

CONSTITUTIONAL AMENDMENT 1

TITLE: To strike language that proportionally adjusts ratios for merged affiliate delegate credentials to the NEA RA based on the reduction in dues paid by Active members of such affiliates.

Article III. Representative Assembly

Section 2. Allocation of Delegates

~~(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(n),, 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.~~

IMPACT STATEMENT:

NEA apportions distinct delegate allocations to the Representative Assembly on two levels: state and local. The formula for allocating these delegates is set out in Article III of the NEA Constitution as follows:

Local	1:150 Active Association members or major fraction thereof
State	1:1,000 Active Association members (no fewer than 15 per state)

In April 1999, the NEA Board of Directors, in approving guidelines for mergers between NEA and AFT affiliates (“dual-national state” or “dual-national local affiliates”), proportionally reduced the delegate allocations for such merged states and locals to reflect the percentage of Active member dues paid to NEA. Bylaw and Constitutional Amendments implementing these guidelines were approved by the NEA Representative Assembly in 1999 and 2000 respectively. Specifically, Article III, Section 2(c) states that:

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.

Bylaw 2-7.n sets forth how the dues for such merged affiliates are calculated. It requires that members of a merged affiliate maintain membership in NEA and AFT where eligible, specifies that the total combined national dues they pay cannot be less than NEA dues for the relevant membership category and provides for how the national dues are allocated between NEA and AFT. Specifically, national dues are allocated according to the comparative number of members in the relevant membership category who were eligible for NEA membership in the respective NEA and AFT state affiliates during the membership year immediately preceding the merger effective date as adjusted by subsequent membership growth. This ratio (“allocation percentage”) is the basis for proportional adjustment of the affiliate’s delegate allocation.

Consider the following example:

1. During the membership year immediately preceding the effective date of merger, the NEA state affiliate had 80,000 NEA Active members. At that time, the affiliate was entitled to one delegate for each 1,000 NEA Active members – a total of 80 state delegates.
2. After merger, the dual-national state affiliate has 100,000 NEA Active members (80,000 former NEA members and 20,000 AFT members). Pursuant to the dues allocation called for in Bylaw 2-7.m, NEA would receive 80 percent of full NEA Active member dues from these 100,000 members.
3. Although the dual-national state affiliate has 100,000 Active members, its delegate credentials are adjusted by the same percentage as the dues, resulting in 80 delegate seats rather than 100.

The NEA Active membership counts for merged state affiliates and/or local affiliates of merged state affiliates are proportionately adjusted to reflect the reduction in Association dues paid by Active members of the merged affiliate. The total number of members based on membership received as of January 15 multiplied by the state’s allocation percentage equals the adjusted membership count.

(NEA Active Membership Count) X (Allocation Percentage) = Adjusted Count

Currently, five (5) dual-national state affiliates are subject to this adjustment: Florida, Minnesota, Montana, New York, and North Dakota. Their dues and delegate allocation percentages are:

State	Allocation Percentage
Florida	53.05%
Minnesota	68.77%
Montana	70.61%
New York	8.38%
North Dakota	81.14%

If the amendment were adopted, merged state associations would receive the full Active member delegate allocation based on a ratio of 1:1,000 Active members, and merged locals would receive the full Active member delegate allocation based on a ratio of 1:150 Active members or major fraction thereof.

This table compares state delegate allocations for 2024 with and without applying the state’s allocation percentage:

State Delegate Allocations for Merged Associations					
State	Active members using allocation %	Delegates allocated	Active members without using allocation %	Delegates allocated	Change in number of delegates allocated
Florida	64,523	64	121,627	121	+57
Minnesota	53,697	53	76,304	76	+23
Montana	12,797	15	18,030	18	+3
New York	36,297	36	419,855	419	+383
North Dakota	6,522	15	8,000	15	0

This table compares local delegate allocations for 2024 with and without applying the state’s allocation percentage:

Local Delegate Allocations for Merged Associations*					
State	Active members using allocation %	Delegates allocated	Active members without using allocation %	Delegates allocated	Change in number of delegates allocated
Florida	64,159	423	121,032	813	+390
Minnesota	48,634	278	71,338	435	+157
Montana	9,956	41	14,410	72	+31
New York	34,682	140	407,217	2,710	+2,570
North Dakota	5,694	25	7,111	33	+8

Taken together, the change in state and local delegates represents the total potential change in delegates.

While the Constitution establishes allocation of state and local credentials related to Active membership, it stipulates that “other delegate credentials shall be allocated as provided in the Bylaws.” Thus, the amendment would not impact allocation of delegate credentials to state affiliates for other membership categories – Aspiring Educators, Retired, school nurse members denied active membership in local affiliates, higher education members denied active membership in local affiliates, education support professionals denied active membership in local affiliates, and clustered category 2 members (see Bylaw 3-1.k).

While it is not possible to determine an exact cost of the amendment without knowing how many of the additionally allocated delegates would attend, an increase of 500 delegates would cost NEA approximately \$82,500 in bleachers, podiums, labor, and other costs associated with the additional seating. Busing costs for an additional 500 people would be approximately \$85,000. Additional hotel costs would be borne by states.

*Submitted by: 50 Delegates
Contact: Denise Specht, Minnesota*

CONSTITUTIONAL AMENDMENT 2

TITLE: To require that NEA provide a virtual option for participation at all Representative Assemblies.

Article III. Section 5. Meetings

The Representative Assembly shall meet at least annually. This stipulation shall apply except in cases of emergency. All Representative Assemblies shall offer an optional accommodation of virtual attendance.

Impact Statement

Article III, Section 5 provides that the Representative Assembly shall meet at least annually, except in cases of emergency. Bylaw 3-16 states that, in any year, the NEA Board may determine that the Annual Meeting may be conducted in person, virtually, or a combination of both. In 2020 and 2021, the NEA Board determined that virtual meetings were necessary due to the COVID emergency. In 2022, the NEA Board determined that a combination of in person and virtual options was necessary due to the ongoing pandemic.

If adopted, the amendment would require that NEA offer a virtual participation option every year for the Representative Assembly. The amendment provides no guidelines or requirements specifying under what circumstances a delegate could choose the virtual option. Therefore, the Committee on Constitution, Bylaws, and Rules interprets the amendment as allowing any delegate to choose to attend the Representative Assembly virtually for any reason.

Conducting a Representative Assembly with both in-person and virtual attendance options requires the Association to contract with vendors to provide equipment and expertise that allows all delegates to fully and equally participate regardless of method of attendance. First, all delegates must be able to vote via the same electronic means at the same time. The method used in 2022 required all delegates to vote via their personal cellphones or tablets (or a device provided by NEA for those who did not have personal device). Votes were then tabulated and displayed on the screen. The tabulation process increased the time necessary for each vote.

Second, as all delegates must have equal access to the speaking queue, the meeting could not utilize the call slips and phone network process used in a fully in-person meeting. Rather, all delegates would have to enter the queue via the same electronic platform. In-person delegates then would go to a microphone to speak, while virtual delegates would receive a phone call connecting them to the meeting, testing their sound quality, and then placing them into the room virtually to speak. In 2022, this process added additional time to the meeting to allow delegates to ask to speak, get connected, and be added to the speaking queue for the chair to call on. In addition, delegates were not able to yield time to other delegates, as it was not possible to quickly connect virtual delegates for the purpose of yielding to them.

Finally, NEA would have to mail ballots to virtual delegates to vote in officer elections. To allow for mail delivery timeframes and other circumstances that could impact the timely receipt and return of ballots, NEA would have to provide at least three weeks following the mailing of ballots before counting the votes and announcing the results. If a runoff election were needed, mail ballots would have to be sent to all delegates and the results would not be available for at least another three weeks.

In 2022, conducting the Representative Assembly via both in-person and virtual means cost the Association an additional \$5 million over and above, or instead of, the cost of a fully in-person RA. If the

amendment is adopted, these additional costs would have to be included in the Strategic Plan and Budget as recurring annual expenditures.

Submitted by: 50 Delegates

Contact person: Elaine Theurer, California

CONSTITUTIONAL AMENDMENT 3

Title: To require that at least one member of the Executive Committee be a current education support professional.

Article VI. Executive Committee

Section 1. Composition.

The Executive Committee shall consist of the three (3) executive officers and six (6) members who shall be officers of the Association.

a. The executive officers and the six (6) members of the Executive Committee shall be nominated and elected at large by the Representative Assembly by majority vote and by secret ballot for each individual office.

b. If the number of candidates for the Executive Committee equals the number of positions to be filled, the Chair shall declare such candidates elected.

c. Members from ethnic minorities shall comprise at least twenty (20) percent of the Executive Committee. The Representative Assembly shall elect additional Executive Committee members as appropriate to assure such ethnic-minority representation.

d. At least one member of the NEA Executive Committee must be a current education support professional.

Impact Statement

Article VI sets out the composition of the NEA Executive Committee, which includes the three executive offices and six additional members nominated and elected by the Representative Assembly. If adopted, the amendment would require that at least one member of the Executive Committee be a current education support professional (ESP). While the Executive Committee is comprised of nine members, only six of the members must hold employment in an educational classification – the national officers are deemed to qualify for membership by virtue of their executive office (*See NEA Bylaw 2-1*)b)(v) & (vi)). Thus, the Committee on Constitution, Bylaws, and Rules interprets the proposed amendment as applying to the six at-large seats for which a position in an education classification is required, and not to the other three members of the Executive Committee that hold no such current qualifying employment.

The proposed amendment would comply with the Labor Management and Disclosure Act (LMRDA), which is interpreted and enforced by the U.S. Department of Labor. The relevant interpretative materials deem qualifications based on "class or craft" of job performed permissible, 29 C.F.R. 452.43, particularly where, as here, if a substantial number of that "class or craft" are in the membership and have been historically underrepresented at the national level. Education support professionals currently comprise approximately 17 percent of NEA's Active Members. Since 2010, of the 16 at-large Executive Committee members who have been elected, two have been individuals who served as education support professionals.

If the amendment is adopted, NEA would require that one of the at-large seats for the Executive Committee be designated a seat for which only ESPs may run, if there is not already an ESP serving in one of the six non-officer seats on the Executive Committee. Once an ESP was elected to any non-officer seat, there would be no need for a further ESP-only EC election until that ESP member's term expired or the member stepped down. If a vacancy were to arise in that seat between terms, the vacancy would need to be filled in compliance with the requirement that the seat be held by a current ESP member.

If no ESP filed to run in a year in which the ESP-only seat were up for election, NEA would inform stakeholder groups such as the National Council for Education Support Professionals ahead of the

deadline that there is an ESP seat open. If only one ESP candidate filed for the ESP-only seat, that candidate would be declared elected upon the passing of the filing deadline.

If adopted, the amendment would go into effect beginning in 2025, at which time there will be two open seats up for election on the Executive Committee.

This amendment would not preclude ESPs from running for, and being elected to, any of the other at-large seats not specifically designated for an ESP member. If an additional ESP member were elected, NEA would not hold an ESP-only election for the ESP-only seat when it comes into play for its succeeding term.

Submitted by: Majority Vote of Two State Delegations

Contact person: Kevin Deely, Pennsylvania

BYLAW AMENDMENT 1

TITLE: To strike language providing for proportionate delegate allocation to merged states for specific membership categories.

Bylaw 3-1 k. Representative Assembly, Allocation of Delegates

~~The ratios to be used for the allocation of delegate credentials pursuant to Bylaw 3-1.d, e, f, h, i, and j for members of a dual-national state affiliate or a dual-national local affiliate shall be proportionately adjusted to reflect the reduction in Association dues paid by such members pursuant to Bylaw 2-7.n, provided that this Bylaw 3-1.k shall not apply to 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.~~

IMPACT STATEMENT:

Article III of the NEA Constitution outlines the ratios used for the allocation of state and local delegates to the Representative Assembly. Article III further stipulates that "Other delegate credentials shall be allocated as provided in the Bylaws." Consequently, Bylaw 3-1 establishes the allocation of delegate credentials for other categories of delegates:

- Aspiring Educator members (Bylaw 3-1.d)
- Retired members (Bylaw 3-1.e)
- School nurse members denied active membership in local affiliates (Bylaw 3-1.f)
- Higher education members denied active membership in local affiliates (Bylaw 3-1.h)
- Active members employed in education support professional positions who are denied active membership in local affiliates (Bylaw 3-1.i)
- Clustered category 2 delegates (Bylaw 3-1.j).

Under Bylaw 3-1.k, each of these allocations is adjusted proportionately to reflect the reduction in Association dues paid by members of dual-national state or local affiliates (state or local NEA affiliates that are also affiliates of the American Federation of Teachers).

Bylaw 2-7.n sets forth how this allocation percentage is to be calculated. It requires that members of a dual-national state affiliate maintain membership in NEA and AFT where eligible, and the total combined national dues that such members pay cannot be less than the NEA dues for the relevant membership category. If a member of a dual-national state affiliate is a member of both NEA and AFT, that member's total combined national dues are allocated between NEA and AFT. The allocation reflects the comparative number of members in the relevant membership category who were eligible for NEA membership in the respective NEA and AFT state affiliates during the membership year immediately preceding the merger effective date. This ratio or "allocation percentage" is used to reduce proportionally the affiliate's delegate allocation.

The NEA membership counts for merged state affiliates and/or local affiliates of merged state affiliates are proportionately adjusted to reflect the reduction in Association dues paid by Active members of the merged affiliate. The total number of members based on membership received as of January 15 multiplied by the state's allocation percentage equals the adjusted membership count.

(NEA Membership Count) X (Allocation Percentage) = Adjusted Count

Currently, five (5) dual-national state affiliates are subject to this adjustment: Florida, Minnesota, Montana, New York, and North Dakota. Their dues and delegate allocation percentages are:

State	Allocation Percentage
Florida	53.05%
Minnesota	68.77%
Montana	70.61%
New York	8.38%
North Dakota	81.14%

The proposed amendment would strike Bylaw 3-1.k. If this amendment passes, membership counts would not be downwardly adjusted based on the allocation percentage listed above, and each merged state association would receive a delegate allocation based on its full membership in the respective category as follows:

- One (1) delegate credential for the first fifty (50) Aspiring Educator members of the Association. The state affiliate shall receive a second credential when Aspiring Educator membership in the state reaches seven hundred fifty (750) and an additional credential for each five hundred (500) Aspiring Educator members thereafter.
- Allocation of delegate credentials for Retired members of the Association within each state shall be made to state affiliates based on the ratio of 1:50 for the first 50 Retired members and an additional delegate for each 1,000 Retired members thereafter.
- Allocation of delegates to school nurse members denied active membership in local affiliates shall be based on the ratio of 1:150 school nurse members so denied.
- Allocation of delegates to higher education members denied active membership in local affiliates shall be based on the ratio of 1:150 higher education members so denied.
- Allocation of delegates to Active members employed in education support professional positions who are denied active membership in local affiliates shall be based on the ratio of 1:150 such members so denied.
- Delegates for clustered category 2 members shall be based on the ratio of 1:150.

The reductions of delegate allocations set forth by Bylaw 3-1.k, pursuant to the reductions in Association dues paid by members set forth in Bylaw 2-7.n, are applicable and enforceable only to the extent that such persons in the relevant membership categories were enrolled as both NEA and AFT members at the time of merger. This analysis has concluded that no such enrollment existed in NEA's merged state affiliates for Aspiring Educator and Retired members. Therefore, the allocations set forth in Bylaw 3-1.k do not apply for Aspiring Educator and Retired members and there is no change in effect for these particular delegate allocations.

*This table compares school nurse allocations (where members are denied active membership in local affiliates) for merged associations with and without applying the merged state’s allocation percentage, using 2024 numbers:

State	School Nurse members denied membership in local affiliates using allocation %	Delegates allocated	School Nurse members without using allocation %	Delegates allocated	Change in number of delegates allocated
Florida	0	0	0	0	0
Minnesota	12	0	18	0	0
Montana	25	0	36	0	0
New York	4	0	49	0	0
North Dakota	0	0	0	0	0

*This table compares higher education delegate allocations (where members are denied active membership in local affiliates) for merged associations with and without applying the merged state’s allocation percentage, using 2024 numbers:

State	Higher Education members denied membership in local affiliates using allocation %	Delegates allocated	Higher Education members without using allocation %	Delegates allocated	Change in number of delegates allocated
Florida	323	2	608	4	+2
Minnesota	0	0	0	0	0
Montana	878	6	1,244	8	+2
New York	184	1	2,193	15	+14
North Dakota	308	2	380	3	+1

*This table compares ESP delegate allocations (where members are denied active membership in local affiliates) for merged associations with and without applying the merged state’s allocation percentage, using 2024 numbers:

State	ESP members denied membership in local affiliates using allocation %	Delegates allocated	ESP members without using allocation %	Delegates allocated	Change in number of delegates allocated
Florida	0	0	0	0	0
Minnesota	402	3	585	4	+1
Montana	2,373	16	3,361	22	+6
New York	754	5	9,000	79	+74
North Dakota	35	0	43	0	0

Submitted by: 50 Delegates

Contact Person: Denise Specht, Minnesota

BYLAW AMENDMENT 2

Title: To require NEA to provide all delegations applicable travel advisories prior to the Representative Assembly, including medical and legal implications, based on the meeting location.

Bylaw 3-5 Meetings: Location.

- a. No meeting shall be held in any location where any delegates are likely to experience discriminatory treatment.
- b. No later than sixty (60) days prior to the opening date of the meeting, the Association shall issue an applicable advisory to its state affiliates, informing the affiliates' respective delegations of any inherent travel risks, including medical and/or legal implications, based on the location of the meeting.

Impact Statement

Bylaw 3 governs the conduct of the NEA Representative Assembly. Bylaw 3-5 currently provides that no meeting shall be held in any location where any delegates are likely during the course of the meeting to experience discriminatory treatment.

If adopted, the amendment would add language to Bylaw 3-5 requiring NEA to issue an advisory to state affiliates based on the location of the Representative Assembly that year. The advisory, which would be sent no later than sixty days prior to the opening of the RA, would provide notice of any inherent travel risks associated with the meeting location, including any medical or legal implications.

The Committee on Constitution, Bylaws, and Rules interprets this amendment as addressing any foreseeable risks, including, but not limited to, adopted laws or policies in effect in the meeting location. NEA would consider laws or other policies restricting medical care based on sex, gender or gender identity, restricting access to pregnancy-related medical care, laws that discriminate on the basis of race or religion, or any other laws or policies likely to result in risk to delegates while in the location.

If the amendment is adopted, the NEA Office of Risk Management would work with the NEA Office of General Counsel to develop the appropriate advisory and disseminate it to state affiliates by the required deadline. The advisory could also be posted on a secure area of the RA delegate website if appropriate.

Submitted by: 50 Delegates

Contact person: Stephen Hogan, Illinois

BYLAW AMENDMENT 3

Title: To add Representative Assembly Delegates to the list of bodies to whom NEA Standing Committees are accountable, and to outline specific requirements for committee reports.

Bylaw 3-9 Standing Committees: Establishment and Accountability

Standing committees may be established and discontinued by the Representative Assembly. When that body is not in session, standing committees shall be accountable to the president, the Board of Directors, ~~and the Executive Committee~~ and the delegates of the Representative Assembly. Each committee chairperson shall submit periodic reports to the president ~~and~~ ,to the Board and to the delegates of the Representative Assembly. The reports shall include the charge of the committee, the names of the committee members, and the staff hours spent on completing the work directed by the committee.

Impact Statement:

Bylaw 3-9 addresses the establishment and accountability for NEA Standing Committees. Standing Committees are appointed by the NEA president with the advice and consent of the NEA Board of Directors. Committees charges are developed by the NEA president and approved by the NEA Executive Committee.

The committee cycle runs from September to April each year, with committees meeting periodically throughout this period and producing a final report, which is usually due in mid-April. Once submitted, committee reports are reviewed and combined into one document for presentation to the NEA Board of Directors at their spring meeting, which usually takes place the last week of April or the first week of May. The Board takes action on whether to adopt any recommendations from the committee. The reports are then designed and formatted into a report booklet that meets the requirements for accessibility for vision-impaired delegates, and is posted on the RA website. Chairs of Board Strategic Committees and Social Justice/Constituency Committees also provide brief oral reports to the Board of Directors, as those chairs are in attendance at Board meetings.

If adopted, the amendment would add the delegates of the Representative Assembly to the list of groups to whom committees are accountable. In order to provide delegates with earlier access to the reports, NEA could post the Word version of the report booklet on the website in mid-May, replacing it with the formatted version when that is available – usually in early June.

The amendment would also outline specific items that must be included in the committee reports. These include committee charges, the names of the committee members, and the staff hours spent on completing work directed by the committee. Committee reports currently include the committee charges and committee member names. If the amendment is adopted, NEA will ask committee chairs and staff liaisons to include the requested information about staff time in their final reports.

Submitted by: 50 Delegates

Contact person: Melissa Tomlinson, New Jersey

BYLAW AMENDMENT 4

Title: To add Middle Eastern or North African to NEA’s definition of “Ethnic Minority”.

Bylaw 12-1 Definition of Terms.

h. Ethnic minority: Ethnic minority shall mean those persons designated as ethnic minority by statistics published by the United States Bureau of the Census. This designation shall specifically include American Indian/Alaska Native, Asian, Native Hawaiian or other Pacific Islander, Black, ~~and~~ Hispanic, and Middle Eastern and North African.

Impact Statement:

Bylaw 12-1.h sets out the definition of “ethnic minority” as that term is used in the NEA Charter, Constitution, Bylaws, and Standing Rules. Currently, that Bylaw defines “ethnic minority” as “those persons designated as ethnic minorities by statistics published by the” U.S. Census Bureau and defines those persons to include certain listed racial or ethnic identities. If adopted, this amendment would add the designation “Middle Eastern or North African” or “MENA” to the listed racial or ethnic identities. Where ethnic or racial identities are considered under NEA’s governing documents—such as NEA Bylaw 3-1.g goals for ethnic-minority representation among delegates to the NEA Representative Assembly—the amendment would require NEA to include individuals identifying as MENA as ethnic minorities. NEA would further be required to utilize statistics published by the United States Bureau of the Census for persons who identify as Middle Eastern or North African (MENA).

The Bureau of the Census follows the standards set by the U.S. Office of Management and Budget (OMB) for classifying census responses by race and ethnic identities. As a result of announcements by the OMB in March 2024, these standards currently provide for seven minimum race and/or ethnicity categories: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Middle Eastern or North African, Native Hawaiian or Pacific Islander, and White. As such, “Middle Eastern or North African” is a minimum race and/or ethnicity category, no longer encompassed within but rather separate and distinct from the White category. The OMB standards will directly inform the development and structure of survey questions on race and/or ethnicity used by the U.S. Census. The proposed amendment, if adopted, would require NEA to include MENA and all statistics available as to the proportion of individuals identifying as MENA in the data published by the Bureau of the Census in the same manner NEA now uses the U.S. Census data on race and ethnicity identification for the following five categories: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, and Native Hawaiian or Pacific Islander.

The Census Bureau’s classification for the MENA population is geographically based and includes Arabic-speaking groups such as Egyptian and Saudi Arabian, and non-Arabic speaking groups such as Iranian and Israeli. It also includes ethnic and transnational groups from the geographical region such as Kurdish. In total, according to statistics from the 2020 U.S. Census, the MENA population encompasses 27 individual group identities. In computing the state population for purposes of ethnic-minority representation policies such as NEA Bylaw 3-1.g, NEA would be required to determine the total number of persons in each state who identify as MENA using statistics published every ten years by the Census. The resulting numbers of such persons would then be added to the total figures in each state for American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, and Native Hawaiian or Pacific Islander.

NEA defines the term “ethnic minority” in Bylaw 12-1.h for a range of representation policies set forth across the Association’s governing documents, which includes:

- Affiliate delegations to the NEA Representative Assembly implementing legally permissible plans designed to achieve total state and local delegations in proportion to the identified ethnic-minority populations within each respective state (Bylaw 3-1.g).
- Affiliates of the Association taking all reasonable and legally permissible steps to achieve on their elective and appointive bodies ethnic-minority representation that is at least proportionate to the ethnic-minority membership within each respective affiliate (Constitution, Article VIII, Section 2).
- At least twenty (20) percent ethnic minority representation on the NEA Board (Constitution, Article V, Section 1).
- At least twenty (20) percent ethnic minority representation on the NEA Executive Committee (Constitution, Article VI, Section 1.c).
- At least twenty (20) percent ethnic minority representation on each committee (Constitution, Article III, Section 6).
- At least two (2) ethnic-minority members among the nine (9) members comprising the NEA Review Board (Bylaw 7-1.a).

If the proposed amendment is adopted, any member who self-identifies as MENA would be included in the calculation of the numerical thresholds and goals set forth in each of the representation policies listed above.

All applicable touch points in the Association that request race and ethnicity data for members—including, but not limited to, NEA member records and certifications to NEA elected office—would need to be aligned and structured to ensure the ability for members to voluntarily self-identify as MENA. One program year would be required to make changes to NEA membership and convention databases, report applications, and membership forms. Updating the relevant NEA technology systems to account for MENA as a new category in the race/ethnicity data field will require updating more than 10 systems and applications with an estimated level of effort of 130 hours of work, and an estimated cost of \$24,500 in staff/vendor development. If implementation of this also requires surveying NEA members to capture all those who would identify themselves as MENA, the total cost of implementation would be \$543,000.

Submitted by: 50 Delegates

Contact person: Ramsey Kurdi, Massachusetts

STANDING RULE AMENDMENT 1

Title: To require immediate announcement by the chair and display on screens of the updated cost of any new business item following adoption of an amendment.

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. Upon adoption of any amendment that changes the cost of a new business item, the chair shall immediately announce the updated cost and the cost shall be displayed on the screen.

Impact Statement:

Standing Rule 3.E. addresses the display of business during the Representative Assembly. Currently, all initial proposed items for debate are provided in the daily RA Today newspaper along with cost estimates for proposed new business items. Amendments to items submitted for consideration are displayed on the scene with strikethrough and underlines to show the proposed changes.

As amendments to new business items are submitted for consideration, they are sent to the appropriate content staff to determine if, and how, the amendment would change the initial NBI cost estimate. Once the cost is determined, it is provided to the chair in preparation for debate on the item in question. The chair announces any change in cost when the maker moves the amendment on the RA floor.

If adopted, the amendment would require the chair to announce the change in cost to any NBI after an amendment is approved by the body. It would also require display of the updated cost on the RA screens.

The Committee on Constitution, Bylaws, and Rules interprets this amendment to continue to require the chair to announce the cost of a proposed amendment prior to a vote, so the body is aware of the impact of the amendment before voting. If the amendment is adopted, the chair would again announce the updated cost and the cost would be displayed on the screen as well.

Submitted by: 50 Delegates

Contact person: Michael Tedesco, New Jersey

STANDING RULE AMENDMENT 2

Title: To require all original makers of NBIs be given one minute to speak when another delegate moves to refer their NBIs to the appropriate committee.

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 by someone other than the original maker to bundle, combine, or in any other way refer one or more NBIs to committee, ~~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 their NBI and whether they support or oppose referral.

Impact Statement

Standing Rule 3.M addresses motions that come from the Representative Assembly floor to refer items to the appropriate committee. Under current rules, a maker can move to refer their own motion, or another delegate can make such a motion. If a delegate moves to refer a single item proposed by another delegate, the original maker must be provided the opportunity to speak to the referral. If a delegate proposes to combine or bundle a group of new business items, the chair must ask each maker of an NBI included in the proposed bundle whether they support the referral, and must give each maker one minute to speak.

If adopted, the amendment would clarify that when a delegate moves to refer one or more new business items, other than their own item, to the appropriate committee, the makers of all items included in the motion must be provided one minute to speak to the referral. This would apply regardless of whether the items are being voluntarily referred in a bundle by the original makers, or involuntarily referred by another delegate.

If adopted, this amendment would work as any other Standing Rule, in that a motion to suspend the rules would suspend this requirement as well.

Submitted by: 50 Delegates

Contact person: Kerry Costello, Massachusetts

STANDING RULE AMENDMENT 3

Title: To require automatic referral to the appropriate committee of any new business items not brought to the floor for debate prior to adjournment.

Rule 3. Order of Business and Debate

New Section

Q. Automatic Referral

New business items that are not brought to the floor by the end of the Representative Assembly shall be automatically referred to the appropriate committee.

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*.” Under Robert’s Rules, proposed items that have not come to the floor for consideration prior to adjournment “fall to the ground.” These items are not referred or otherwise acted upon.

If adopted, the amendment would require that any new business items that have not reached the floor for debate before adjournment be referred to the Executive Committee. If the amendment is adopted, the chair will announce prior to adjournment which new business items have not been addressed and will, therefore, be referred. As the referral will not be made via motion from the floor and will not be subject to a vote by the body, rules giving makers time to speak on the referral will not apply.

Following the RA, items referred through this process will be treated the same as other items referred throughout the RA. Each item will be reviewed by the NEA Executive Committee in the fall and makers will be notified of the Executive Committee’s decision. This includes whether the item will move forward to another committee or staff or will not move forward.

If this amendment results in an increase in the number of overall NBIs submitted, the limited debate time during the RA is likely to mean that the body will not get to a full and robust debate on all submitted items. Thus, items submitted closer to the deadline will likely be referred rather than being subject to debate and vote on the floor.

If adopted, this amendment would work as any other Standing Rule, in that a motion to suspend the rules would suspend this requirement as well.

Submitted by: 50 Delegates

Contact person: Andrew Willis, Massachusetts

STANDING RULE AMENDMENT 4

Title: To strike language requiring submission of amendments to proposed new business items no later than two hours prior to the start of the Representative Assembly on the day on which the item is to be considered.

Rule 6. New Business Items (NBI)

A. Submission

New business items shall be submitted no later than 15 days prior to the opening of the Representative Assembly at 4:00pm in the time zone of the host city to the Committee on Constitution, Bylaws, and Rules via a process communicated in advance to all delegates.

Revisions by the maker of a new business item may be submitted no later than three days prior to the opening of the Representative Assembly at 4:00pm in the time zone of the host city. Revisions must address the same issue as the original new business item but may include different actions reasonably related to the action in the original NBI. Revisions will replace the original submission and will become the main motion.....

~~Amendments to proposed new business items may be submitted no later than (2) two hours before the opening of the Representative Assembly on the day on which the new business item is to be considered by the body.~~

Impact Statement

Standing Rule 6 sets out the deadlines for submission of new business items for consideration by the Representative Assembly. In 2022, the RA amended this rule to set the initial deadline for NBI 15 days prior to the opening of the meeting, the deadline for maker modifications that would fully replace the original language 3 days prior to the opening of the meeting, and the deadline for amendments to proposed NBIs two hours prior to the opening of the RA on the day the item is to be considered.

Under current rules, all NBI language is available for review by registered delegates as soon as it has been processed and numbered. Delegates have from the time an item is posted on the website until two hours before the RA opens on the day the item will be considered to submit amendments to proposed NBIs.

When an amendment is received, the Committee on Constitution, Bylaws, and Rules reviews it for clarity, assigns it a letter, and notifies the maker of the process for moving it on the floor. The amendment is sent to appropriate staff to determine if it will change the NBI cost and is imported into the RA business system for display on screens. After the daily submission deadline, a list of submitted amendments is distributed to the Chair, Parliamentarian, General Counsel, RA production team, and staff. This allows governance and staff to find amendment makers, prepare camera shots, and make sure everything is in order prior to debate. Once content staff determine the amendment's cost impact, it is provided to the chair for announcement when the item is moved on the floor.

This amendment would not impact the current process whereby, after an amendment has been submitted by the deadline and moved on the floor, delegates can move additional changes to the amendment from the floor.

If the amendment is adopted, it would strike the NBI amendment submission deadline. Delegates could submit NBI amendments at any time, including from the floor during debate. Amendments submitted

during debate could not be processed and distributed to be ready for immediate display on screens. Debate would be paused while an amendment is entered into the system and staff determine the cost. This amendment would also preclude implementation of standing rule amendment 1, which would require announcing the cost of each new business item immediately thereafter, as we will not have cost prepared in advance of any amendments that come in during debate on the item.

Submitted by: 50 Delegates

Contact person: Jennifer Lafferty, California

STANDING RULE AMENDMENT 5

Title: To increase the number of speakers for and against a motion prior to consideration of a motion to close debate.

Rule 3. Order of Business and Debate

H. Closing Debate

No member speaking on a question may move to close debate. A motion to close debate shall apply to no more than the single question immediately before the Representative Assembly. Before a motion to close debate will be considered, the Chair will recognize at least ~~one~~ two speakers in support and ~~one~~ two speakers in opposition if speakers have called in on the motion on the floor.

Impact Statement

Standing Rule 3.H. sets out the rules for closing debate on an item under consideration on the floor of the Representative Assembly. Under the current rule, the chair must recognize at least one speaker in favor and one in opposition of the motion before a motion to close debate can be considered, unless no speakers have called in to speak in support or opposition.

If adopted, the amendment would increase to two the number of speakers in support and opposition that must be heard prior to consideration of a motion to close debate. Therefore, the chair would have to recognize two speakers in support and two in opposition, alternating between those in support and those in opposition, before allowing a motion to close debate. If only speakers in support or only speakers in opposition had called in, the chair would announce this to the body before accepting a motion to close debate. For example, if only speakers in support had called in, the chair would recognize two such speakers in a row before announcing that there were no speakers in opposition to the motion. At that time, a motion to close debate would be in order.

It is difficult to measure the impact this proposal would have on RA functioning. Not all proposals are debated and some do not have two speakers for and against. Standing Rule 3(F) permits any delegate to speak up to two minutes at one time. An additional required for and against speaker could result in an additional four minutes of debate on any proposal.

Submitted by: 50 Delegates

Contact person: Daniel Solkowitz, California

STANDING RULE AMENDMENT 6

Title: To change the deadline for maker modifications to new business items from three days to one day prior to the opening of the Representative Assembly.

Rule 6. New Business Items (NBIs)

A. Submission

Revisions by the maker of a new business item may be submitted no later than ~~three~~ one days prior to the opening of the Representative Assembly at 4:00pm in the time zone of the host city. Revisions must address the same issue as the original Bew business item but may include different actions reasonably related to the action in the original NBI. Revisions will replace the original submission and will become the main motion.

Impact Statement

Standing Rule 6.A. sets out the process and deadlines for submission of new business items, maker modifications, and amendments to NBIs. Under the current rule, NBIs must be submitted no later than 15 days prior to the opening of the Representative Assembly, and makers then have additional time to submit modifications to their items no later than three days prior to the opening of the Representative Assembly. Maker modifications completely replace the original NBI. Delegates can then submit amendments to any proposed NBIs no later than 8:00am on the day the item is to be considered on the RA floor.

New business items are posted on the RA delegate website and can be viewed by delegates once they register for the RA. Posted NBIs are updated to reflect any maker modifications as soon as such modifications are received and processed. All NBIs are published in the first edition of the *RA Today* newspaper, which is distributed on the day prior to the opening of the RA. State delegations meet the day before the RA opens and use this edition of the *RA Today* to review submitted items. The same *RA Today* (edition #1) is re-distributed on the opening day of the RA.

If the amendment were adopted, the change in deadline would affect the amount of time delegates have to review and respond to new business items and staff to accurately process final New Business Items for costing and legal implications. NBIs would still be published in the first edition of the *RA Today* distributed the day before the RA opens. However, this edition of the paper would not reflect any modifications submitted on the day before the RA opens, and state delegations would not have all final NBI language for their meetings until the first day of the RA. An additional edition of the *RA Today* would have to be printed for the first day of the RA that included any modifications submitted the prior day. This would result in an additional cost of \$72,725 for each RA.

If adopted, this amendment would go into effect for the 2025 Representative Assembly, as both the current and proposed deadlines for maker modifications would have passed before the body considers this amendment.

Submitted by: 50 Delegates

Contact person, Brittany Alexander, Ohio

STANDING RULE AMENDMENT 7

Title: To increase the minimum amount of time allocated to consideration of new business items at the start of each business meeting.

Rule 3. Order of Debate

D. Scheduling of New Business Items

Items of new business submitted in accordance with these Standing Rules shall be considered for at least ~~one hour~~ 90 minutes at the second business meeting and for at least ~~90 minutes~~ two hours at each subsequent meeting.

Impact Statement

Standing Rule 3.D sets out the requirements for scheduling of consideration of new business items on the Representative Assembly floor. Currently, the rule requires scheduling one hour of new business at the start of the second business meeting, which occurs on the afternoon of the first day of the Representative Assembly, and 90 minutes at the start of each subsequent business meeting throughout the four days of the RA.

If adopted, the amendment would increase the minimum amount of time for debate of new business to 90 minutes during the second business meeting and two hours at each subsequent business meeting. Thus, the chair would adjust the schedule accordingly.

The Committee on Constitution, Bylaws, and Rules believes the amendment would go into effect immediately if adopted.

Submitted by: 50 Delegates

Contact person, Brittany Alexander, Ohio

STANDING RULE AMENDMENT 8

Title: To codify the existing practice of providing makers at least three reports a year on implementation of their new business items, and to require at least one opportunity for makers to provide input on implementation progress.

Standing Rule 6. New Business Items (NBIs)

K. Implementation

During the program year of implementation, the mover of a new business item adopted by the Representative Assembly shall be advised about the steps being undertaken to accomplish its implementation at least three times. NBI implementation reports will be posted on the NEA RA Delegate website. Additionally, the mover will be given the opportunity to provide input on the NBI's implementation progress at least one time between February 1st and April 30th.

Impact Statement

Standing Rule 6.K requires periodic notification to makers of adopted new business items about the status of implementation. Under current practice, NEA sends three reports via email to all makers of adopted items, one in the fall, one in ~~early~~ winter, and one in the spring. The final report is included in the Implementation Report provided to all delegates on the RA website.

If adopted, the amendment would codify the current practice of three reports to makers per year. In addition, it would require that all three reports be posted on the delegate website. Finally, the amendment would require at least one contact between February and April from staff assigned to implement an NBI to the maker of the NBI to allow the maker to provide input on implementation of the item.

If the amendment is adopted, NEA will continue to email three reports per year to makers of adopted NBIs. In addition, NEA will post the reports on the delegate website at the same time the reports are emailed to the makers. Finally, staff assigned to each NBI will reach out to the maker to schedule a time to report and receive input on the implementation of the item.

Submitted by: 50 Delegates

Contact person: Juliana Dauble, Washington

STANDING RULE AMENDMENT 9

Title: To require the chair to announce the number of speakers remaining in the queue prior to any vote on a motion to close debate when there have been fewer than three speakers on each side.

Rule 3. Order of Business and Debate

H. Closing Debate

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

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

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

Prior to a vote to close debate, if there have been fewer than three speakers in favor and three opposed on the motion, the chair will state how many delegates remain in the queue to speak on each side.

Impact Statement

Standing Rule 3. H addresses the process by which delegates can move to close debate on a motion, including the number of speakers who must be called prior to any such motion being considered.

If adopted, the amendment would require the chair to announce how many speakers in favor and how many speakers opposed remain in the queue before a vote on a motion to close debate, if there have not already been at least three speakers on each side.

Delegates to the Representative Assembly enter the speaking queue by filling out forms at any of the floor microphones indicating on which item, and on which side, they wish to speak. Microphone attendants call the information up to the stage, where it is written on paper slips that are provided to the parliamentarian and stage staff. Staff sort the papers by item and side and then hand slips one by one to the chair to call on the delegate.

If the amendment is adopted, the chair will ask the parliamentarian and staff to count the remaining slips on each side of the motion on the floor any time a motion to close debate is made and there have not been at least three speakers for and three against. The body will wait while the slips are counted. Once the numbers are announced to the body, the chair will proceed with the vote on the motion to close debate. The Committee on Constitution, Bylaws, and Rules estimates this process could add approximately one minute to the time spent on each motion to close debate where such counting was required.

Submitted by: 50 Delegates

Contact person: Juliana Dauble, Washington

STANDING RULE AMENDMENT 10

Title: To require the Annual Meeting Review Committee to meet with makers of items referred to the committee to ascertain the intent of the item.

Rule 6. New Business Items (NBIs)

M. Impacting the Annual Meeting

(c) Referred – if the Representative Assembly refers the new business item to the Annual Meeting Review Committee without taking a position for or against the new business item, the Annual Meeting Review Committee shall meet with the maker of the motion about the intent of the item to assess the new business item.

Impact Statement

Standing Rule 6 M. addresses new business items that impact the conduct of the Annual Meeting and Representative Assembly. The rule outlines three scenarios:

- If an NBI addressing the conduct of the Annual Meeting is rejected by the body, no further action is needed;
- If the Representative Assembly adopts the new business item, the Annual Meeting Review Committee must implement the new business item, unless, after consideration of legal, financial, and other relevant factors, it concludes that such implementation would not be in the best interest of the Association. In that event, the Annual Meeting Review Committee must make a recommendation to the Board of Directors regarding implementation of the new business item.
- If the Representative Assembly refers the new business item to the Annual Meeting Review Committee without taking a position for or against the new business item, the Annual Meeting Review Committee must assess the new business item and then make a recommendation to the Board of Directors regarding implementation.

Currently, the submission process includes clarifying maker intent when necessary. When an amendment is adopted, this information is relayed to the Annual Meeting Review Committee. The Annual Meeting Review Committee may additionally reach out to the maker of any item referred to the committee. If the amendment is adopted, it would require the Annual Meeting Review Committee to meet with the maker of any item referred to the committee under the third scenario outlined above before making a recommendation to the NEA Board. The purpose of the meeting would be to ascertain the maker's intent for the NBI.

The Annual Meeting Review Committee generally meets in September and, if necessary, additional times in the fall before making its report to the Board in February. If the amendment is adopted, the committee would likely invite the makers of any referred items to attend the September or other appropriate meeting using virtual technology. As such, the Committee on Constitution, Bylaws, and Rules does not believe there would be a cost to implementation of this item.

Submitted by: 50 Delegates

Contact person: Melissa Tomlinson, New Jersey

STANDING RULE AMENDMENT 11

Title: To require that all committee reports be available to RA delegates digitally no later than June 1.

Rule 4. Reports

B. Availability

Copies of each report by a committee of the Association or of the Representative Assembly shall be made available digitally to each member of the Assembly ~~before or at the time of the presentation of such report~~ by the first of June, prior to the Assembly.

Impact Statement

Standing Rule 4 B. addresses the availability of committee reports to Representative Assembly delegates. The current rule requires that all reports be made available to delegates before or at the time of the presentation of the report to the body. In practice, however, NEA traditionally makes all reports available to delegates digitally on the delegate website by early to mid-June.

NEA's delegate website's "delegate resources" page houses all action and information items for easy delegate access. Many of the reports and information items must be approved by the Board of Directors prior to posting. These include committee reports and recommendations, policy statement amendments, and the proposed legislative program. The Board typically considers these items at their spring meeting, which usually takes place in late April or early to mid-May. Once the Board has approved these items, they are then designed and formatted into documents that meet the requirements for accessibility for vision-impaired delegates and are posted on the RA website. This process can take several weeks to a month as the graphic designers work with staff to make sure the items are formatted properly. Priority is given to those items requiring delegate action, such as the legislative program and new policy statements, so as to give delegates the most time possible to review these items.

If adopted, the amendment would require all committee reports to be made available digitally to RA delegates no later than June 1. Depending on the timing of the Spring Board meeting, it may not be possible to post the fully designed, formatted, accessible versions of all reports by June 1. In such instances, NEA could post the Word version of the report booklet on the website by the June 1 deadline, replacing it with the formatted version when that is available.

Submitted by: 50 Delegates

Contact person: Marj Hogan, Washington