring to student members of the Association. The amendment would not change any references where "student" refers not to Association members but to the students educated by NEA members.

*Submitted by: 50 Delegates*

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## BYLAW AMENDMENT 3

**Title:** To provide for inclusion of one state affiliate president on the NEA Committee on Program and Budget.

### **Bylaw 11. General Finance**

#### **11-7. Committee on Program and Budget**

The Committee on Program and Budget shall comprise ~~seven (7)~~ eight (8) members whose function shall be to prepare with the president, the secretary-treasurer, and the executive director the biennial budget. The vice-president and the secretary-treasurer shall be members during their terms of office. The Board of Directors shall elect at its first meeting following September 1 five (5) of its members for staggered two (2) year terms. The state affiliate presidents shall elect, following September 1, one (1) member to represent them for a two (2) year term. Members from ethnic minorities shall comprise at least twenty (20) percent of the committee. The Board shall elect additional members as appropriate to assure such ethnic-minority representation. A member elected by the Board of Directors shall serve only while a member of the Board. A member elected by the state affiliate presidents shall serve only while a state president. The secretary-treasurer shall serve as chairperson.

#### **IMPACT STATEMENT:**

Bylaw 11-7 establishes the parameters of the NEA Committee on Program and Budget, providing for a committee comprised of the NEA vice president, secretary-treasurer, and five members of the Board of Directors. The five Board members are elected by the NEA Board of Directors for staggered two year terms. The committee is charged with working with the president, secretary-treasurer, and executive director to prepare the NEA biennial budget.

If adopted, the amendment would create an additional seat on the Committee on Program and Budget for a state affiliate president. State affiliate presidents would elect a representative to the committee for a two-year term, with the caveat that the elected president would be ineligible to continue serving on the committee once his or her term as affiliate president ended.

The amendment would not change the requirement that the overall committee be comprised of at least 20 percent ethnic minority members.

*Submitted by: 50 Delegates*

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## BYLAW AMENDMENT 4

**TITLE:** To replace language requiring the scheduling of an open hearing on the proposed budget during the Annual Meeting with language permitting the scheduling of such a hearing following Board transmission of the budget to affiliates and others.

### **Bylaw 11. General Finance**

#### **11-9. Budget**

b. The president, with the secretary-treasurer, the executive director, and the Committee on Program and Budget, shall prepare the proposed budget for presentation to the Executive Committee for review prior to its transmittal to the Board of Directors. In even-numbered years the budget shall be recommended to the Board of Directors at least forty-five (45) days prior to the Annual Meeting. After reviewing and tentatively approving the budget, the Board shall direct its printing. The budget shall then be transmitted not later than thirty (30) days prior to the Annual Meeting to the presidents of state and local affiliates and to others as determined by the Board of Directors. The Committee on Program and Budget shall hold at least one (1) open hearing on the proposed budget following the transmission of the budget at the Annual Meeting. The delegates may give input and make recommendations to the committee for changes in the proposed budget. The Committee on Program and Budget shall meet following the hearings to consider any change which it may wish to make prior to final action by the Board of Directors. Following such open hearings, the Board shall meet to approve the budget for transmittal to the Representative Assembly.

#### **IMPACT STATEMENT**

Bylaw 11-9 requires that the Board of Directors review and tentatively approve the budget, direct its printing, and then transmit the budget to the presidents of state and local affiliates no later than thirty days prior to the Annual Meeting, which takes place the two days prior to the Representative Assembly. The Bylaw also requires scheduling of at least one open hearing on the proposed budget at the Annual Meeting.

If adopted, the amendment would strike language requiring the scheduling of the open hearing during the Annual Meeting, replacing it with language providing flexibility to hold such a hearing at an appropriate time following the transmission of the budget. Thus, the open hearing could be scheduled at any time following Board transmission of the budget to state and local affiliates. This could potentially be a virtual hearing prior to arrival in the Representative Assembly city. The NEA president and Budget Committee would announce the timing of the hearing in advance to ensure that all members wishing to participate have the opportunity to do so.

*Submitted by: Majority Vote of the Board of Directors  
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## STANDING RULE AMENDMENT 1

**TITLE:** To require that the Executive Committee perform all duties of the Committee on Constitution, Bylaws, and Rules related to determining the outcome of business, where such business was submitted for consideration by the Committee.

### **Rule 2. Committee on Constitution, Bylaws, and Rules**

#### **B. Duties**

The committee shall initiate proposed amendments to the Constitution, Bylaws, and Standing Rules as appropriate; receive and process proposed amendments; supervise the submission and processing of new business and amendments to the Legislative Program; supervise and count roll call votes; provide advisory opinions to parliamentary questions upon the request of the presiding officer; and perform such other duties as are set forth in the Standing Rules or are requested by the President. In the event that the committee or its members bring business up for consideration by the membership, all duties related to determining the outcome of the business will be performed by the Executive Committee.

#### **IMPACT STATEMENT:**

Standing Rule 2.B. outlines the duties of the Committee on Constitution, Bylaws and Rules. These duties include supervising and counting roll call votes, providing advisory opinions to parliamentary questions upon request of the presiding officer, and performing other duties as requested by the president. Among the additional duties requested by the president in practice is assistance to the presiding officer in judging the outcome of standing votes on items of business. The committee provides the presiding officer their opinion on the outcome of such votes, but the presiding officer is not bound to accept this opinion.

The Committee on Constitution, Bylaws, and Rules may, on occasion, submit amendments to the NEA governing documents for consideration by the Representative Assembly. The chair currently has the prerogative to call upon the Executive Committee or others to perform duties related to the outcome of such amendments. If adopted, the amendment would require that, in such instances, duties related to the outcome of the item be performed by the Executive Committee instead of the Committee on Constitution, Bylaws, and Rules. Thus, should a standing vote or roll call vote be called on an item submitted by the Committee on Constitution, Bylaws, and Rules, the presiding officer would call upon the Executive Committee to offer an opinion on the standing vote or supervise and count roll call votes. In addition, the presiding officer would direct to the Executive Committee any requests for assistance on a parliamentary inquiry on any such item.

*Submitted by: 50 Delegates*

*Contact Person: George Donoghue, Kentucky*

## STANDING RULE AMENDMENT 2

**TITLE:** To strike language requiring that New Business Items be the first order of business at all business meetings except the first.

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

#### **D. Scheduling of New Business Items (NBIs)**

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.~~

#### **IMPACT STATEMENT:**

Standing Rule 3.D. requires that New Business Items be considered first at each business meeting except the first. New Business Items must be considered for at least one hour at the second business meeting and for at least 90 minutes at each subsequent meeting. Any change to this order of business requires a two-thirds vote to suspend the rules.

If adopted, the amendment would strike language requiring consideration of NBIs as the first order of business in all business sessions except the first. Thus, the presiding officer could, without a suspension of the rules, adjust the schedule to take up other business first, including amendments to the Legislative Program, Resolutions, or Policy Statements. The amendment would not change the required time allotted to consideration of NBIs at each session.

*Submitted by: 50 Delegates*

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## STANDING RULE AMENDMENT 3

**TITLE:** To require at least one screen at the Representative Assembly to display the numbers of all NBIs still eligible for debate as well as the current item being debated and its status.

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

#### **E. Display of Business**

The content of debate on any items for debate shall be displayed on all screens, including projection screens, by real-time captioning. The text of new business items will be shown on the screen. Amendments to new business items will be shown with additions inserted and underlined and deletions with a strikethrough. At least one display screen will be designated to project all NBIs still eligible for debate. The same screen will be used to identify the current NBI or amendment being debated and its status.

#### **IMPACT STATEMENT:**

Standing Rule 3.E addresses the display of business on screens during the Representative Assembly. Currently, NBI amendment language is displayed on all screens as it is being debated, with additions underlined and deletions in strikethrough text. At most other times, the speaker at the microphone is shown on the screen.

If adopted, the amendment would require the dedication of at least one screen to display the numbers of NBIs that remain eligible for debate. This would include all items not already consolidated with other items, referred to committee, or withdrawn. The amendment would also require the screen to display the number and/or letter of the item or amendment currently under debate and its status, such as “main motion,” “motion to substitute,” or “motion to amend.”

If the amendment were adopted, the RA production team would assign at least one screen to provide the requested information. This screen(s) would not show the speaker at the microphone, but would display a continually updated list of NBIs eligible for debate as well as the status of the current item. Providing such information on a continual basis could require additional staff at an additional cost to track the information and update the display in real time.

If adopted, this amendment would go into effect with the 2019 Representative Assembly, as time would be needed to identify the technology and staff resources necessary to implement it.

*Submitted by: 50 Delegates*

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## STANDING RULE AMENDMENT 4

**TITLE:** To require makers of motions to bundle NBIs for referral to committee to secure the consent of each maker and gather all makers at one microphone; and to provide each maker of an NBI proposed for such bundling one minute to speak to their item.

### 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 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. A motion to suspend the rules to bundle new business items for the purpose of referral to committee shall only be in order if the maker of the motion has, prior to making the motion, secured consent from the makers of the impacted items and gathered all makers of impacted items at the same microphone. The maker of each NBI shall be given one minute to speak on their proposed NBI, after which the chair will put the motion to a vote.~~

#### IMPACT STATEMENT:

Standing Rule 3.M. addresses the process for motions to refer items of business. The current rule requires that, when a motion is made to bundle New Business Items for referral to committee, the maker of each NBI included in the bundle must be provided one minute to explain whether they support or oppose referral.

If adopted, the amendment would strike the language providing makers of items proposed for bundling one minute to speak in favor of or against the referral. The amendment would replace this language with a requirement that any motion to bundle and refer NBIs only be in order if the maker has secured the consent of all makers of items impacted by the motion and gathered all the makers at one microphone. The amendment would also provide each such maker one minute to speak in favor of their NBI.

If the amendment is adopted, the chair will ask all delegates making motions to bundle and refer items to committee whether they have secured the consent of the individual makers and gathered the makers at the same microphone. Any maker who has not done so would be ruled out of order. If these required conditions had been met, the chair would then give each maker one minute to speak to their amendment. The chair would then call for a vote. No additional debate would be permitted after the makers had spoken.

The amendment would not impact motions to refer a single New Business Item, or motions to bundle and adopt a group of NBIs.

*Submitted by: 50 Delegates*

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## STANDING RULE AMENDMENT 5

**TITLE:** To require the playing of the song, “NEA Standing Strong” at the start of all Representative Assembly business meetings.

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

#### **New Section Q. NEA Theme Song**

At the start of all business meetings of the Representative Assembly, the NEA theme song “NEA Standing Strong” shall be played.

#### **IMPACT STATEMENT:**

NEA Bylaw 4-1 provides that the NEA president has the authority to prepare the agenda for the governing bodies of the Association and the program for the Annual Meetings. Standing Rule 3 sets out requirements for the order of business and debate.

In 1978, the Representative Assembly approved a New Business Item adopting “We Teach the Children” as the official theme song of the National Education Association. “NEA Standing Strong,” which is not the official NEA theme song, was first played at the 2012 Representative Assembly.

If adopted, the amendment would require that each business session open with the playing of the song, “NEA Standing Strong.” The Committee on Constitution, Bylaws, and Rules interprets the amendment as requiring playing the song prior to the opening of the RA on the first day, so as not to interfere with the recitation of the Pledge of Allegiance, singing of the National Anthem, and invocation that traditionally open the first business session.

*Submitted by: 50 Delegates*

*Contact Person: Coleen Merritt, Connecticut*



## STANDING RULE AMENDMENT 6

**TITLE:** To require delegates with requests for information to direct those requests to other specified sources before being allowed access to the speaking queue.

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

#### **New Section Q. Requests for Information**

All requests for information on original main motions shall, before being allowed access to the speaking queue, first be directed to the maker of the motion, to a state leader (as identified by state presidents), and to the NEA RA information booth. On subsidiary motions and on modified main motions, delegates requesting points of information must first direct their question to one of the three sources above. Any delegate not following this procedure will be denied access to the speaking queue.

#### **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. 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.

If adopted, the amendment would require delegates to first seek information through other venues before calling in a request for information. Delegates requesting information about original main motions printed in the *RA Today* newspaper would have to first ask the maker of the motion, a leader in their state caucus, and staff at the RA Information Booth in the Delegate Assistance Area. If none of those sources were able to supply the requested information, the delegate would be permitted to make the request at a microphone.

Delegates seeking information on subsidiary and modified motions not printed in the *RA Today* newspaper would have to first direct their request to either the maker of the motion, a state leader, or staff at the Information Booth before calling in to make the request at a microphone.

Requests for information called in at microphones would continue to move to the top of the speaking queue, provided the delegate had followed the procedures for seeking the information through other sources prior to calling in the request.

*Submitted by: 50 Delegates*

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## STANDING RULE AMENDMENT 6A

**TITLE:** To move the deadline for NBIs submitted by petition of at least fifty delegates to close of business on the first day of the Representative Assembly. Also to create an additional avenue of NBI submission by noon on the second day by formally recognized and affiliated caucuses and councils of the NEA with petition of at least fifty delegates.

### Rule 6. New Business Items

#### A. Submission

~~Effective beginning with the 2019 Representative Assembly, new business items shall be submitted to the Committee on Constitution, Bylaws, and Rules no later than 12 noon on the second day of the Representative Assembly and shall be submitted by:~~

**(a) Petition of Delegates** – petition of at least fifty (50) delegates;

**(b) State Delegation** – a majority vote of those present and voting at a state delegation at a regularly called meeting of the delegation in connection with the Annual Meeting;

**(c) Formally recognized and affiliated caucus or council of the NEA** – petition of at least fifty (50) delegates and a majority vote of those present and voting at a Recognized NEA Caucus or Council meeting at a regularly called meeting of its membership in connection with the Annual Meeting

~~(d)~~ **(d) Governance Body** – a governance body of the NEA or a state or local affiliate; or

~~(e)~~ **(e) Committee on Constitution, Bylaws, and Rules** – the Committee on Constitution, Bylaws, and Rules pursuant to Rule 7.E.

New Business Items submitted by (a) Petition of Delegates shall be submitted to the Committee on Constitution, Bylaws, and Rules no later than the close of business on the first day of the Representative Assembly. New business items submitted by (b) State Delegation, (c) Formally recognized and affiliated NEA caucus or council, (d) Governance Body, or (e) Committee on Constitution, Bylaws, and Rules shall be submitted to the Committee on Constitution, Bylaws, and Rules no later than noon on the second day of the Representative Assembly.

#### IMPACT STATEMENT

Currently, under Standing Rule 6A, NBIs may be submitted by petition of at least 50 delegates; by a majority of those present and voting at a state delegation meeting in conjunction with the Annual Meeting; by the governance body of NEA or a state or local affiliate; or by the Committee on Constitution, Bylaws, and Rules. NBIs must be submitted no later than noon on the second day of the Representative Assembly.

If adopted, the amendment would move the deadline for NBIs submitted by petition of 50 delegates to close of business on the first day of the Representative Assembly. It would also create an additional avenue for NBI submission – by a formally recognized and affiliated caucus or council of the NEA, with petition of at least 50 delegates. Such delegates need not be members of the caucus or council. The amendment does not permit caucuses or councils to submit NBIs without an accompanying petition by at least 50 delegates. The deadline for submission of NBIs under this new subsection, by governance body of NEA or a state or local affiliate, or by the Committee on Constitution, Bylaws, and Rules would remain noon on the second day.

If adopted, the amendment would require delegates wishing to submit NBIs by petition of 50 delegates to do so no later than close of business on the first day. Delegates not able to meet this deadline would need to seek approval of a state delegation, formally recognized and affiliated caucus or council, or governing body of NEA or affiliate to submit the NBI up until noon on the second day.

Formally recognized caucuses are internal entities recognized by NEA for the sole purpose of attempting to influence NEA governance. Requests for recognition are granted by the NEA Executive Committee if the group is comprised entirely of NEA members and consists of at least 25 members; and has purposes that are not inconsistent with the Preamble to the NEA Constitution and NEA Mission Statement. Formally recognized and affiliated councils are the National Council of Education Support Professionals, National Council of Higher Education, NEA-Retired Executive Council, and National Council of Urban Education Associations.

*Submitted by: Majority Vote of the Board of Directors*

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## STANDING RULE AMENDMENT 7

**TITLE:** To limit the total cost of adopted new business items to 30 percent of the budgeted contingency fund.

### **Rule 6. New Business Items (NBIs)**

#### **New Section N. Total Costs**

The cost implications of all passed new business items cannot exceed 30 percent of the contingency fund for that year.

#### **IMPACT STATEMENT:**

NEA Standing Rule 6(H) provides for a five member committee responsible for reviewing submitted new business items, making a preliminary estimate of the cost of each item, and determining whether the item is covered in the program budget. Projected implementation costs are printed along with the text and rationale of each new business item in the *RA Today*. As the Representative Assembly debates, amends, and adopts new business items, the costs are adjusted as needed. The total cost of adopted new business items is displayed on video screens periodically during debate.

All costs of implementing adopted new business items outside the scope of the budget are paid for out of the NEA contingency fund. Under NEA Bylaw 11-9, each budget includes a contingency fund of no less than one million dollars and no more than one percent of the budget.

The amendment would set a cap on the total cost of new business items at 30 percent of the contingency fund. From 2011 – 2017, the contingency fund was set at \$3,000,000 per year. At the proposed 30 percent, the dollar cap would have been \$900,000 per year. The total cost of adopted new business items in recent years is as follows:

2017 - \$1,062,781  
2016 - \$1,035,925  
2015 - \$1,413,422  
2014 - \$821,797  
2013 - \$196,849  
2012 - \$98,824  
2011 - \$90,754  
2010 - \$571,270

If the amendment is adopted, NEA will calculate the total dollar amount that can be spent on new business items and will track total costs as items are adopted until the cap is reached. Once the cap is reached, all remaining items with a cost attached will either have to be amended to eliminate the cost or will be ruled out of order. Amending submitted new business items to achieve zero cost could require assistance from NEA budget staff, who would have to re-cost amendments and prepare the revised NBIs for printing in the next day's *RA Today*. This process may require additional staff and resources.

*Submitted by: 50 Delegates*

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## STANDING RULE AMENDMENT 8

**TITLE:** To require state delegations to the Resolutions Committee to be comprised of at least twenty percent ethnic minority members where appropriate and possible.

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

#### **B. Composition**

The Resolutions Committee shall consist of an Internal Editing Committee of five (5) members and at least as many additional members from each state affiliate as the affiliate has NEA state directors, from among the retired delegates to the NEA Representative Assembly as the Retired members have NEA directors, and from among the Student members of the Association as the Student members have NEA directors. The chairperson, vice-chairperson, and secretary of the Internal Editing Committee shall serve as chairperson, vice-chairperson, and secretary of the full Resolutions Committee. Where appropriate, state delegations shall, if at all possible, be comprised of at least twenty (20) percent ethnic minority members to the Resolutions Committee.

#### **IMPACT STATEMENT:**

Standing Rule 7.B sets out the composition of the NEA Resolutions Committee, providing for a five-member Internal Editing Committee and as many members from each state affiliate as the affiliate has NEA state directors. The Rule also provides for Retired and Student members of the Resolutions Committee equal to the number of NEA Directors from those constituencies. Standing Rule 7.B.3 provides for appointment by the president of At-Large members of the Resolutions Committee to assure compliance with the requirements set forth in the NEA Constitution, Article V, Section 1(d), (e), and (f), which provide for proportional representation on the NEA Board of Administrators, Classroom Teachers in Higher Education, and Education Support Professionals. Standing Rule 7.B.3 requires that ethnic minorities comprise at least twenty percent of the Resolutions committee. Furthermore, Standing Rule 7.B.8 requires, in relevant part, that in the event that the first three members from a state do not include at least one ethnic minority, the fourth member shall be from an ethnic-minority group.

The 2017–2018 Resolutions Committee is approximately 38 percent ethnic minority, and therefore meets the requirements of Standing Rule 7.B.3. Ten states are allocated four or more positions on the committee, and must therefore adhere to Standing Rule 7.B.8, which provides that, as a minimum, the fourth member shall be an ethnic minority. Each of these 10 states meets the requirements of Standing Rule 7.B.8.

If adopted, the amendment would provide that, where appropriate and possible, each state delegation on the Resolutions Committee be comprised of at least twenty percent ethnic minority members. There are currently 41 state delegations that are allocated between one and three positions on the committee. As such, twenty percent of one equals 0.2 positions, twenty percent of two equals 0.6 positions, and twenty percent of three equals 0.6 positions, suggesting—as this amendment stipulates—that it would not be “appropriate” for state delegations with three or fewer positions to adhere to this requirement. There are currently 10 state delegations that are allocated four or more positions on the committee. As such, twenty percent of four equals 0.8 positions, twenty percent of five equals one position, twenty percent of six equals 1.2 positions, and so on, up to the largest seat allocation of 16, of which 20 percent equals 3.2 positions. As the amendment stipulates, it would be “appropriate” for state delegations with four or more positions to adhere to this requirement, as follows:

- States allocated between four and nine positions on the committee shall, if at all possible and as appropriate, elect one member from an ethnic-minority group.
- States allocated between 10 and 14 positions on the committee shall, if at all possible and as appropriate, elect two members from an ethnic-minority group.
- States with between 15 and 19 positions on the committee shall, if at all possible and as appropriate, elect three members from an ethnic-minority group.

*Submitted by: 50 Delegates*

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## STANDING RULE AMENDMENT 9

**TITLE:** To strike language specifying that voting on amendments to governing documents must take place on the third day of the Representative Assembly.

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

#### **B.7.i Voting Procedures**

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 day and at such place or places as the President shall designate.

#### **IMPACT STATEMENT**

Standing Rule 11 establishes the parameters for votes conducted at the Representative Assembly, including election of candidates and votes on amendments to the NEA Constitution, Bylaws, and Rules. Currently, this Standing Rule provides that polls will be open for candidate elections on the second day of the Representative Assembly and polls will be open on the third day for voting on amendments.

If adopted, the amendment would strike language requiring voting on amendments to governing documents on the third day of the Representative Assembly, replacing it with language giving the president authority to designate the day for such votes. The president could set voting on amendments on the second, third, or fourth day of the Assembly, after the body has had a chance to debate all proposed amendments to the Constitution and Bylaws. Voting on these amendments could take place at the same time as candidate elections. Notice of the date would be announced in advance.

If adopted, this amendment would go into effect with the 2019 Representative Assembly.

*Submitted by: Majority Vote of the Board of Directors*  
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