

CONSTITUTIONAL AMENDMENT 1

TITLE: To amend the preamble to add the word “secular” before “public education.”

Preamble: We, the members of the National Education Association of the United States, in order that the Association may serve as the national voice for education, advance the cause of secular public education for all individuals, promote the health and welfare of children and/or students, promote professional excellence among educators, gain recognition of the basic importance of the teacher in the learning process and other employees in the educational effort, protect the rights of educational employees and advance their interests and welfare, secure professional autonomy, promote, support and defend public employees’ right to collective bargaining, unite educational employees for effective citizenship, promote and protect human and civil rights, and obtain for its members the benefits of an independent, united education profession, do hereby adopt this Constitution.

IMPACT STATEMENT:

This amendment would add one word to the preamble to the NEA Constitution, inserting “secular” before “public education.” The Committee on Constitution, Bylaws, and Rules interprets “secular” in this context to mean nonreligious – that is, not relating to religion or to a religious body.

Because, as a matter of federal constitutional law, public education must be secular and may not advance any religious viewpoint, NEA’s support for public education has long been understood to mean that NEA supports public education that advances no religious viewpoint.

NEA policy documents also make clear that NEA’s support of public education applies only to secular public education. For example:

- The NEA Legislative Program states, “NEA supports separation of church and state in federal education programs” (Section I, High Quality Public Education, subsection O, Federal Role in Education).
- Resolution I-21 (Freedom of Religion) states, “The National Education Association believes that freedom of religion is a fundamental human right. The Association also believes that choice of religion is an intensely personal decision. Instruction in religious doctrines and practices is best provided within a family setting and/or by religious institutions. The Association further believes that schools should teach the rights and responsibilities associated with the freedom of religion, the religious heritage and diversity of the United States, respect for the beliefs of others, and the historical and cultural influences of various world religions. The Association believes that local school boards should adopt policies that govern religious activities on school property. Such policies must respect the separation of church and state; govern voluntary, student-led meetings with adult supervision before or after regular school hours; treat all religions on an equal basis; and protect the rights of students and education employees. The Association also believes that the constitutional provisions on the establishment of and the free exercise of religion in the First Amendment require that there be no sectarian practices in the public school program. The Association opposes the imposition of sectarian practices in the public school program and urges its affiliates to do the same. The Association also opposes any federal legislation or mandate that would require school districts to schedule a moment of silence. The Association particularly opposes a moment of silence as a condition for receiving federal funds.”
- Resolution A-23 (Privatization and Subcontracting Programs) states, “The National Education Association believes in promoting the importance of quality public education, the principle of separation of church and state, the economic security of public education employees, and racial integration in the public schools.”
- Resolution A-24 (Voucher Plans and Tuition Tax Credits) states, “The National Education Association believes that voucher plans, tuition tax credits, or other funding/financial arrangements that use tax monies to subsidize preK through 12 private school education can undermine public education; reduce the support needed to adequately fund public education; cause racial, economic, and social segregation of students; and threaten the constitutional separation of church and state that has been a cornerstone of American democracy.”

If adopted, the amendment would have no impact on NEA’s current policies or programs.

Submitted by: 50 Delegates

Contact Person: Jim Mordecai, California, jim2812@hotmail.com

CONSTITUTIONAL AMENDMENT 2

TITLE: To update the preamble to replace the word “teacher” with the word “educator.”

Preamble: We, the members of the National Education Association of the United States, in order that the Association may serve as the national voice for education, advance the cause of public education for all individuals, promote the health and welfare of children and/or students, promote professional excellence among educators, gain recognition of the basic importance of the educator ~~teacher~~ in the learning process ~~and other employees in the educational effort~~, protect the rights of educational employees and advance their interests and welfare, secure professional autonomy, promote, support and defend public employees’ right to collective bargaining, unite educational employees for effective citizenship, promote and protect human and civil rights, and obtain for its members the benefits of an independent, united education profession, do hereby adopt this Constitution.

IMPACT STATEMENT:

The preamble to the NEA Constitution currently states, in part, that the Association serves to gain recognition of the basic importance of the teacher in the learning process and other employees in the educational effort.

In 2017, the NEA Representative Assembly adopted New Business Item 2017-115, which stated, “In order to more accurately represent our diverse membership, we request a review of NEA’s Constitution, Bylaws, Standing Rules, Policy Statements, and Resolutions to search for the words ‘teacher’ and ‘classroom teacher’ in order to replace those words with the more inclusive term of “educator,” where appropriate. Then, the results of this review will be presented to the appropriate committees/groups to consider amendments to the documents to replace those words with ‘educators.’”

If adopted, the amendment would update the preamble in accordance with NBI 2017-115 by replacing the word “teacher” with “educator.”

Submitted by: Majority Vote of the NEA Board of Directors

Contact Person: George Sheridan, California, gsheridan@nea.org

CONSTITUTIONAL AMENDMENT 3

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, Aspiring Educator, Retired, Substitute, Reserve, and Staff.

If adopted, the amendment would open membership to those persons interested in advancing the cause of education who are not eligible for any other NEA membership category. The amendment would prohibit individuals eligible for membership only under this new category from voting for or 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: 50 delegates

Contact Person: Al Llorens, Illinois

Note: The term "active equivalent" refers to all non-education employees who are Active members of NEA and of their state association as provided by NEA Bylaw 2-1(b)iv.

CONSTITUTIONAL AMENDMENT 4

TITLE: To change the deadline for submission of constitutional amendments to 70 days following the close of the prior year's representative assembly.

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 seventy (70) days following the close of the prior year's Representative Assembly. 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:

Article IX of the NEA Constitution sets out the requirements for submission of amendments to the NEA Constitution and Bylaws. Section 2 of that Article requires the written submission of amendments to the Constitution to the Committee on Constitution, Bylaws, and Rules one year in advance of their consideration. The titles of amendments submitted to the Committee must be read out to the Representative Assembly in the year they are submitted. The proposed amendments, titles, and impact statements are subsequently published and sent to all members the following spring via *NEA Today*.

Amendments to other aspects of NEA's governing documents are subject to different deadlines. NEA Bylaw amendments 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, pursuant to the NEA Constitution, Article IX, Section 3. NEA Standing Rule amendments must also be submitted by no later than 120 days preceding the Annual Meeting, pursuant to NEA Standing Rule 5.C.2.

If adopted, the proposed amendment would strike language requiring submission of amendments to the Constitution a year in advance and would, instead, allow submission of amendments to the NEA Constitution until 70 days following the close of the prior year's Representative Assembly. As a consequence, proposed amendments to the NEA Constitution would need to be submitted by mid-September the year prior to their consideration by the Representative Assembly. As under current practice, the Committee on Constitution, Bylaws, and Rules would review and draft impact statements on proposed amendments to the Constitution in the fall and present them to the Board of Directors in the winter. 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

Contact person: Kathy Vetter, Wyoming, kathyvetter77@gmail.com

BYLAW AMENDMENT 1

TITLE: To create a new membership category of “community ally” and charge the NEA Board of Directors with adopting rules for implementation, while prohibiting such members from nominating, voting for, or holding any elected or appointed Association office or position.

Bylaw 2. Membership

2-1. Categories

- a. There shall be ~~six (6)~~ seven (7) categories of membership in the Association: Active, Aspiring Educator, Retired, Substitute, Reserve, Community Ally, and Staff.

- g. Community Ally membership shall be open to any person interested in advancing the cause of public education, who supports the mission, vision, and core values of the Association, and who is not eligible for any other NEA membership category. The NEA Board of Directors shall adopt rules to implement this membership category. Community Ally members shall not have the right to nominate or vote for candidates for elected office, nominate or vote for delegates to the Representative Assembly, or hold any elected office or appointed committee position in the Association.

2-7. Membership Dues

- i. Dues of Community Ally members shall be established by the Representative Assembly in the program budget.

IMPACT STATEMENT:

Bylaw 2-1 establishes six categories of membership in the Association – Active, Aspiring Educator, 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 interested in advancing the cause of public education, who supports 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 rules for the implementation of this membership category. Community Ally members would not have the right to vote, nominate candidates for elected office, or hold elected or appointed committee positions within the Association. The dues of such members would be established through Representative Assembly action on the annual program budget.

Article IX, Section 4 of the NEA Constitution provides that amendments to the NEA Constitution and Bylaws take effect at the beginning of the fiscal year following their adoption unless otherwise provided in the amendment. Thus, if adopted by the 2019 Representative Assembly, the new membership category would become effective on September 1, 2019.

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 3, which would open NEA membership to public education allies while preserving NEA governance positions for education professionals and active equivalents. Thus, if Constitutional Amendment 3, 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: NEA Board of Directors

Contact person: Hanna Vaandering, Oregon, hvaandering@nea.org

BYLAW AMENDMENT 2

TITLE: To allow an individual re-joining the Association as an Active member after the commencement of the membership year to pay a pro-rated portion of dues for that year.

Bylaw 2. Membership

2-7. Membership Dues

- a. ...Any person (i) who joins as an Active member ~~for the first time~~ after the commencement of the membership year, (ii) who becomes eligible for Active membership after the commencement of the membership year, or (iii) who returns to professional educational employment or to an education support professional position from a limited leave of absence after the commencement of the membership year shall be enrolled in full standing for the remainder of the membership year by paying the amount of annual dues which is commensurate with the remaining portion of the membership year.

IMPACT STATEMENT:

Bylaw 2-7 sets forth the procedures by which membership dues are set. The Bylaw currently provides for reduced pro-rata dues for the first year for any person who joins as an Active member for the first time after the commencement of the membership year. Under this provision, any such member is enrolled in full standing by paying the portion of annual dues commensurate with the remaining part of the membership year.

If adopted, the amendment would strike language limiting the pro-rata dues to persons joining the Association for the first time. Thus, any person who leaves the Association and then decides to return after the start of a membership year would pay a pro-rata portion of dues for the remainder of the year in which they opted to rejoin the Association.

Submitted by: 50 Delegates

Contact person: David Brighton, Alaska, Mr.Brighton@gmail.com

BYLAW AMENDMENT 3

TITLE: To provide for solicitation of Active member voluntary contributions to a strike/work action fund.

Bylaw 2. Membership

2-7 Membership Dues

New Section Q.

Beginning with the 2020-2021 membership year, Active members of the Association will be solicited to voluntarily contribute three dollars (\$3.00) or more per year in addition to the dues computed pursuant to Bylaw 2-7a. These voluntarily contributed funds shall be allocated to a statewide Work Action Fund to support affiliates in statewide strike and/or work actions.

IMPACT STATEMENT:

Bylaw 2-7 sets forth the procedures by which membership dues are set. This section also includes dues assessments for the Ballot Measure/Legislative Crisis and Media Campaign Fund.

If adopted, the amendment would add a new section to Bylaw 2-7 establishing a voluntary contribution of at least \$3.00 a year to be allocated to a separate strike/work action fund to assist state affiliates with statewide actions. Funds donated through this voluntary solicitation would be used to support affiliates in statewide strikes or work actions.

The 2018 Representative Assembly adopted New Business Item 2018-122, stating, “The RA directs NEA to establish a voluntary \$3.00 (or more) membership donation to establish a fund to support statewide work actions and/or strikes such as in West Virginia, Oklahoma, Kentucky, Arizona, and North Carolina. NEA will work with local and state affiliates to develop and promote a process to transmit these funds to NEA for disbursement.” NEA has already begun implementation of this item, planning to utilize the current NEA Fund for Children and Public Education platform for this membership donation service.

If the Representative Assembly adopts the amendment, it would codify in the Bylaws the work begun under NBI 2018-122. The Board of Directors would draft guidelines for the establishment and implementation of the work action fund. Such guidelines would address the processes for solicitation and collection of voluntary contributions, the application process and criteria for receipt of assistance from the Fund, and reporting requirements. The Board could also establish an oversight committee to administer the Fund and allocate assistance to affiliates.

The amendment would not require members to donate to the Fund; participation would be voluntary.

Submitted by: 50 delegates

Contact person: Clare Kelly, Illinois, clareangelakelly@gmail.com

BYLAW AMENDMENT 4

TITLE: To set one year as the minimum term length for delegates to the NEA Representative Assembly.

Bylaw 3. Representative Assembly

3-3 Terms

Delegates shall be elected for a term of not less than one (1) and not to exceed three (3) years. An individual elected to a one-year or multiyear term shall serve if he/she and the affiliate continue to qualify for the delegate position. Delegates may succeed themselves to this office.

IMPACT STATEMENT

Bylaw 3-3 currently establishes the term for delegates to the Representative Assembly at no more than three years. The Bylaw sets no minimum time period for delegate terms, although the fact that the Representative Assembly is held annually has meant that delegates serve for at least one year. In addition, the Bylaws do not define a specific start and end date for delegate terms. However, NEA generally construes a single year of service as being from June 1, coinciding with the date the NEA Credentials Committee authorizes the release of delegate credentials for a corresponding Representative Assembly, through May 31 of the following year.

NEA delegates are currently permitted to be re-elected to additional terms, with no limit on the number of consecutive or nonconsecutive terms served.

If adopted, the amendment would have no impact on current NEA practice.

Submitted by: 50 Delegates

Contact: Joshua Rubin, Maryland, jrubin818@gmail.com

BYLAW AMENDMENT 5

TITLE: To permit the Association, under limited circumstances, and pursuant to the same protections that apply to state affiliate trusteeships, to establish a trusteeship over a local affiliate.

Bylaw 8. Affiliates and Special Interest Groups

8-12. Trusteeships Over ~~State~~ Affiliates

a. The Association may establish a trusteeship over an affiliated ~~state association~~ for the purpose of (i) correcting corruption or financial malpractice ~~or~~ (ii) restoring democratic procedures; or (iii) correcting a serious dereliction of duties in their performance of union responsibilities. No local trusteeship shall be established by the Association if the state affiliate with which the local association is affiliated has the authority under its constitution and bylaws to establish such a trusteeship unless the state affiliate by majority vote of its Board of Directors (or equivalent body) requests that the Association establish the local trusteeship.

b. If after providing the affiliate an opportunity to address and provide information to the Executive Committee, the Executive Committee determines, by two-thirds (2/3) vote, that there is adequate cause under section (a) of this Bylaw to establish a trusteeship, it shall recommend to the Board of Directors that a trusteeship be established. As soon as possible after said vote, the president shall send to the Board of Directors a copy of the recommendation of the Executive Committee, and shall include with said recommendation a written statement setting forth the basis for the Executive Committee's determination that there is adequate cause for the establishment of a trusteeship. The written statement shall be sufficiently specific so as to enable the state or local association to prepare a defense.

Any action taken by the state or local association to disaffiliate from the National Education Association after the Executive Committee has made an adequate-cause determination pursuant to section (b) of this Bylaw, or has established an immediate trusteeship pursuant to section (g) of this Bylaw, shall be of no effect if the NEA Board of Directors approves by two-thirds (2/3) the trusteeship recommendation of the Executive Committee.

c. A recommendation by the Executive Committee to establish a trusteeship shall be acted upon by the Board of Directors at its next regularly scheduled meeting or at a special meeting called for that purpose, occurring at least forty (40) days after the Board of Directors has received said recommendation.

At least thirty (30) days prior to the meeting of the Board of Directors at which the recommendation of the Executive Committee is to be acted upon, the President shall send to the ~~state association~~ subject to the trusteeship, as well as its state affiliate where applicable, a notice advising it of the recommendation of the Executive Committee and setting forth the date, time, and place of the meeting of the Board of Director at which said recommendation shall be acted upon. The President shall include with said notice a copy of the written statement that was submitted to the Board of Directors pursuant to section (b) of this Bylaw and a copy of the rules and procedures that shall be followed by the Board of Directors in acting upon the Executive Committee's recommendation.

A hearing shall be held before the Board of Directors, pursuant to rules and procedures adopted by the Board of Directors for such purpose to determine whether to establish a trusteeship....If two-thirds (2/3) or more of the members of the Board of Directors who vote on the question vote "yes," the recommendation of the Executive Committee shall have been accepted, in which event a trusteeship shall be established over the ~~state~~ association as of the announcement of the vote. As soon as possible after said vote, the Executive Committee shall appoint a trustee.

d. Subject to the control and direction of the Executive Committee, a trustee shall have the power to:

- (1) conduct the affairs of the trusteed ~~state~~ association, including supervisory control over its officers, employees and other representatives;
- (2) take possession of the books, records, funds, and other assets of the trusteed ~~state~~ association, to be held in trust for and used only in the proper conduct of its affairs;
- (3) remove officers and staff of the trusteed ~~state~~ association, and replace them if deemed appropriate for the duration of the trusteeship; and
- (4) take such other actions as in a trustee's judgment are necessary for the preservation of the rights and interests of the National Education Association and the members of the trusteed ~~state~~ association.

The Executive Committee shall have the right, with or without cause, to replace a trustee at any time.

Reasonable expenses incurred by a trustee in the performance of his or her functions shall be paid out of the

funds of the trusteed state association, if available; otherwise, such expenses shall be paid by the National Education Association.

e. The Executive Committee shall terminate a trusteeship as soon as the cause for its establishment has been remedied. If the Executive Committee rejects a request from the Board of Directors (or equivalent governing body) of a trusteed state association to terminate a trusteeship, the trusteed state association shall have the right to appeal to the NEA Board of Directors, provided that no such appeal may be taken within three (3) months after the decision of the NEA Board of Directors on a prior appeal.

Prior to the termination of a trusteeship, a trustee shall conduct an election, in accordance with the applicable provisions of the governing documents and policies of the trusteed state association and the National Education Association to fill, as of the date of such termination, officer positions vacated by removal or departure of former incumbents. As of the date of termination of a trusteeship, a trustee shall return control of the books, records, funds, and other assets of the trusteed state association to its appropriate officers. A trustee shall make a final accounting of a trusteeship, and submit copies to the Board of Directors and the trusteed state association.

f. No financial obligation or liability of the trusteed state association which may exist at the time a trusteeship is established, or which may be incurred during a trusteeship, shall be assumed by or become an obligation of the National Education Association.

g. Subject to the provisions of section (a) of this Bylaw, in case of emergency, where the best interests of the state or local association and the National Education Association require, the Executive Committee may, by unanimous vote of all members of the Executive Committee (excluding any member who is or was a member of the state association in question), establish an immediate trusteeship over the state or local association without action by the Board of Directors. In such a case, the matter shall be submitted to the Board of Directors, which may affirm or reverse the action of the Executive Committee pursuant to the procedure set forth in section (c) of this Bylaw, provided that if the Board of Directors does not take action within sixty (60) days following the establishment of a trusteeship by the Executive Committee, said trusteeship shall automatically terminate.

h. If the Board of Directors establishes a trusteeship or refuses to terminate an established trusteeship, the trusteed state association shall have the right to appeal to the Representative Assembly, provided that written notice of such appeal is filed with the President by at least ten (10) percent of the active members in good standing of the trusteed state association or by a three-fourths (3/4) vote of the highest governing body of the trusteed state association within forty-five (45) days after the decision of the Board of Directors is made known to the trusteed state association. The Representative Assembly shall rule on the appeal at its first meeting occurring after the president receives the written notice of appeal.

Pending an appeal to the Representative Assembly, the decision of the Board of Directors shall remain in full force and effect.

i. The Board of Directors shall adopt such rules and procedures as may be necessary to implement this Bylaw.

j. This Bylaw shall not apply to affiliates that, as of January 1, 2019, had provisions in their bylaws or equivalent governing documents that prohibit affiliation with an entity that could impose a trusteeship on the affiliate.

IMPACT STATEMENT

Bylaw 8-12 currently establishes the limited circumstances under which the Association can establish a trusteeship over a state affiliate. Specifically, the Association may now establish a trusteeship over an affiliated state association for the purpose of correcting corruption or financial malpractice or restoring democratic procedures, but only if at least two-thirds of the NEA Executive Committee and NEA Board of Directors approves the trusteeship for one of those purposes after hearing from the impacted affiliate.

If adopted, this amendment would expand Bylaw 8-12 to allow the Association to establish trusteeships over local affiliates for these same purposes and also would allow the Association to establish trusteeships over any affiliate (state or local) if necessary to remedy a serious dereliction of union duties. The Bylaw amendment would only permit NEA to consider a local trusteeship if a state affiliate lacks the authority to trustee a local affiliate or if a state affiliate requests, by a majority vote of its governing body, that the Association establish the local trusteeship.

The Bylaw amendment provides that trusteeship decisions over local affiliates would be made in the same manner, and pursuant to the same process, as now apply to state affiliate trusteeships. Specifically, the Bylaws provide that, except in an emergency, trusteeship recommendations are made by a two-thirds vote of the Executive Committee, which then goes to the NEA Board for a hearing and decision. Only if two-thirds of the NEA Board agrees with the trusteeship recommendation, may a trusteeship be established. In an emergency, the Executive Committee may by unanimous vote institute a trusteeship, but two-thirds of the NEA Board must approve any such trusteeship within no more than 60 days or the trusteeship automatically terminates.

As is currently the case, trusteeship decisions would be made by the NEA Board only after the affiliate subject to the trusteeship is provided with written notice of the trusteeship recommendation, and is given an opportunity to be heard by the NEA Board (or a subcommittee thereof) on the recommendation. Trusteeships must terminate as soon as the cause for the trusteeship is remedied.

The Bylaw amendment provides that once the NEA Board approves a trusteeship, any action by the affiliate to disaffiliate that occurred after the trusteeship process commenced shall have no effect.

Finally the amendment includes a grandfather provision specifying that Bylaw 8-12 does not apply to affiliates that, as of January 1, 2019, had a provision in their bylaws or equivalent governing documents prohibiting affiliation with an entity that could impose a trusteeship on the affiliate.

Submitted by: NEA Board of Directors

Contact person: Robert Rodriguez, California, rrodriguez@nea.org

BYLAW AMENDMENT 6

TITLE: To establish specific procedures by which a state or local affiliate may terminate its affiliation with the National Education Association.

Bylaw 8. Affiliates and Special Interest Groups

New Bylaw 8-21. Disaffiliation

- a. A state or local affiliate may only terminate its affiliation with the National Education Association, and any other NEA affiliate, if two-thirds (2/3) of the members voting in a mail ballot election of the full membership conducted by the American Arbitration Association, or a comparable independent third-party election services provider approved in advance by NEA, or in an in-person election at each work site if required by the relevant state affiliate's governing documents or policy and agreed to by NEA, vote in favor of disaffiliation. No such disaffiliation election shall be conducted or effective without first (i) providing at least 60 days' written notice to the membership, to NEA, and to any other NEA-affiliated entity that would be affected by the proposed disaffiliation, of the mail ballot election and the basis for the proposed disaffiliation; (ii) providing at least 30 days' written notice to the membership, and to NEA and any other NEA affiliated association, of a general membership meeting to be scheduled at an accessible place and time immediately before disaffiliation ballots are mailed out; (iii) holding that membership meeting in a manner that allows ample opportunity for discussion and debate over the affiliation issue; and (iv) allowing at least one representative of NEA and one representative of any other NEA-affiliated entity that would be affected by the proposed disaffiliation to address the membership at that membership meeting.
- b. If a local affiliate terminates its affiliation with the National Education Association, the name of the local affiliate, if it includes NEA or the phrase "education association" or "association of educators", as well as any other assets of the affiliate provided or funded by the state affiliate or National Education Association, shall revert to and become the property of the state affiliate. If a state affiliate terminates its affiliation with the National Education Association, the name of the affiliate, if it includes NEA or the phrase "education association" or "association of educators", as well as any other assets of the affiliate provided or funded by the National Education Association, shall revert to and become property of NEA.

IMPACT STATEMENT:

The NEA Constitution and the NEA Bylaws currently have no provisions addressing the process by which a state or local affiliate may disaffiliate from the National Education Association. If adopted, the amendment would establish standard procedures that must be followed to disaffiliate.

Specifically, an affiliate could only disaffiliate if two-thirds (2/3) of the members voting in a mail ballot election of the full membership, or in an in-person election at each work site in certain circumstances, approve of the disaffiliation. At least 60 days prior to any such vote, an affiliate would have to provide written notice of the proposed disaffiliation and its basis, and the date of the disaffiliation vote, to the membership, to NEA, and to other NEA-affiliated entity impacted by the proposed disaffiliation. In addition, the affiliate would have to have a general membership meeting immediately prior to distributing the disaffiliation ballots, at which at least one representative of NEA and one representative of any other NEA-affiliated entity that would be affected by the proposed disaffiliation could address the membership, and at which the membership would have ample opportunity to discuss and debate the disaffiliation. The affiliate would need to provide 30 days advance notice to the membership and NEA of the date and location of the general membership meeting.

Finally, the proposed Bylaw provides that in the event of any disaffiliation, the name of the local affiliate, if it includes "NEA," "education association," or "association of educators" would revert to and become the property of the state affiliate, along with any assets of the affiliate provided or funded by the state affiliate or NEA. Similar provisions would apply to any state affiliate choosing to disaffiliate from NEA.

Submitted by: NEA Board of Directors

Contact person: Robert Rodriguez, California, rrodriguez@nea.org

STANDING RULE AMENDMENT 1

TITLE: To allow for deferral to the subsequent day any motion for which proposed amendments are difficult to display in full on screen, and to provide delegate access overnight to any such deferred language.

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 the discretion of the presiding officer, any motion whose amendments are difficult to display in full on screen may be deferred to the next day. Text of such deferred motions shall be made available overnight.

IMPACT STATEMENT:

Standing Rule 3 addresses the order of business and debate at the representative assembly, with section E specifically addressing the display of business on projection screens. Under this section, the text of amendments to New Business Items are displayed with additions inserted and underlined and deletions in strikethrough text.

New Business Items are considered in the order in which they were submitted to the Committee on Constitution, Bylaws, and Rules. Amendments to proposed NBIs can be submitted at any time prior to consideration of the item. Proposed amendments are considered when the makers call in to move them.

If adopted, the amendment would give discretion to the presiding officer to defer consideration of a New Business Item where the text of a proposed amendment is too large to display fully on projection screens. In the event of such a deferral, the text of the proposed amendment would be made available to delegates overnight for review. The Committee on Constitution, Bylaws, and Rules anticipates that such availability would only be via the delegate website and Representative Assembly app.

If the proposed Standing Rule amendment were adopted, the presiding officer would have the discretion to defer to the following day consideration of any motion (including any NBI) to which amendments had been submitted that would be difficult to display in full on the screen. The presiding officer would indicate where the language of the amendment(s) would be available and approximately when the motion would be expected to come up for consideration the following day.

The process set forth in the amendment would not be possible to invoke for items considered on the final day of the Representative Assembly, as deferral of consideration would not be possible.

Submitted by: 50 delegates

Contact person: Seth Rich, Maryland, seth@briar.com

STANDING RULE AMENDMENT 2

TITLE: To strike language permitting delegates to yield any unused portion of allotted speaking time.

Rule 3. Order 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 3G permits delegates to yield the microphone or speaking time to another delegate for any unused portion of allotted time. The section specifies that yielding may be done only for the purpose for which the member was initially recognized.

If adopted, the amendment would strike Rule 3G. Thus, the amendment would eliminate the practice of yielding time. All speakers to motions would continue to have up to two minutes to speak in favor or against. Any unused time would simply expire.

Submitted by: 50 delegates

Contact person: Seth Rich, Maryland, seth@briar.com

STANDING RULE AMENDMENT 3

TITLE: To prohibit on the Representative Assembly floor the display of signs lobbying for or against specific action items, other than signs used by a state caucus for the purpose of communicating with that state's delegates.

Rule 12. Operating Procedures

C. Prohibitions

4. There shall be no signs used on the floor of the Representative Assembly for the purpose of lobbying for or against specific items up for action at the RA other than those signs used in a state delegation for the purpose of communicating with that state's delegates.

IMPACT STATEMENT:

The NEA Standing Rules currently prohibit the distribution, posting, or displaying of campaign materials promoting the candidacy of an individual for NEA office on the Representative Assembly floor.

If adopted, the amendment would also prohibit the display or posting of any signs on the RA floor promoting a position of support or opposition on any item up for business. Thus, the amendment would prohibit delegates from displaying on the RA floor signs in support of or against any New Business Item, legislative amendment, Resolution, policy statement, or any other item up for discussion and debate.

The amendment specifically exempts signs used by state delegations for the purpose of communicating with that state's delegates. Therefore, state delegations would still be permitted to display signs reminding state delegates of the caucus position on a particular business item, and any other signs intended to communicate directly with that state's delegation.

Submitted by: State Delegation: Maine Education Association

Contact person: Grace Leavitt, Maine, gleavitt@maineea.org