

## NEA EXECUTIVE OFFICE CANDIDATES

<u>ITEM</u>	<u>DUE BY</u>
Nomination and Candidate Speeches form	<del>July 1, 2014</del>
Preliminary Report of Campaign Revenues / Expenses	<del>July 1, 2014</del>
Final Report of Campaign Revenues and Expenses	No later than 30 days following adoption of the report of the Elections Committee.

*Committee on Constitution, Bylaws and Rules members and staff are available to accept forms and answer questions in XXX in the Hilton Americas Houston, until noon on July 3 and on the lower level of the convention stage while the Representative Assembly is in session.*

Committee members:

Tom Brenner, Michigan, *Chair*  
Kathleen Axtell, Washington  
Lakilia Bedeau, Kentucky  
Aaron Chapin, Pennsylvania  
Brian Ferguson, Utah

Committee staff:

Sabrina Tines, NEA Center for Governance  
Carrie Lewis, NEA Center for Governance  
Louisa Haney NEA Center for Governance

## NOMINATION AND CANDIDATE SPEECHES

Complete and return to the Committee on Constitution, Bylaws, and Rules by noon on July 3

CANDIDATE

NOMINATOR\*

NOMINATOR EDUCATIONAL POSITION

MICROPHONE NUMBER

\*I certify that the person nominating me is an Active member employed in the appropriate category (if applicable) and a delegate to the Representative Assembly.

CANDIDATE SIGNATURE (Type name as signature)

DATE

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\* A candidate shall be nominated from the floor by motion of a delegate to the Representative Assembly. A candidate for an at-large representative of administrators, classroom teachers in higher education, or Active members employed in educational support positions on the NEA Board of Directors shall be nominated by a delegate who is an administrator, classroom teacher in higher education, or Active member employed in an educational support position, respectively.

**PRELIMINARY REPORT OF CAMPAIGN REVENUES AND EXPENSES**

**Complete and return to the Committee on Constitution, Bylaws, and Rules by noon on July 3**

No money or resources of NEA, an NEA affiliate, a labor organization, an employer, or an entity created or controlled by any of the above, shall be used to promote the candidacy of any individual for an NEA office. – NEA Standing Rule 11.B.4(a) The following procedure shall apply in regard to elections for NEA office that take place at the Representative Assembly: Using forms provided by the Committee on Constitution, Bylaws, and Rules, each candidate shall file a preliminary report of campaign revenues and expenses, including projected revenues and expenses, with the committee prior to the opening of nominations at the Representative Assembly. A final report, on the forms provided by the committee, must be filed with the committee no later than thirty (30) days following certification of the election results. The committee shall report to the Representative Assembly, prior to any nominations or elections, whether any candidate has in any manner violated the election rules and regulations. The final report of campaign revenues and expenditures shall be made available for inspection by any member by means of an appropriate NEA electronic or printed publication. – NEA Standing Rule 11.B.4(b). No candidate, or a candidate’s representatives or supporters, may use money, goods, services, or anything of value given directly or indirectly by a labor organization (including NEA and its affiliates) or employer (including school districts, commercial firms, and businesses) to promote any candidacy for NEA office. Only contributions received from individuals or groups of individuals may be used for that purpose. – Campaign and Election Regulations for NEA Officers

**SOURCES OF REVENUE**

Cash Contributions from NEA Members	\$
Cash Contributions from non-NEA Members	\$
Cash from Raffles, Lotteries, or Similar Fund-Raising Activities (not reported above)	\$
Donations in Kind	\$
<b>Total Revenue</b>	

**EXPENSES**

For printing	\$
For mailing	\$
For Electronic Media Materials	\$
For Hospitality and Entertainment	\$
For Campaign Committee and Candidate Expenses	\$
For Giveaway(s)	\$
For Raffles, Lotteries, or Similar Fund-Raising Activities	\$
<b>Total Expenses</b>	

**Candidate for Office of:**

**Candidate’s Name:**

**Candidate's Signature (type name as signature):**

**Date:**

**Mailing Address:**

**Home Phone:**

**Workplace Phone**

## FINAL REPORT OF CAMPAIGN REVENUES AND EXPENSES

Complete and return to the Committee on Constitution, Bylaws, and Rules within 30 days following the certification of election results at the Representative Assembly.

No money or resources of NEA, an NEA affiliate, a labor organization, an employer, or an entity created or controlled by any of the above, shall be used to promote the candidacy of any individual for an NEA office. – *NEA Standing Rule 11.B.4(a)* The following procedure shall apply in regard to elections for NEA office that take place at the Representative Assembly: Using forms provided by the Committee on Constitution, Bylaws, and Rules, each candidate shall file a preliminary report of campaign revenues and expenses, including projected revenues and expenses, with the committee prior to the opening of nominations at the Representative Assembly. A final report, on the forms provided by the committee, must be filed with the committee no later than thirty (30) days following certification of the election results. The committee shall report to the Representative Assembly, prior to any nominations or elections, whether any candidate has in any manner violated the election rules and regulations. The final report of campaign revenues and expenditures shall be made available for inspection by any member by means of an appropriate NEA electronic or printed publication. – *NEA Standing Rule 11.B.4(b)*. No candidate, or a candidate's representatives or supporters, may use money, goods, services, or anything of value given directly or indirectly by a labor organization (including NEA and its affiliates) or employer (including school districts, commercial firms, and businesses) to promote any candidacy for NEA office. Only contributions received from individuals or groups of individuals may be used for that purpose. – *Campaign and Election Regulations for NEA Officers*

### **SOURCES OF REVENUE**

Cash Contributions from NEA Members	\$
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Cash Contributions from non-NEA Members	\$
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Cash from Raffles, Lotteries, or Similar Fund-Raising Activities (not reported above)	\$
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Donations in Kind	\$
<hr/>	
<b>Total Revenue</b>	

### **EXPENSES**

For printing	\$
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For mailing	\$
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For Electronic Media Materials	\$
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For Hospitality and Entertainment	\$
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For Campaign Committee and Candidate Expenses	\$
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For Giveaway(s)	\$
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For Raffles, Lotteries, or Similar Fund-Raising Activities	\$
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<b>Total Expenses</b>	

**Candidate for Office of:**

**Candidate's Name:**

**Candidate's Signature (type name as signature):**

**Date:**

**Mailing Address:**

**Home Phone:**

**Workplace Phone**

## CANDIDATE OBSERVER

- Each candidate may send one observer to monitor the election process. Each candidate must complete a written form (see below) indicating the name of the observer, signed by the candidate. Observers will be given an Elections Committee credential and a ribbon indicating their status as observers and must wear this credential at all times when they are performing their duties as observers.
- To have an Observer, the candidate must submit an Observer Form to Therman Evans during the Lotteries or to the Elections Committee Chair in the Convention Center. Observer Forms must be received no later than 8:00 a.m. on the morning of the election.

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### CANDIDATE OBSERVER FORM

Date:

I authorize \_\_\_\_\_ to be my official observer during voting.

Candidate Signature:

## **CONFLICT OF INTEREST POLICY FOR NEA OFFICIALS**

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NEA officials have a fiduciary obligation to act in the best interests of NEA. The purpose of this Conflict of Interest Policy for NEA Officials (“CI Policy”) is to provide guidance to NEA officials in complying with this fiduciary obligation.

### **I. DEFINITIONS**

As used in the CI Policy, the following terms have the meanings indicated:

- A. The term “NEA official” means an NEA Executive Officer, a member of the NEA Executive Committee, a member of the NEA Board of Directors, a member of an NEA committee, and any other person designated by NEA governance to represent NEA. The term does not mean an employee of, or a consultant retained by, NEA;
- B. The term “immediate family” of an NEA official means his or her parent, spouse or spousal equivalent, child, grandparent, grandchild, sibling, mother-or father-in-law, sister-or brother-in-law, or daughter-or son-in-law;
- C. The term “directly or indirectly” means an action taken by an NEA official in his or her own name (directly), or through a member of the immediate family or a business associate of an NEA official (indirectly);
- D. The term “participate in an NEA decision” means the authority to approve, disapprove, recommend, or otherwise influence the position taken by NEA; and
- E. The term “Conflict of Interest Officer” means the person who is responsible for the implementation of the CI Policy.

### **II. STATEMENT OF PRINCIPLE**

No NEA official shall, directly or indirectly, have any interest or relationship, take any action or engage in any transaction, or incur any obligation which is in conflict with, or gives the appearance of a conflict with, the proper and faithful performance of his or her NEA responsibilities.

### **III. PROHIBITED ACTIVITIES**

The activities that are prohibited by the Statement of Principle set forth in Section II include, but are not limited to, the following:

- A. No NEA official shall, without the advance written approval of the CI Officer, have a direct or indirect financial or personal interest in or relationship with any business, firm, person, or entity that does or seeks to do business with NEA. This prohibition shall not apply to investments in a business, firm, or other entity through the purchase of securities that are traded on a registered national securities exchange, or utilizing any services that the business, firm, person, or entity makes available to the general public in the normal course of business.

- B. No NEA official shall receive any compensation, gift, gratuity, loan or other thing of value from any business, firm, person, or other entity which does or seeks to do business with NEA, or which has financial or other interests that may be affected by the performance or nonperformance of the NEA official's NEA responsibilities. The term "business, firm, person or other entity" does not include NEA affiliates or subsidiary organizations (e.g., NEA Member Benefits Corporation), and the term "compensation, gift, gratuity, loan, or any other thing of value" does not include an item that has a value of \$250 or less, or a loan that is available to the general public on similar terms. The prohibition in this Section III(B) shall not apply if the NEA official receives the item in question in order to perform his or her NEA responsibilities.
- C. No NEA official shall, (1) except in the performance of his or her NEA responsibilities or in response to a legal mandate, disclose any information obtained by reason of his or her NEA position that is not otherwise available to the general membership of NEA, and that could be used to the detriment of NEA, or (2) use or permit others to use any information obtained by reason of his or her NEA position that is not otherwise available to the general membership of NEA to directly or indirectly further the NEA official's financial or personal interest.
- D. No NEA official shall, without the advance written approval of the CI Officer, directly or indirectly sell goods or services to NEA. This prohibition shall not apply to the payment, in accordance with NEA policy, of compensation or a stipend to an NEA official for carrying out his or her NEA responsibilities.
- E. No NEA official shall accept any other position or assignment which would conflict with his or her fiduciary obligation to act in the best interests of NEA, or interfere with the NEA official's ability to properly carry out his or her NEA responsibilities.
- F. No NEA official shall use or permit others to use his or her position with NEA to create the impression that NEA endorses or has endorsed a product, service or program when that is not in fact the case, or to otherwise directly or indirectly further the NEA official's financial or personal interest.

#### **IV. IMPLEMENTATION PROCEDURE**

- A. The NEA Secretary-Treasurer shall serve as the Conflict of Interest Officer ("CI Officer"), and shall in that capacity be responsible for the implementation of the CI Policy. The CI Officer shall monitor the implementation of the CI Policy, and make periodic reports regarding its implementation to the NEA Executive Committee. The NEA Executive Committee shall recommend to the NEA Board of Directors such modifications in the Policy as it may from time to time deem appropriate.
- B. (1) If an NEA official believes that he or she may be engaged or about to become engaged in an activity that is prohibited by the CI Policy, he or she shall consult with the CI Officer. The NEA official and the CI Officer shall attempt to deal with the matter informally. If they are unable to do so, the CI Officer shall submit to the NEA official a written opinion indicating whether the activity in question is prohibited by the CI Policy, and, if so, what should be done to correct the situation.  
  
(2) If the NEA official disagrees, in whole or in part, with the conclusions of the CI

Officer, he or she may appeal to the NEA Executive Committee by filing a written notice of appeal with the NEA President within ten (10) calendar days after receiving the opinion of the CI Officer. The Executive Committee shall decide the appeal as expeditiously as possible, and the decision of the Executive Committee shall be final and binding. If the NEA official files a timely appeal, he or she need not comply with the opinion of the CI Officer pending the outcome of the appeal. If the NEA official does not file a timely appeal, he or she shall comply with the opinion of the CI Officer.

- C. (1) If an NEA member or employee believes that an NEA official is engaged or is about to become engaged in an activity that is prohibited by the CI Policy, the member or employee may file a written complaint with the CI Officer. The complainant shall identify himself or herself to the CI Officer, but the CI Officer shall, if requested to do so by the complainant, treat the complaint as anonymous and not reveal the complainant's name.
- (2) Upon receiving a complaint, the CI Officer shall consult with the complainant and the NEA official in question. Based upon the information received from the complainant and the NEA official, and/or other relevant information, the CI Officer shall decide whether the NEA official is engaged or is about to become engaged in an activity that is prohibited by the CI Policy, and, if so, what should be done to correct the situation. The CI Officer shall submit to the NEA official and the complainant a written opinion setting forth his or her conclusions.
- (3) If the NEA official disagrees, in whole or in part, with the conclusions of the CI Officer, he or she may appeal to the NEA Executive Committee by filing a written notice of appeal with the NEA President within ten (10) calendar days after receiving the opinion of the CI Officer. The Executive Committee shall decide the appeal as expeditiously as possible, and the decision of the Executive Committee shall be final and binding. If the NEA official files a timely appeal, he or she need not comply with the opinion of the CI Officer pending the outcome of the appeal. If the NEA official does not file a timely appeal, he or she shall comply with the opinion of the CI Officer.
- D. In implementing the CI Policy, the CI Officer and the NEA Executive Committee shall consider all relevant factors, including the specific NEA responsibilities of the NEA official and the nature of the allegedly prohibited activity, and shall interpret and apply the CI Policy in a manner that furthers its intended purpose.

## **V. MISCELLANEOUS**

- A. Nothing in the CI Policy shall be interpreted or applied to deprive an NEA official of any right that he or she may have under the NEA governing documents, a contract with NEA, or a statute. To the extent that the CI Policy is inconsistent with any such right, the right in the NEA governing document, contract with NEA, or statute shall take precedence.
- B. If a question arises as to whether the CI Officer or another member of the Executive Committee may be engaged or about to become engaged in an activity that is prohibited by the CI Policy, the matter shall be dealt with by the other members of the NEA Executive Committee.



- C. All information and documents involved in the implementation of the CI Policy shall be treated as confidential, and the CI Officer shall make such information and documents available to others only on an “as needed” basis.

**VI. EFFECTIVE DATE AND AMENDMENT; DISTRIBUTION**

- A. The CI Policy shall become effective on the date that it is adopted by the NEA Board of Directors, and shall supersede all prior NEA policies dealing with the same subject. The Board of Directors may amend the CI Policy from time to time as it deems appropriate.
- B. The CI Policy shall be posted on Inside NEA, and a copy of the Policy shall be distributed to all NEA officials, all candidates for NEA office, and all persons who become members of NEA committees or are otherwise designated to represent NEA.