Constitution of the National Education Association of the United States

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 in the learning process, 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.

Article I. Name, Goals, Objectives, and Authorities for Governance

Section 1. Name.

The name of this organization shall be the National Education Association of the United States.

Section 2. Goals and Objectives.

The goals of the Association shall be as stated in the Preamble. The Association shall have all power necessary and proper to take action for the attainment of these goals. Nothing in this Constitution or in the Bylaws shall be construed to prevent the Association from pursuing objectives which are consistent with the stated goals of the Association.

Section 3. Governance.

The Association shall be governed by its Charter, this Constitution, the Bylaws, the Standing Rules, and such other actions as the Representative Assembly, the Board of Directors, and the Executive Committee may take consistent therewith.
Article II. Membership

Section 1. Categories of Membership.

Membership in the Association shall comprise a category of Active members and such other categories as may be provided in the Bylaws.


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 2.a.(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.

Section 3. Property Interest of Members.

All right, title, and interest, both legal and equitable, of a member in and to the property of the Association shall end upon the termination of such membership.

Article III. Representative Assembly

Section 1. Accountability.

The Representative Assembly, comprising members of the Association, derives its powers from and shall be responsible to the membership.

Section 2. Allocation of Delegates.

a. Except as otherwise provided in Subsection (c) below, allocation of delegate credentials to state affiliates shall be based on the ratio of 1:1,000 Active members of the Association within the state. No state shall receive fewer than fifteen (15) delegate credentials. Other delegate credentials shall be allocated as provided in the Bylaws.
b. Except as otherwise provided in Subsection (c) below, allocation of delegate credentials to local affiliates shall be based on the ratio of 1:150 Active members of the Association or major fraction thereof. Local affiliates within a state may similarly join together to form membership units for the purpose of representation. Allocation of delegate credentials for such clustered local affiliates shall be based on the ratio of 1:150 Active members of the Association or major fraction thereof.

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

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

Section 3. Election of Delegates.

a. Members of the Representative Assembly shall be elected in accordance with the one-person–one-vote principle. Specific exceptions to the application of this principle may be set forth in this Constitution and/or the Bylaws.

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

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

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

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

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

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

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

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

c. Election of delegates to the Representative Assembly shall be by secret ballot for each individual position. The NEA members within each membership group entitled
to delegate allocations as set forth in the Constitution and the Bylaws shall be eligible to vote.

d. If the number of candidates for delegate positions is equal to or less than the number of positions to be filled, elections may be waived, and the candidates declared elected to the delegate positions in question.

Section 4. Seating of Delegates.

The Representative Assembly shall have jurisdiction over the seating of its delegates.

Section 5. Meetings.

The Representative Assembly shall meet at least annually. This stipulation shall apply except in cases of emergency.

Section 6. Committees.

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

Section 7. Functions.

The Representative Assembly shall:

a. Establish Association policies and objectives;

b. Elect the President, the Vice-President, the Secretary-Treasurer, the at-large members of the Board of Directors, and the members of the Executive Committee as provided in this Constitution and/or the Bylaws;

c. Adopt the budget;

d. Establish dues;

e. Approve or ratify the establishment of subsidiary corporate structures;

f. Exercise final authority in all matters of the Association;

g. Amend this Constitution and the Bylaws in accordance with Article IX hereof;

h. Adopt the rules and agenda governing its meetings; and

i. Enact such other measures as may be necessary to achieve the goals and objectives of the Association which are not in conflict with the Charter, this Constitution, or the Bylaws.

Section 8. Objectives.

The Representative Assembly may periodically establish specific objectives in the pursuance of the stated goals of the Association.

In the event of an emergency, the Board may postpone the Annual Meeting as provided by the Bylaws. In the event of such postponement, all officers and members of boards and committees authorized by this Constitution and by the Bylaws shall remain in office until the Representative Assembly convenes. It shall then provide for their successors.

Article IV. Executive Officers

Section 1. Executive Officers.

The executive officers of the Association shall be the President, the Vice President, and the Secretary-Treasurer.

Section 2. Qualifications for Executive Officers.

All candidates for the office of President, Vice President, and Secretary-Treasurer shall have been Active members of the Association for at least two (2) years immediately preceding the election. All executive officers shall maintain Active membership in the Association.

Section 3. Elections, Terms, and Salaries.

a. The President, the Vice President and the Secretary-Treasurer shall be nominated at and elected by the Representative Assembly at the Annual Meeting in accordance with this Constitution, the Bylaws, and the Standing Rules.

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

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

d. The executive officers shall serve full time; their salaries shall be established by the Board of Directors.


By December 1 of each membership year immediately preceding the next membership year in which a presidential election is to be held (i.e., approximately 18 months prior to the date of the election), appropriate information about the office of President and the electoral process, including all relevant timelines, shall be sent to each of the ethnic-minority special interest groups identified in Bylaw 12; and
During the membership year in which the aforesaid presidential election is to be held, a copy of this section of the Constitution, with an appropriate explanation as to its background and intent, shall be included in (a) an Association publication sent to all members by December 1 and (b) the material that is sent to the delegates to that year’s Representative Assembly.

If, after any period of eleven (11) consecutive membership years a member of an ethnic-minority group has not served as President, the Association shall take such steps as may be legally permissible to elect a member of an ethnic-minority group.

Section 5. Succession and Vacancies.

Vacancies occurring by reason of death, resignation, incapacity, judgment of impeachment, or other disqualification shall be filled as follows:

a. A vacancy in the office of President shall be filled by the Vice President.

b. If, during the first or second year of a term a vacancy in either the office of Vice President or the office of Secretary-Treasurer occurs, such vacancy shall be filled by the Board of Directors, which shall elect a successor to serve until the next meeting of the Representative Assembly. The Representative Assembly shall then elect a successor for the remainder of the term. In the event a vacancy occurs during the third year of a term, the Board of Directors shall elect a successor for the remainder of the term.

Section 6. Impeachment.

Executive officers of the Association may be impeached for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

a. Impeachment proceedings against an executive officer shall be initiated by written petition submitted to the Review Board by at least fifteen (15) percent of the certified delegates to the Representative Assembly.

b. If, after a due process hearing, a two thirds (2/3) vote of the Review Board shall sustain the charge, the office shall become vacant.

c. The officer may appeal the decision to the Board of Directors.

Article V. Board of Directors

Section 1. Composition.

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

Except as otherwise provided below, each state unit shall be entitled to an additional director for each 20,000 Active members of the Association, provided that if the number of state directors reaches one hundred fifty (150), the number of directors to which the state units are entitled shall be adjusted to prevent the total from exceeding one hundred fifty (150). The Board of Directors shall adopt rules for implementing this
provision. The number of Active members of the Association that shall be required to entitle a state affiliate or a dual-national state affiliate to an additional director shall be proportionately adjusted to reflect the reduction in Association dues paid by such members pursuant to Bylaw 2-7.m, provided that this Article V. Section 1 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 become affiliated with the Association as a dual-national local affiliate prior to September 1, 1999.

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

a. At least one (1) director elected within each state shall be a nonsupervisor and, if a state is entitled to more than one (1) director, at least one (1) shall be a classroom teacher. The total number of additional directors representing the members in each state affiliate after the first shall be on the basis of proportional representation by educational position of NEA members.

b. In the event that the first three (3) directors from a state or the first three (3) retired directors do not include at least one (1) ethnic-minority person, the state affiliate or the retired delegates to the Representative Assembly, as the case may be, shall take all legally permissible steps to elect a fourth director who is from an ethnic-minority group.

c. Members from ethnic minorities shall comprise at least twenty (20) percent of the Board. The Representative Assembly shall elect additional directors as appropriate to assure such ethnic-minority representation. If, between meetings of the Representative Assembly, ethnic-minority representation on the Board falls below twenty (20) percent, the Board shall elect additional directors as appropriate to assure the necessary ethnic-minority representation, provided that such an election can be held at a Board meeting prior to the meeting that takes place in connection with the Annual Meeting. Candidates for these positions shall be nominated by members of the Board and ethnic-minority caucus chairpersons, and any ethnic-minority person who otherwise is eligible to serve on the Board may be a candidate. The person(s) elected shall serve until an election can be held by the next Representative Assembly in accordance with this section.

d. Administrators shall be represented on the Board in proportion to their membership in the Association. If the percentage of administrators elected to the Board of Directors fails to achieve proportional representation, the Representative Assembly shall elect at large the number required to assure such representation. Candidates for these positions shall be nominated by the delegates at the Representative Assembly who are administrators.

e. Classroom teachers in higher education shall be represented on the Board at least in proportion to their membership in the Association. If the percentage of classroom teachers in higher education elected to the Board of Directors fails to achieve such proportional representation, the Representative Assembly shall elect at large the number required to assure such representation. Candidates for these positions shall be nominated by the delegates at the Representative Assembly who are classroom teachers in higher education.

f. Active members employed in education support professional positions shall be represented on the Board at least in proportion to their membership in the Association. If the percentage of such members elected to the Board fails to achieve such proportional representation, the Representative Assembly shall elect at large the number required to
assure such representation. Candidates for these positions shall be nominated by the delegates at the Representative Assembly who are Active members employed in education support professional positions.

    g. In elections for at-large positions on the Board of Directors at the Representative Assembly, if the number of candidates nominated equals the number of positions to be filled, the Chair shall declare such candidates elected.

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

Section 2. Terms of Office.

    a. The terms of office of NEA state, at-large, and retired directors shall be three (3) years, except that a state director may be elected for one year or two years to fill a vacancy or achieve a staggering of terms.

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

    c. Retired directors shall serve no more than two (2) terms. Prior service on the Board of Directors in a position other than a retired director position shall not be counted toward the two (2) term limit for a retired director.

    d. All candidates for NEA state and at-large directors shall have been Active members of the Association for at least two (2) years immediately preceding the election. All state and at-large directors shall maintain throughout their terms of office Active membership in the Association.

    e. Retired directors shall maintain Retired membership throughout their terms of office.

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

Section 3. Functions.

Consistent with the goals and objectives and the existing policies of the Association, the Board of Directors shall act for the Association between meetings of the Representative Assembly and in addition shall have the sole responsibility for any matter expressly delegated to it by the Representative Assembly.

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.

Section 2. Qualifications and Terms of Office.

a. Terms of the Executive Committee members shall be three (3) years beginning September 1 following the election. Such members of the Executive Committee shall not serve more than two (2) terms.

b. All candidates shall have been Active members of the Association for at least two (2) years immediately preceding the election. All Executive Committee members shall maintain throughout their terms of office Active membership in the Association.

Section 3. Functions.

Consistent with the goals and objectives and the existing policies of the Association, the Executive Committee shall act for the Association between meetings of the Board of Directors and in addition shall have the sole responsibility for any matter expressly delegated to it by the Representative Assembly and/or the Board of Directors.

Section 4. Impeachment.

Officers of the Association may be impeached for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

a. Impeachment proceedings against an officer may be initiated by written petition submitted to the Review Board by at least fifteen (15) percent of the certified delegates to the Representative Assembly.

b. If, after a due process hearing, a two thirds (2/3) vote of the Review Board shall sustain the charge, the office shall become vacant.

c. The officer may appeal the decision to the Board of Directors.

Article VII. Review Board

Section 1.

The judicial powers of the Association as described in this Article shall be vested in the Review Board.
Section 2. Powers.

The jurisdiction of the Review Board shall extend to cases as herein defined:

a. The Review Board shall have original jurisdiction in the following cases:
   1. Impeachment of an officer who is a member of the Executive Committee;
   2. Alleged violations of the Code of Ethics of the Education Profession;
   3. The censure, suspension, or expulsion of a member;
   4. Review, upon request, of an action of the Executive Committee, Board of Directors, or Representative Assembly regarding consistent application of the Constitution or Bylaws of the Association.

b. The Review Board shall have the following powers subject to the conditions as herein outlined:
   1. To impeach an officer. The officer shall have the right to appeal to the Board of Directors;
   2. To censure, suspend, or expel a member for violation of the Code of Ethics of the Education Profession or other sufficient cause. The member shall have the right to appeal to the Executive Committee on procedural grounds only;
   3. To vacate censure, lift suspension, or reinstate a member;
   4. To review an action of the Executive Committee, Board of Directors, or Representative Assembly for consistency with the Constitution and Bylaws and to recommend to the appropriate governing body remedial action if necessary. Requests for review may be made only by the Executive Committee, Board of Directors, Representative Assembly, a local or state affiliate (by official action), or upon petition of ten (10) percent of the certified delegates of the Representative Assembly.

Section 3. Review Board Appointment.

The Review Board shall be appointed by the President with the advice and consent of the Board of Directors.

Section 4. Review Board Prerogatives.

The Review Board shall establish its rules of procedure with the approval of the Board of Directors. Due process must be guaranteed in all its proceedings.

Section 5. Impeachment.

a. Members of the Review Board may be impeached for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

b. The process for impeachment of Review Board members shall be as follows:
   1. Proceedings against a member of the Review Board shall be initiated by action of the Representative Assembly, or by official action of a local or state affiliate or upon petition of ten (10) percent of the certified delegates of the Representative Assembly under rules determined by the Board of Directors.
2. An affirmative vote of the Executive Committee shall be required to order an impeachment hearing on specified charges.

3. An affirmative vote of at least two thirds (2/3) of the members of the Executive Committee shall be required to sustain a charge following a due process hearing before the Committee and the position shall become vacant.

4. The member has the right to appeal the Executive Committee decision to the Board of Directors. No member of the Executive Committee shall be a party to the appellate procedure.

Article VIII. Affiliates and Special Interest Groups

Section 1. Affiliation.

Affiliation shall mean a relationship based on a reciprocal contractual agreement between the Association and an organization involved with or interested in education and shall continue until the affiliate withdraws or becomes disaffiliated.

Section 2. Ethnic-Minority Representation.

Affiliates of the Association shall take 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 of the affiliate.

Section 3. Classes.

The classes of affiliates shall be governance, nongovernance, and such other affiliates as may be provided in the Bylaws.

a. The governance class shall comprise local and state affiliates exclusively.

b. The nongovernance class shall comprise all other affiliated professional and nonprofessional organizations.

Section 4. Rights of Active Members in Governance Affiliates.

Each governance affiliate shall guarantee its active members an open nomination procedure and a secret ballot except as otherwise provided in this Constitution or in the Bylaws. No governance affiliate shall discriminate against its active members in their right to vote, seek office, or otherwise participate in the affairs of the affiliate, of other governance affiliates, or of the Association.

Section 5. Standards and Procedures for Affiliation.

Affiliates which fail to comply with standards and procedures set forth in the Bylaws shall be subject to censure, suspension, or disaffiliation as prescribed in this Constitution.
Section 6. Special Interest Groups.

Any organized group of Association members having a common interest or purpose may be recognized as a Special Interest Group, provided such group is not eligible for any class of affiliation.

Article IX. Amendment of Constitution and Bylaws

Section 1. Proposal of Amendments.

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

a. By petition signed by at least one hundred (100) Active members from two (2) or more states and submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly;

b. By petition signed by at least fifty (50) certified delegates and submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly;

c. By at least two (2) state delegations in the Representative Assembly whose concurrence in the proposed amendment is evidenced either by a majority vote of those delegates present and voting in each delegation at a regularly called meeting of the delegation held in connection with the Annual Meeting or by petition signed by a majority of the members of each delegation. Proposals shall then be submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly.

d. By majority vote of the NEA Board of Directors and submitted to the Committee on Constitution, Bylaws, and Rules for presentation to the Representative Assembly; or

e. By a majority vote of the Committee on Constitution, Bylaws, and Rules.

Section 2. Amendment of the Constitution.

a. A proposed amendment to the Constitution shall be presented in writing to the Committee on Constitution, Bylaws, and Rules 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.

b. The text of the proposed amendment shall be provided to all members at least sixty (60) days prior to its consideration through NEA printed or electronic media.

c. This Constitution may then be amended at the Annual Meeting by a two-thirds (2/3) vote of delegates present and voting.
Section 3. Amendment of the Bylaws.

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

b. The text of the proposed amendment shall be provided to all members at least sixty (60) days prior to its consideration through NEA printed or electronic media.

c. The Bylaws may then be amended at the Annual Meeting by a majority vote of the delegates present and voting.

Section 4. Voting on Amendments.

a. Voting on proposed amendments to this Constitution or to the Bylaws shall be by secret ballot.

b. Unless otherwise provided, all amendments shall take effect at the beginning of the fiscal year following their adoption.

Section 5. Withdrawal of Proposed Amendments.

Requests for withdrawal of proposed amendments shall be submitted in writing to the Committee on Constitution, Bylaws, and Rules. Such withdrawal shall be effective when approved by the Representative Assembly. Requests for withdrawal of proposed amendments to this Constitution or to the Bylaws may be granted by action of the Representative Assembly based on requests made in the following manner:

a. If originally proposed by petition of one hundred (100) or more members from two (2) states or fifty (50) or more delegates, the request shall be signed by at least two-thirds (2/3) of such members or delegates;

b. If originally proposed by two (2) state delegations, the request shall be signed by at least two-thirds (2/3) of the delegates from each state;

c. If originally proposed by the NEA Board of Directors, the request shall be made by a majority of the Board;

d. If originally proposed by the Committee on Constitution, Bylaws, and Rules, the request shall be made by a majority of the committee.
Bylaws of the National Education Association of the United States

1. Objectives

1-1. Specific Objectives.

The specific objectives directed toward the achievement of the stated goals of the Association shall be:

a. To improve the structure of the Association to ensure the full and effective participation of all members, thereby establishing and maintaining an independent, self-governing organization;

b. To promote continuous improvement of instruction and of curriculum;

c. To promote and to protect the rights and welfare of its members;

d. To advance professional rights and to enhance professional responsibilities to further the consistent development and improvement of the profession and its practitioners;

e. To work among the American people for broad support of education and for improved attitudes toward the profession;

f. To secure adequate financial support for public education;

g. To promote the rights and welfare of all students;

h. To assist each student in realizing his or her maximum potential;

i. To develop and provide leadership in solving social problems; and

j. To protect and support its members as employees in disputes with employers or with those acting on behalf of employers.

2. Membership

2-1. Categories.

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

b. Active membership shall be open to any person (i) who is employed by or in a public school district, public or private preschool program, public or private college or university, or other public institution devoted primarily to education, regardless of the specific nature of the functions that the person performs at the work site and regardless of who actually employs the person; (ii) who is employed by a public sector employer other than a school district, college or university, or other institution devoted primarily to education but who is employed primarily to perform educational functions; (iii) who is on limited leave of absence from the employment described in items (i) and (ii) above; (iv) who is a member of a state affiliate in the state affiliate’s Active (or equivalently designated) membership category; (v) who is serving as an executive officer of the Association or of a state or local affiliate; or (vi) who is elected to serve as an Executive
Committee member and whose employment as described in (i) or (ii) above is subsequently involuntarily terminated before the end of their current term. The Association shall continue to allow Active membership to those Active members (i) who have been laid off due to a reduction in force for as long as such persons are eligible to be recalled, or for three (3) years, whichever is longer; or (ii) who have been discharged for as long as a legal challenge to such discharge is pending.

Notwithstanding any other provision in these Bylaws, a person who is an Active member of the Association pursuant to Bylaw 2-1.b(iv) may continue such membership only if he or she remains a member of the state affiliate in the Active (or equivalently designated) membership category.

An Active member who is engaged in or on a limited leave of absence from professional educational employment shall hold or shall be eligible to hold a baccalaureate or higher degree or the regular teaching, vocational, or technical certificate required by his or her employment or shall be an exchange teacher who is regularly employed as a teacher in another country.

Active membership is limited to persons who support the principles and goals of the Association and maintain membership in the local and state affiliates where eligible. The Association shall not accept as Active members persons who are not eligible for Active membership (or the equivalently designated membership category) in the state affiliate, unless the state affiliate (i) by action of its board of directors (or equivalent governing body) approves such acceptance and (ii) enters into an agreement with the Association pursuant to which the state affiliate agrees to function as the Association’s agent for the delivery of Association services and programs to the members in question. Approval by and a service agreement with the state affiliate shall not be prerequisites to the Association’s acceptance into Active membership of persons who are not eligible for active membership (or the equivalently designated membership category) in the state affiliate if said persons are members of a local affiliate that (i) is comprised predominantly of persons who are not eligible for active membership in the state affiliate and (ii) was a local affiliate of the Association as of the effective date of this amendment.

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

d. Retired membership shall be open to any person who is at least forty-five (45) years of age or who is eligible to receive a pension from an educational employment retirement system (including Social Security), and who was employed for at least five (5) years in a position that qualified him or her for Active membership but who is no longer so employed or who retires and returns to either day-to-day or regular full- or part-time educational employment as part of an early retirement agreement with the local school district. Retired membership is limited to persons who support the purposes and programs
of the Association. Retired members shall maintain membership in the state affiliate provided the affiliate has a membership category for retired members and provided the affiliate grants such members at least the right to serve as delegates to its delegate assembly or equivalent body and to be counted toward the representation entitlement for such body.

Retired members shall have the right to vote, to hold elective or appointive positions in the Association, and to be counted toward the representation entitlement for the Board of Directors and the Representative Assembly as provided in the Constitution and Bylaws.

Retired members shall be eligible to receive Educators Employment Liability Coverage and other benefits and services of the Association authorized by the Board of Directors.

Unless these Bylaws provide otherwise, a person who is eligible for Association membership in both the Retired and Active membership categories shall have the option to join the Association as a Retired or as an Active member.

An Active Life member who is eligible for Retired membership may join the Association as a Retired member while retaining his or her Active Life membership, provided that during the period of such membership, he or she shall be counted for the allocation of delegate credentials, be eligible to participate in Association governance, be eligible to receive Association benefits and services, and be treated for all other Association purposes only as a Retired member.

e. Unless otherwise provided herein, an educational employee employed on a day-to-day basis who is eligible for membership in the Active category shall have the option of joining the Association as a Substitute member, unless said employee is eligible for NEA Retired membership. The option to join the Association as a Substitute member shall be available only to an educational employee who is employed in a state in which the state affiliate has a substitute membership category and who maintains membership in the state affiliate’s substitute membership category. Substitute members shall receive Educators Employment Liability coverage and other benefits and services authorized by the Board of Directors. Educational employees employed on a day-to-day basis who are included in a bargaining unit with full-time educational employees shall be eligible only for Active membership.

f. Reserve membership shall be open to any person (i) who is on a leave of absence of at least six (6) months from the employment that qualifies him or her for Active membership or (ii) who has held Active or Education Support membership in the Association but whose employment status no longer qualifies that individual for such membership.

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.
Staff membership shall be open to any person employed by the Association or any of its affiliates in a staff position.

i. Unless these Bylaws provide otherwise, a person who is eligible for more than one (1) membership category shall join the Association in the membership category that provides the greatest degree of participation in Association governance.

j. A member may appeal the assigned category of membership to the Executive Committee, which shall have authority to make the final determination in this regard.


a. Membership in the Association shall be determined by the local or state affiliate. Where Association membership is denied on the local level by virtue of educational position, the state may provide for such membership by vote of the state delegate assembly. Educational positions eligible for membership shall be determined through secret ballot in all local or state affiliates. Those local associations limited in membership to classroom teachers may be exempt from such determination.

b. The right to vote and to hold elective or appointive position shall be limited to Active members except as otherwise provided.

c. All members shall be eligible to receive special services, assistance in the protection of professional and civil rights, and reports and publications of the Association in accordance with the policies and procedures of the Association.

d. An individual who is a member of a negotiating team representing a school board or representing a board of trustees of a higher education institution shall be denied membership if such denial is requested by a governing body of an Association affiliate in the school district or higher education institution in question. The Executive Committee shall adopt rules for implementing this Bylaw.

e. An individual who is expelled or suspended by a local or state affiliate for violation of the affiliate’s code of ethics or other sufficient cause shall be expelled or suspended, as may be appropriate, by the Association, unless he or she was expelled or suspended by the affiliate without being accorded due process or for conduct in support of a goal, objective, or written policy of the Association.

f. Active Life members at the time of adoption of this document by the Representative Assembly shall continue to hold Active membership for life; Associate Life members shall continue to hold Associate membership for life. A past president of the Association shall hold Active membership for life. If the employment status of a past president does not meet the requirements of Bylaw 2-1.b, the education position of said individual shall be category 2.

g. Any member, other than a Life member, whose profession or occupational position changes shall be transferred to the class of membership applicable to the new position; the member shall not remain in a class of membership for which the member is no longer eligible.

h. Membership shall be continuous unless terminated for sufficient cause, including but not limited to the unjust use of administrative authority to break a strike, to lock out, to reduce in force, to fire, or to harass an NEA member. Sufficient cause, including “unjust use,” shall be decided by the Review Board on a case-by-case basis.
i. Members who fail to adhere to any of the conditions of membership as stated in Article II of the Constitution shall be subject to censure, suspension, or expulsion.

2-5. Membership Year.

a. The membership year shall be from September 1 through August 31. A person who is not a continuing member of the Association who joins the Association for a particular membership year shall become a member of the Association as of September 1 of that membership year, or the date on which he or she joined the Association, whichever is later.

b. If a person who is not a continuing member of the Association joins the Association for a particular membership year prior to September 1 of that membership year, and the school year that corresponds to the Association membership year begins for that person prior to September 1, he or she shall be eligible to receive the benefits and services of the Association authorized by the Board of Directors during the portion of the school year between the date that he or she joined the Association and September 1.

2-7. Membership Dues.

a. Dues of Active members engaged in or on limited leave of absence from professional educational employment shall be .00225 times the national average annual salary of classroom teachers in the public elementary and secondary schools (rounded to the nearest dollar) plus .00055 of the national average annual salary of classroom teachers in the public elementary and secondary schools (rounded to the nearest dollar) to be allocated to UniServ grants according to the policy of the Board of Directors. The computation shall be based on salary data for the prior year as determined by NEA Research.

The dues of an Active member who has left professional educational employment to serve as an executive officer of the Association or of a state or local affiliate shall be equal in amount to the dues of an Active member engaged in or on a limited leave of absence from professional educational employment.

Dues of Active members who are employed in or on limited leave of absence from education support professional positions shall be determined in the same manner as the dues of Active members engaged in professional educational employment except that the national average annual salary of school employees in education support positions shall be used in the formula and the dues shall in no event be less than one-half (1/2) the dues of Active members engaged in professional educational employment. The portion of said dues allocated to UniServ grants shall be equal in amount to that allocated on behalf of Active members engaged in professional educational employment.

The dues of an Active member who has left an education support professional position to serve as an executive officer of the Association or of a state or local affiliate shall be equal in amount to the dues of an Active member engaged in or on a limited leave of absence from an education support professional position.

The dues of persons who are Active members of the Association pursuant to Bylaw 2-1.b (iv) shall be equal in amount to the dues of similarly situated Active members who are either (i) engaged in or on limited leave of absence from professional
educational employment, or (ii) employed in or on limited leave of absence from educational support positions, based on the categorization used by the state affiliate to determine the state affiliate’s dues for such persons.

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.

b. The dues of an Active member who is an exchange teacher from another country shall be waived, provided that the exchange teacher continues to hold membership in a national teacher organization in his or her country of residence, the national teacher organization grants full membership rights and a dues waiver to any NEA member who is an exchange teacher in that country, and the relevant state and local affiliates grant full membership rights and a dues waiver to the exchange teacher.

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

d. The membership fee for persons eligible for Active membership who are regularly employed for fifty (50) percent or less, but greater than twenty-five (25) percent, of the normal schedule for a fulltime employee, who are not employed as substitutes, and who are not eligible for membership as a full-time employee through another local association (as verified by the local association) shall be one half (1/2) of the Active dues, as appropriate. The membership fee for persons eligible for Active membership who are regularly employed for twenty-five (25) percent or less of the normal schedule for a full-time employee, who are not employed as substitutes and who are not eligible for membership as a full-time or part-time employee through another local association (as verified by the local association) shall be one-quarter (1/4) of the Active dues, as appropriate.

e. The membership fee for Active members who are employed as substitutes shall be one-fourth (1/4) of the Active dues, as appropriate.

f. The Association shall continue to allow Active membership to those education association members laid off due to a reduction in force with reduction in dues of fifty (50) percent. Such eligibility for Active membership shall continue as long as such persons are eligible to be recalled or for three (3) years, whichever is longer.

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

h. Dues of Retired members shall be established by the Board of Directors and shall be payable (i) by a retired individual who joins the Association on an annual basis
or (ii) through a Retired membership-for-life program as established by the Board of Directors.

i. Dues for Substitute members shall be established by the Board of Directors.

j. Dues of Reserve members shall be one-half (1/2) the dues of Active members, as appropriate.

k. Dues of Staff members shall be one half (1/2) the dues of Active members engaged in professional educational employment.

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

m. The Executive Committee may establish reduced membership dues for persons eligible for Active membership who are included in a group of employees (i) that is attempting to become an affiliate of the Association; (ii) for which an affiliate of the Association is attempting to become the recognized organization; (iii) for which an affiliate of the Association is the recognized organization, but has not yet negotiated an initial collective bargaining agreement; (iv) in which a competing organization is attempting to solicit members by charging a lesser amount of dues; or (v) who are not eligible for membership in a state or local affiliate of the Association. The amount of the dues charged to such persons, and the Association services and benefits for which they are eligible, shall be determined by the Executive Committee on a case-by-case basis.
for membership in the American Federation of Teachers, the Association shall receive the full amount of said member’s total combined national dues.

(2) If a member of a dual-national local affiliate (a) that is in a state that does not have a dual-national state affiliate, or (b) that is in a state that has a dual-national state affiliate but is newly created and did not result from the merger of an Association local affiliate and an American Federation of Teachers local affiliate, is a member of the Association and the American Federation of Teachers, each organization shall receive fifty percent (50%) of said member’s total combined national dues, provided that the Association shall not receive more than fifty percent (50%) of the Association dues for the relevant membership category. If the member is a member of the Association but is not eligible for membership in the American Federation of Teachers, the Association shall receive the full amount of said member’s total combined national dues.

The national dues of members in any merged local affiliate with 20,000 members or more in the membership year prior to the merger shall be determined in accordance with Bylaw 2-7m(1), not Bylaw 2-7m(2).

(3) The provisions of Bylaw 2-7.m shall take precedence over anything to the contrary in Bylaw 2-7.a through l.

o. Beginning with the 2007-08 membership year, the annual membership dues of Active members of the Association, as computed pursuant to Bylaw 2-7.a, shall be increased by ten dollars ($10.00), with an additional increase of ten dollars ($10.00) beginning in the 2011-2012 membership year. This dues increase shall be allocated to the Ballot Measure/Legislative Crises and Media Campaign Fund. The annual membership dues of Aspiring Educator members of the Association, as established pursuant to Bylaw 2-7.g, shall include one dollar ($1.00) to be allocated to the Ballot Measure/Legislative Crises and Media Campaign Fund.

Sixty percent (60%) of the money allocated to the Ballot Measure/Legislative Crises and Media Campaign Fund during each membership year shall be available to assist state affiliates in dealing with ballot measures and legislative crises, and forty percent (40%) shall be available for national and state media campaigns to advance the cause of public education and publicize the role of the Association and its affiliates in improving the quality of public education.

Where necessary to avoid legal problems under state law, the Association and a state affiliate may, at the request of the state affiliate, enter into a written agreement providing that the money collected from members of that state affiliate shall not be used to deal with ballot measures, but shall be used only to deal with legislative crises and/or to fund national and state media campaigns. The Executive Committee shall develop guidelines to implement this Bylaw. These guidelines shall be submitted to the Board of Directors, and shall become effective when approved by the Board of Directors.

The NEA president shall make a report regarding the operation of the Ballot Measure/Legislative Crises and Media Campaign Fund, which shall include a financial statement, to each Representative Assembly.

p. Beginning with the 2002–2003 membership year: (1) Active members engaged in or on limited leave of absence from professional educational employment who pay annual dues as calculated pursuant to Bylaw 2-7.a (hereinafter “base annual dues”) shall pay an additional one dollar ($1) in annual dues; and (2) Active members who pay less than base annual dues, Reserve members, and Staff members shall pay an additional fifty
cents ($.50). These additional dues shall be allocated to the NEA Foundation for the Improvement of Education.

q. Beginning with the 2013-2014 membership year, the annual membership dues of Active members of the Association, as computed pursuant to Bylaw 2-7a, shall be increased by three dollars ($3.00). These dues increases shall be allocated to a Special Fund to help NEA affiliates advance the goal of great public schools for all students.

The Executive Committee shall develop guidelines to implement this Bylaw. These guidelines shall be submitted to the Board of Directors, and shall become effective when approved by the Board of Directors.

The NEA president shall make a report regarding the operation of the Special Fund, which shall include a financial statement, to each Representative Assembly.


a. The Association shall enter into contracts with state affiliates governing the transmittal of Association dues. State affiliates shall have the full responsibility for transmitting Association dues from local affiliates on a contractual basis. Local affiliates shall have the full responsibility for transmitting state and Association dues to state affiliates on a contractual basis. Standards and contracts for transmitting dues shall be developed between the state affiliate and each local affiliate.

b. A local shall transmit to a state affiliate and a state affiliate shall transmit to the Association at least forty (40) percent of the Association dues receivable for the year by March 15 and at least seventy (70) percent of the Association dues receivable for the year by June 1; the percentage shall be based upon the last membership count prior to January 15, and upon a membership year beginning September 1, unless the contracted transmittal schedule stipulates otherwise.

   (1) A local or state affiliate which becomes delinquent in its contracted transmittal schedule by more than thirty (30) days shall be assessed a penalty of two (2) percent per month on the overdue balance.

   (2) Except as otherwise provided in 2-9.b (3) or (4), the delegates representing a state affiliate that has not transmitted at least forty (40) percent of the dues receivable for the year by March 15 and seventy (70) percent of the dues receivable for the year by June 1 shall have no right to participate in the NEA Representative Assembly at the Annual Meeting other than to (i) participate in elections for Association officers and (ii) vote on increases in Association membership dues.

   (3) Except as otherwise provided in 2-9.b (4), if a state affiliate informs the NEA in writing that a local affiliate has failed to transmit the Association dues in accordance with the dates set forth in 2-9.b and such information is verified by the executive director, the delegates of that local shall have no right to participate in the NEA Representative Assembly at the Annual Meeting other than to (i) participate in elections for Association officers and (ii) vote on increases in Association membership dues. In this event, the delegates of the state affiliate shall have full right to participate in the NEA Representative Assembly at the Annual Meeting.

   (4) The denial of participatory rights called for in 2-9.b (2) or (3) may be waived by the NEA Executive Committee if the state or local affiliate in question enters into a written contract with the NEA Executive Committee in which it agrees to transmit the
delinquent dues on terms that are acceptable to the NEA Executive Committee, provided that the NEA Executive Committee shall not enter into such a contract with a local affiliate until after it has consulted with the relevant state affiliate. The NEA Executive Committee may terminate any waiver granted pursuant to this section if the affiliate fails to comply with the aforesaid contract.

3. Representative Assembly

3-1. Allocation of Delegates.

a. Allocation of delegate credentials to state and local affiliates shall be on the basis of Active membership in the Association as of January 15 of the calendar year in which the Representative Assembly convenes. Representation from state and local affiliates which provide all-inclusive membership shall be on the basis of proportional representation by education position.

Representations from state and local affiliates which include in their membership more than one (1) of the three (3) job categories eligible for Association Active membership (i.e., nonsupervisory Active members in prekindergarten through secondary instructional positions, education support positions, or higher education faculty positions) may, at the option of the state and local affiliates, be on the basis of proportional representation by job category. A delegate elected to represent an affiliate shall be a member of that affiliate, provided that if additional delegate positions are allocated to a state affiliate on the basis of Active members of the Association within a state who are not also members of the state affiliate, only the latter members of the Association may be elected to such additional delegate positions.

b. Article III of the Constitution shall provide for the allocation of delegate credentials to local affiliates.

c. Article III of the Constitution shall provide for the allocation of delegate credentials to state affiliates.

d. Except as otherwise provided in Bylaw 3-1.k, each state affiliate shall be allocated one (1) delegate credential for the first fifty (50) 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. The allocation shall be on the basis of Aspiring Educator membership in the Association as of March 15 of the calendar year in which the Representative Assembly convenes.

e. Except as otherwise provided in Bylaw 3-1.k, 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.

f. Except as otherwise provided in Bylaw 3-1.k, 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.

g. It is the policy of the Association to achieve ethnic-minority delegate representation at least equal to the proportion of identified ethnic-minority populations within the state. Prior to December 1 of each fiscal year, each state affiliate shall submit
to the NEA Executive Committee for its approval a legally permissible plan which is
designed to achieve a total state and local delegation to the Representative Assembly held
that fiscal year which reflects these ethnic-minority proportions. If a state affiliate fails to
submit such a plan, the NEA Executive Committee fails to approve a plan which is
submitted, or a state affiliate fails to comply with an approved plan, the Representative
Assembly may deny to the delegates from the state affiliate any right to participate in the
NEA Representative Assembly at the Annual Meeting other than to (i) participate in
elections for Association officers and (ii) vote on increases in Association membership
dues. Local affiliates shall comply with the approved plan of the state affiliate, and if a
local affiliate fails to do so, the right of its delegates to participate in the NEA
Representative Assembly at the Annual Meeting may be limited as indicated above. The
failure of a state or local affiliate to comply with the provisions of this Bylaw shall in
addition be grounds for censure, suspension, or expulsion pursuant to Bylaw 6-5.

h. Except as otherwise provided in Bylaw 3-1.k, 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. The state affiliate shall determine the
most appropriate unit for this purpose.

i. Except as otherwise provided in Bylaw 3-1.k, 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.

j. Except as otherwise provided in Bylaw 3-1.k, allocation for category 2
delegates in local units which have all inclusive membership shall allow for clustering
with category 2 members from other local units. In such local units, category 2 members
shall not be counted in the allocation for category 1 delegates. Delegates for clustered
category 2 members shall be based on the ratio of 1:150. This section shall apply only in
those states where the state affiliate has determined that it shall be applicable.

k. 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.m, 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.

3-3. Term.

Delegates shall be elected for a term not to exceed three (3) years. An individual
elected to a multiyear term shall serve if he/she and the affiliate continue to qualify for
the delegate position.

3-5. Meetings: Location.

No meeting shall be held in any location where any delegates are likely to experience discriminatory treatment.

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. Each committee chairperson shall submit periodic reports to the president and to the Board.

3-11. Special Committees: Establishment and Functions.

Special committees may be established by the Representative Assembly or by the Board of Directors or by the Executive Committee for the purpose of accomplishing a specific task within a limited period of time.

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

a. Appointments shall be made on the basis of individual expertise and ability to make substantial contribution in the specific areas of concern. Candidates for committees shall be recommended by state and local affiliates and by ethnic-minority special interest groups. The chairperson of the NEA Advisory Committee of Aspiring Educator Members shall recommend aspiring educator candidates for committees. Appointments to all committees shall be as provided by these Bylaws.

b. Absence of a member from two (2) consecutive meetings shall constitute resignation. Each vacancy on a standing committee shall be filled for the remainder of the term.


No signing of new business items can be conducted in the polling area and voting lines during voting.

4. Executive Officers

4-1. Powers and Duties of the President.

The president shall be the chief executive officer of the Association and its policy leader. The president shall:

a. Represent the Association as spokesperson on matters of policy or assign, at the president’s discretion, responsibility for such representation;

b. Prepare the agenda for the governing bodies of the Association and the program for the Annual Meetings;

c. Appoint, except as provided in these Bylaws, all chairpersons and members of committees, with the advice and consent of the Board of Directors; such chairpersons and members to serve at the pleasure of the president, except where a term is fixed by these Bylaws;

d. Serve as member ex officio without vote on all committees authorized by the governing bodies;
e. Prepare, with the secretary-treasurer, the executive director, and the Committee on Program and Budget, a budget for submission to the appropriate policy-making bodies;
   f. Review Association policies and recommend priorities to be considered by the Board of Directors;
   g. Administer, through the executive director, the budget of the president’s office and of the governing bodies;
   h. Recommend an independent auditing agency to conduct an annual audit of all Association funds;
   i. Meet regularly with the other officers of the Association and with the executive director;
   j. Delegate duties to the officers and through the executive director to the staff of the Association; and
   k. Perform the duties as stipulated in the Charter, in the Constitution, and in these Bylaws and such other duties as are customarily assumed by the chief executive officer of an association.

4-3. Powers and Duties of the Vice-President.

The vice-president shall:
   a. Act for the president when the president is unable to perform the duties of the office;
   b. Advise and assist the president and the Committee on Program and Budget in preparing the budget;
   c. Serve on the Committee on Program and Budget; and
   d. Perform such other duties as are stipulated by the Constitution, by these Bylaws, and by the president.

4-5. Powers and Duties of the Secretary-Treasurer.

The secretary-treasurer shall:
   a. Receive all funds and be responsible for their safekeeping and accounting;
   b. Serve as chairperson of the Committee on Program and Budget;
   c. Keep the official seal of the Association;
   d. Be responsible for preparing records of all official meetings and for distributing the minutes of all such meetings;
   e. Make annual financial reports as required by the Board of Directors; and
   f. Perform such other duties as are stipulated by the Constitution, by these Bylaws, and by the president.

5. Board of Directors

5-1. Election.

   a. A majority vote of those voting shall be necessary to elect an NEA director. Except as otherwise provided in Article V of the Constitution, members of the Board of
Directors shall be elected by secret ballot for each individual office (i) by the Active NEA members within each state or (ii) by the NEA members elected to serve as delegates to the state representative body, but only if all Active NEA members in the state who meet all other relevant requirements are eligible to vote for and serve as delegates to the state representative body. Retired directors shall be elected by secret ballot for each individual office by the duly elected retired delegates to the NEA Representative Assembly. Aspiring Educator directors shall be elected by duly elected aspiring educator delegates to the NEA Representative Assembly. In an election for NEA director, if there is only one (1) candidate for the position, the election may be waived, and the candidate declared elected.

b. Nominations of directors shall be open, except where limitations are required to comply with the provisions of Article V.

c. The Board of Directors shall adopt procedures for challenging the election of a director.

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

e. If on May 31 of two (2) consecutive years the Active Association membership within a state unit is less than that required to establish and maintain the positions of its directors, the number of its additional directors shall be reduced according to the membership on the second of such two (2) consecutive years.

5-3. Vacancies.

Vacancies arising in the office of state directors held by persons elected within the state or as the result of a state’s entitlement to an additional director pursuant to Article V, Section 1, of the Constitution, shall be filled upon recommendation of the state association by the Board of Directors when in session, or when not in session, by the Executive Committee. Vacancies arising in the office of directors held by persons elected by the Representative Assembly shall be filled by the Board of Directors when in session, or when not in session, by the Executive Committee, upon recommendation of the president. Persons filling vacancies, other than vacancies arising as the result of a state’s entitlement to an additional director pursuant to Article V, Section 1, of the Constitution, shall be from the same education positions as the members being replaced. All persons filling vacancies shall serve until the first opportunity that a successor or additional director may be elected in accordance with the regular election procedure. Recommendations to fill vacancies in the office of retired or aspiring educator director shall be made by the NEA-Retired Executive Council or the Advisory Committee of Aspiring Educator Members respectively. Vacancies shall be filled by the Board of Directors when in session, or when not in session, by the Executive Committee. The individual(s) appointed shall serve until the first opportunity that a successor director may be elected in accordance with the regular election procedure.

5-5. Membership Restriction.

A director shall immediately relinquish the position held on the Board when such director ceases to be employed in the category represented.
5-6. Alternate Directors.

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

(ii) If, pursuant to Article V, Section 1 of the Constitution, the Representative Assembly elects one or more at-large ethnic minority, administrator, classroom teacher in higher education, or education support professional directors, the Representative Assembly shall also elect one at-large alternate in a particular category to serve in an at-large director’s place if he or she is unable to attend a meeting of the Board of Directors.

b. An alternate director shall be from the same educational position, or at-large category, as the case may be, as the director who is replaced.

c. Alternate directors shall be certified to the NEA president in the same manner and at the same time as directors.

d. Prior to the opening of a Board meeting, the president of the state affiliate or the president of NEA-Retired or the chairperson of the NEA Advisory Committee of Aspiring Educator Members, or the president of NEA in the case of an at-large alternate director, may request that the alternate director be seated by the Board of Directors if the director is to be absent from that meeting. Alternate directors shall have the right to vote and otherwise participate and shall assume all rights and privileges of the director replaced until the meeting is adjourned, except that they may not be elected to positions filled by and from the Board.

e. An alternate director shall not be a delegate to the NEA Representative Assembly by virtue of his/her seating as an alternate director at any meeting of the Board of Directors.

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

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

h. Vacancies in the position of alternate director for a state shall be filled upon recommendation of the state association by the Board of Directors when in session, or when not in session, by the Executive Committee.

5-7. Functions.

The Board—

a. Shall implement policies established by the Representative Assembly;
b. Shall determine the time and place of the Annual Meeting and, in the event of an emergency, shall have the power to postpone the Annual Meeting by a two-thirds (2/3) vote;

c. Shall provide for ethnic-minority representation on all committees over which it has direct control;

d. Shall establish procedures and/or requirements for affiliation consistent with the standards as set forth in these Bylaws;

e. May establish a committee to review and to recommend recognition or withdrawal of recognition of a Special Interest Group;

f. Shall receive all reports of the executive director, of the secretary-treasurer, and of committees, and shall transmit with its recommendations such reports as may be appropriate to the Representative Assembly;

g. May authorize, upon recommendation of the Executive Committee, the establishment of contractual relationships between the Association and nonaffiliated groups whose policies or practices are not discriminatory. Such relationships shall exist to promote specific mutual objectives. Each relationship shall be reviewed at least annually to determine continuation;

h. Shall set the salaries of the executive officers except that the salaries shall not be increased or decreased during the terms of office for which these officers shall have been elected.


In even-numbered years, the Board shall propose a budget for two (2) fiscal years to the Representative Assembly. The Board shall discharge such other fiscal responsibilities as the Representative Assembly may delegate to it.

5-11. Meetings.

a. The Board shall meet four (4) times per year and at other times it deems necessary to conduct the business of the Association.

b. One (1) meeting shall be held in connection with the Annual Meeting.

c. The president or a majority of the members of the Board shall determine the time and place of meetings.

d. Due notice of all meetings shall be given.

e. The Board shall enact rules and procedures to govern the conduct of its meetings.


a. Six (6) months after assuming office, an NEA state director shall be subject to recall in accordance with the provisions of this Bylaw.

b. Recall proceedings shall be instituted by the filing of a recall petition with the NEA executive director. The recall petition shall be in a form specified by the NEA and shall, among other things, contain (i) a statement of the specific grounds for the recall and (ii) the signatures of at least five (5) percent of the total number of NEA Active members.
in the state as of the close of the membership year immediately preceding the membership year in which the petition is filed where NEA directors are elected by all NEA Active members of the state, or signatures of at least thirty-three (33) percent of the NEA Active members who are elected to serve as delegates to the state representative body in the year in which the petition is filed where NEA directors are elected by such delegates.

c. The NEA executive director shall determine whether the recall petition complies with the Association’s filing requirements. If it does, the NEA executive director shall send a copy of the recall petition, including any documents filed in support thereof, to the director named in the petition. If the director contends that the attempted recall is based upon actions taken by him/her in support of the Constitution, Bylaws, and/or established policies of the NEA, he/she may request a review by the NEA Executive Committee. If two-thirds (2/3) of the total membership of the NEA Executive Committee sustains the contention of the director, the recall petition shall be dismissed. If the NEA Executive Committee fails to sustain the contention of the director, or if a request for review is not made, the NEA executive director shall direct the relevant state affiliate to conduct a recall election.

d. A recall election shall be conducted in accordance with rules of procedure adopted by the NEA Board of Directors, provided that (i) where NEA directors are elected by the NEA Active members of the state, all NEA Active members in the state as of the date of the recall election shall be eligible to vote or, where NEA directors are elected by the state representative body, all NEA Active members who are elected to serve as delegates as of the date of the recall election shall be eligible to vote; (ii) the recall election shall be by secret ballot; and (iii) two-thirds (2/3) of the valid ballots cast shall be required for recall.

e. The pendency of recall proceedings shall have no effect upon the right of a director to function as a member of the NEA Board of Directors. If a director is recalled, the resulting vacancy shall be filled pursuant to Bylaw 5-3, provided that the recalled director shall not be eligible for appointment to the vacancy or such other vacancy as may occur in a director position from that state. The recall of a director shall not disqualify him/her from subsequent election to the NEA Board of Directors or other NEA office, nor shall it in any other way affect his/her rights as a member of the Association.

f. If a recall petition is filed when there is a pending NEA disciplinary proceeding against the director which could result in his/her removal from the NEA Board of Directors, the processing of the recall petition shall be stayed until the disciplinary proceeding is concluded.

g. The NEA Board of Directors shall adopt rules of procedure to implement the provisions of this Bylaw.

6. Executive Committee

6-1. Election.

a. The Executive Committee shall consist of nine (9) members: president, vice president, secretary-treasurer, and six (6) members elected at-large by the Representative Assembly. Two (2) of the six (6) at-large members shall be elected each year.
b. Nominations of candidates for any of the nine (9) positions on the Executive Committee shall be filed in writing with the NEA executive director no later than April 15 of the year in which the election is to take place. This deadline shall not apply to elections conducted to fill midterm vacancies.

c. The Board of Directors shall adopt procedures for challenging the election of a member of the Executive Committee.

6-3. Vacancies.

The Executive Committee shall be authorized to fill vacancies in its body until the next Representative Assembly.

In the event a vacancy occurs in the office of Executive Committee member within sixty (60) days prior to the start of the Representative Assembly, said vacancy shall be filled by direct election at the Representative Assembly.

6-5. Functions.

The Executive Committee shall have the power to make decisions consistent with the provisions of the Association’s Constitution and Bylaws and actions of the Representative Assembly;

a. Shall, upon recommendation of the executive director, approve or reject for cause applications for membership and make assignments to membership classes;

b. Shall charter affiliates pursuant to standards established by the Representative Assembly and requirements or procedures consistent with such standards which may be adopted by the Board of Directors;

c. Shall have the power to censure, suspend, or expel an affiliate pursuant to procedures adopted by the Board of Directors. An association may appeal such decision to the Board of Directors;

d. Shall have the power to reinstate an affiliate pursuant to procedures adopted by the Board of Directors;

e. Shall enter into contracts with state affiliates for dues transmittal as provided in Bylaw 2-9; and

f. Shall, upon recommendation of the executive director, approve or reject appointments of management personnel at the level of unit administrator or higher.


The Executive Committee shall:

a. Administer the Capital Improvement Fund;

b. Appoint annually an independent auditing agency with the recommendation of the president and transmit the report of the auditing agency to the Board of Directors;

c. Direct that adequate bonds be required of the executive director, of the secretary-treasurer, and of such other individuals as it shall determine;

d. Discharge such other fiscal responsibilities as the Representative Assembly and/ or the Board of Directors may delegate to it.
6-11. Meetings.

The Executive Committee shall enact rules and procedures to govern the conduct of its meetings.

7. Review Board

7-1. Review Board.

a. The Review Board shall comprise nine (9) members, at least two (2) of whom shall be members of ethnic-minority groups, appointed for five (5) year staggered terms beginning September 1. No person shall be eligible for reappointment to a regular term.

b. Members of the Review Board shall have been Active and/or Retired members of the Association for five (5) consecutive years immediately prior to appointment. Time spent by an Active member in the education support professional membership category shall be counted for purposes of the five (5) year requirement. Members of the Review Board shall maintain Active or Retired membership.

c. A member of the Review Board shall hold no elective or other appointive position in the Association or its affiliates.

d. No executive officer or director shall be appointed to the Review Board within three (3) years following separation from such office.

e. The Association shall reimburse a member of the Review Board for any (i) expenses incurred and (ii) salary lost from his/her employment as a professional educator or other primary employment as a result of the performance of official Association business. Except as provided above, a member of the Review Board shall not accept an honorarium or any other payment from any source at the local, state, or national level of the Association.

f. The Review Board may assign less than a majority of its members to hear cases; however, a member so assigned shall not sit, should the Review Board hear the case on appeal.

g. The president annually shall select the chairperson with the advice and consent of the Board of Directors.

h. The Review Board shall have the discretionary authority, within its allocated budget, to employ consultants or legal counsel.

8. Affiliates and Special Interest Groups

8-1. Affiliates.

a. Affiliates of the Association shall be chartered by a majority vote of the Executive Committee.

b. Each affiliate shall conduct elections with open nominations and a secret ballot, except as may otherwise be provided in the Constitution, these Bylaws, or the Standing Rules. A secret ballot shall not be required in elections in which the number of candidates nominated does not exceed the number of positions to be filled.

   a. A local affiliate, the basic unit of self-governance within the Association, may be organized in a manner which comprises any compatible group, meeting at least the minimum standards of affiliation.
   b. An organization shall not be eligible for Association affiliation as a dual-national local affiliate unless:
      1. The organization is from a jurisdiction:
         i. which, by operation of law, has been created by combining, in whole or in part, other jurisdictions in which both Association and American Federation of Teachers local affiliates had representational status; or
         ii. in which the Association membership and the American Federation of Teachers membership were relatively equal (i.e., neither organization had more than sixty (60) percent of the combined membership); or
      iii. in which, during the preceding six (6) years, both the Association local affiliate and the American Federation of Teachers local affiliate had been officially recognized as the employee representative; or
         iv. in a state in which there is a dual-national state affiliate; and
      2. The creation of the organization has been approved by at least a two-thirds (2/3) vote of the board of directors (or equivalent governing body) of the relevant state affiliate and by at least a two-thirds (2/3) vote of the board of directors (or equivalent governing body) of any preexisting local affiliate of the Association that was a predecessor of the organization seeking to be a dual-national local affiliate.
   c. A state affiliate shall be the association within each state or commonwealth and the associations representing the District of Columbia, Puerto Rico, the Federal Education Association, and such other comparable associations that meet at least the minimum standards of affiliation.

8-5. Nongovernance Affiliates.

   a. A professional organization shall comprise at least seventy-five (75) percent Association members with a common occupation or subject matter assignment who are organized to further specific educational objectives. Such organization shall meet at least the minimum standards for nongovernance affiliation.
   b. A nonprofessional organization shall be an auxiliary or service organization comprising at least seventy-five (75) percent Association members with a common interest or occupation. Such organization shall meet at least the minimum standards for nongovernance affiliation.

8-6. NEA-Retired.

   The NEA-Retired shall be an organization comprised solely of the Retired members of the Association. The president of NEA-Retired shall be chosen by the retired delegates to the NEA Representative Assembly.
8-7. Standards for Local Affiliates.

The Association shall not affiliate a local association, including a dual-national local affiliate, unless it meets the following minimum standards:

a. Each affiliate shall apply the one-person–one-vote principle for representation on its governing bodies except that (i) the affiliate shall take such steps as are legally permissible to achieve ethnic-minority representation at least proportionate to its ethnic-minority membership and (ii) the affiliate may adopt a provision in its governing documents that would permit that local to allocate a minimum of one (1) representative or delegate to members at each work site of a school district or higher education institution within the jurisdiction of the affiliate.

Where an all-inclusive affiliate exists, it shall provide proportionate representation between its nonsupervisor members and its supervisor members;

b. The affiliate shall conduct all elections with open nominations and a secret ballot.

c. The affiliate shall require membership in the Association and in its state affiliate where eligible.

If an affiliate enrolls education support professionals in any membership category and as a matter of policy seeks to recruit and represent such members, the affiliate (i) shall grant them full rights of participation and (ii) shall require them to be members of the Association and its state affiliate where eligible;

d. The affiliate is comprised predominantly of persons who are eligible for active membership (or the equivalently designated membership category) in the state affiliate, unless the state affiliate by action of its board of directors (or equivalent governing body) approves such affiliation. This requirement shall not apply to any local association that was an affiliate of the Association as of the effective date of this amendment.

e. The affiliate shall be reviewed by the Association to determine compliance with minimum standards for affiliation at least once every five (5) years;

f. The affiliate shall have the same membership year as that of the Association;

g. The affiliate shall guarantee that no member of said affiliate may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate appellate procedure; and

h. The affiliate shall deny membership to an individual while said individual is denied membership in the Association pursuant to Bylaw 2-3.d.

8-9. Local Affiliation by State.

A local association meeting the requirements for affiliation stipulated in the governing documents of the Association and of the state affiliate shall be granted affiliate status by the appropriate state affiliate.


The Association shall not affiliate a state association, including a dual-national state affiliate, unless it meets the following minimum standards:
a. Each affiliate shall apply the one-person–one-vote principle for representation on its governing bodies except that the affiliate shall take such steps as are legally permissible to achieve ethnic-minority representation at least proportionate to its ethnic-minority membership.

A state delegate body may adopt a provision to the governing documents of the state affiliate that would permit that state to allocate a minimum of one delegate credential to each local affiliate.

Where an all-inclusive affiliate exists, it shall provide proportionate representation between its nonsupervisor members and its supervisor members.

The state affiliate shall designate at least one of its NEA state directors to serve on the board of directors (or equivalent governing body) of the state affiliate with full rights of participation;

b. The affiliate shall conduct elections with open nominations and a secret ballot. In considering an application for affiliation of an organization in New York as a dual-national state affiliate, the Executive Committee may waive the requirement for a secret ballot election of the affiliate’s officers, provided that (i) in the membership year immediately preceding the effective date of merger, the active membership of the affiliate of the American Federation of Teachers was at least five (5) times the active membership of the affiliate of the Association, and (ii) the dual-national state affiliate has a procedure which allows local affiliates that wish to vote for officers of the dual-national state affiliate by a secret ballot to do so.

c. Except as otherwise provided below, the affiliate shall require membership in the Association and in its local affiliate where eligible.

If an affiliate enrolls education support professionals in any membership category and as a matter of policy seeks to recruit and represent such members, the affiliate (i) shall grant them full rights of participation and (ii) shall require them to be members of the Association and its local affiliate where eligible.

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

The affiliate shall require Retired membership in the Association for its retired members provided the affiliate has a membership category for retired members and provided the affiliate grants such members at least the right to serve as delegate to its delegate assembly or equivalent body and to be counted toward the representation entitlement for such body. Upon the vote of the board of directors or the equivalent governing body of the affiliate, this requirement shall not apply to persons who were retired members of the affiliate during the 1984-85 membership year if such members (i) had the aforesaid governance rights during the 1984-85 membership year or (ii) are granted the aforesaid governance rights subsequent to the 1984-85 membership year.

The affiliate shall require Substitute membership in the Association for its substitute members.

The affiliate shall require Active membership in the Association for its Active (or equivalently designated) members where eligible, provided that persons who, during the 2009-2010 membership year, were Active (or equivalently designated) members of the affiliate but were not eligible for Active membership in the Association shall be exempt from this requirement (“grandparented affiliate members”). The exemption for grandparented affiliate members may be waived by the board of directors (or equivalent
governing body) of the affiliate. A waiver of the exemption for grandparented affiliate members, by action of the board of directors (or equivalent governing body) of the affiliate, shall be irrevocable.

d. The affiliate shall have an end-of-year audit conducted by an independent certified public accounting firm in accordance with generally accepted auditing standards at least every other year, and an end-of-year audit review for any year in which an audit is not conducted. This audit or audit review shall be presented to the board of directors (or equivalent governing body) of the state affiliate, and a copy of the complete audit or audit review report (including the auditor’s opinion letter and the financial statements and footnotes thereto), together with any management letter received from the auditor shall be provided to the Association within twenty (20) days after it is presented to the board of directors of the state affiliate.

The affiliate shall submit a copy of its annual budget to the Association within twenty (20) days after it is adopted by the appropriate governing body of the state affiliate.

e. The affiliate shall have the same membership year as that of the Association;

f. The affiliate shall guarantee that no member of said affiliate may be censured, suspended, or expelled, and that none of its local affiliates may be censured, suspended, or disaffiliated, without a due process hearing, which shall include an appropriate appellate procedure;

g. The affiliate shall deny membership to an individual while said individual is denied membership in the Association pursuant to Bylaw 2-3.d; and

h. The affiliate shall be reviewed by the Association to determine compliance with minimum standards for affiliation at least once every five (5) years.

8-12. Trusteeships over Affiliates.

a. The Association may establish a trusteeship over an affiliate for the purpose of (i) correcting corruption or financial malpractice; (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 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 Directors 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. The Board of Directors may delegate to a committee consisting of not less than eleven (11) Board of Director members, none of whom may be members of the Executive Committee, the responsibility to receive evidence and hear arguments in the first instance, provided that the final decision regarding the establishment of a trusteeship shall be made by the full Board of Directors, and all interested parties shall have an adequate opportunity to present their views on the matter to the full Board of Directors before the final decision is made.

On the basis of the evidence and arguments presented at the hearing, the Board of Directors shall vote on the question of whether a trusteeship should be established. If more than one-third (1/3) of the members of the Board of Directors who vote on the question vote “no,” the recommendation of the Executive Committee shall have been rejected. 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 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 trustee association, including supervisory control over its officers, employees and other representatives;
2. take possession of the books, records, funds, and other assets of the trustee association, to be held in trust for and used only in the proper conduct of its affairs;
3. remove officers and staff of the trustee association, and replace them if deemed appropriate for the duration of the trusteeship; and
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(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 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 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 association to terminate a trusteeship, the trusteed 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 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 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 association.

f. No financial obligation or liability of the trusteed 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 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 association or by a three-fourths (3/4) vote of the highest governing body of the trusteed association within forty-five (45) days after the decision of the Board of Directors is made known to the trusteed 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.


The Association shall not affiliate a nongovernance affiliate unless it meets the following minimum standards:

a. The affiliate shall have common interests with the Association;
b. The affiliate shall be a self-governing organization with governance documents compatible with those of the Association;
c. At least seventy-five (75) percent of the members of the affiliate shall be members of the Association;
d. The affiliate shall comprise at least one hundred (100) members;
e. The affiliate may assess its own dues;
f. The affiliate shall not duplicate Association services; and
g. The affiliate shall have the same membership year as that of the Association.


The NEA-Retired shall operate in accordance with its bylaws, which shall be compatible with the Constitution and Bylaws of the Association.

The NEA-Retired shall conduct all elections with open nominations and a secret ballot.


a. A group or unit seeking governance affiliation shall file a written application including copies of its governance documents with the Executive Committee.
b. A group or unit seeking nongovernance affiliation shall file a written application including copies of its governance documents with the Executive Committee. The application shall be by petition signed by two hundred fifty (250) members of the Association from among at least twenty-five (25) state affiliates.
c. After action by the Executive Committee, the group or unit seeking affiliation shall ratify the granting of affiliate status.

8-17. Charter for Affiliation.

a. The Association shall charter no more than one (1) local affiliate within the same jurisdictional boundaries, with the exception that local affiliates not competing for the same category of membership may be chartered. Where two (2) or more local affiliates of the same category of membership qualify for affiliation in the same
jurisdictional boundaries, the Association shall charter the prospective local affiliate with the greater number of active members.

b. The Association shall charter no more than one (1) state affiliate within the same jurisdictional boundaries.

The Association and/or any successor organization shall not revoke the charter of, or take any other action against, an existing state affiliate for failure to merge or otherwise form a unified single state organization with an organization affiliated with the American Federation of Teachers (AFT) and/or the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).

8-19. Special Interest Groups.

a. Any Special Interest Group may be recognized by a majority vote of the Board of Directors.

b. The terms and conditions of the relationship between the Association and the Special Interest Group shall be negotiated by the Board of Directors and the group seeking recognition.

8-20. Dual Affiliates.

Except as otherwise provided in Bylaw 8-17 of these Bylaws, the Association shall not create dual affiliates within the legal boundaries of any local, state, or other jurisdictional boundaries. Except for the association representing Association members in the District of Columbia, there shall be no affiliation of any association representing Association members only in a city as a separate state affiliate.


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.

10. Executive Director and Staff

10-1. Executive Director.

The Executive Committee shall employ an executive director who shall be the Association staff member with primary responsibility for implementing the policies of the Association. The executive director shall be responsible to the Executive Committee.

10-3. Executive Director: Functions.

The executive director shall:

a. Employ, direct, and supervise all Association staff. The employment of managerial personnel beginning at the level of unit administrator shall be with the approval of the Executive Committee;

b. Serve as a consultant to the governing bodies of the Association;

c. Advise the officers and governing bodies on all policy matters through appropriate reports and recommendations;

d. Represent the Association as spokesperson on matters of established policy at the discretion of the president;

e. Meet periodically with the president, the vice president, and appropriate staff to confer on Association policies and procedures;

f. Advise and assist the president, the secretary-treasurer, and the Committee on Program and Budget in preparing the budget, and administer the budgets authorized by the governing bodies of the Association;

g. Co-sign with the secretary-treasurer all authorizations for disbursements from the Capital Improvement Fund;

h. Co-sign and/or authorize a designee to co-sign with the secretary-treasurer or the designee of the secretary-treasurer all authorizations for disbursements from the General Fund;

i. Notify state and local affiliates and other qualified organizations of the number of Representative Assembly delegates to which they are entitled;

j. Furnish each member appropriate evidence of membership; and

k. Perform such other duties as may be assigned by the Executive Committee.
10-5. Staff: Principles.

The following principles shall govern employment and functions of staff as agents of the Association:

a. Full-time local, state, and national staff shall be eligible only for Staff membership and shall not hold elective or appointive positions at any level; part-time staff shall not be eligible to serve on the NEA Board of Directors or Executive Committee;

b. The Association shall be an equal opportunity employer;

c. The Association shall, as vacancies arise, employ at all levels of service at least the same ratio of any ethnic minority as is that ethnic minority to the total population of the United States; and

d. The Association shall recognize the rights of its employees to organize for the purpose of collective bargaining.

11. General Finance

11-1. Fiscal Year.

The fiscal year of the Association shall be September 1 through August 31.


a. The General Fund of the Association shall comprise all income received in the form of dues, interest, dividends, fees, earnings from advertising, sales of Association publications, payments for services, and funds received by gift, bequest, devise, or transfer to the Association which are not specifically designated for deposit in the Capital Improvement Fund.

b. All operating accounts and debt services shall be paid out of the General Fund.

c. If at the end of the fiscal year the audited General Fund balance is less than ten (10) percent of that year’s budget, subsequent budgets must include an appropriation equal to one (1) percent of the current year’s budget or the amount necessary to bring the General Fund up to ten (10) percent of the prior year’s budget, whichever is less. The Representative Assembly may approve a budget without the required appropriation only by a two-thirds (2/3) vote. The Board of Directors may make appropriations which reduce the General Fund balance to less than ten (10) percent of the prior year’s budget only by a two-thirds (2/3) vote of the Board and only when the Board has received a thirty (30) day notice of the proposed appropriation.

d. Disbursements from the General Fund shall be by check or by similar written orders to depositories, co-signed by the secretary-treasurer and by the executive director or by their designees.
11-5. Capital Improvement Fund.

   a. The Capital Improvement Fund shall comprise the properties and permanent investments of the Association, and other funds or properties received by gift, devise, bequest, or transfer for deposit in this fund.
   
   b. Disbursement from the Capital Improvement Fund to acquire new properties or to provide for major long-term improvements in existing properties shall be authorized by a two-thirds (2/3) vote of the Board of Directors. Expenditures from this fund for any other purpose shall be authorized by a two-thirds (2/3) vote of the Representative Assembly.
   
   c. Investment policies for the General Fund and for the Capital Improvement Fund shall be established by the Board of Directors.
   
   d. Disbursements from the Capital Improvement Fund shall be by check or by similar written orders to depositories, cosigned by the secretary-treasurer and by the executive director or by their designees.

11-7. Committee on Program and Budget.

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


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

  c. The budget shall include an appropriation for contingencies of no less than one million dollars ($1 million) and no more than one (1) percent of the budget.
  d. Financial participation by the Association in activities of Special Interest Groups shall be limited to funds for projects or for short-term, special program contracts authorized in the budget.
  e. In the second year of a biennial budget, adjustments as deemed necessary shall be recommended by the Board of Directors at a meeting held at least forty-five (45) days prior to the Annual Meeting and reported to the Representative Assembly. The Representative Assembly shall receive and act on the modifications recommended by the Board of Directors.

11-11. Financial Reports.

The secretary-treasurer shall prepare an annual report of the General Fund and the Capital Improvement Fund, including income and expenditures for the fiscal year.

The audit report received by the Executive Committee shall be transmitted to the Board of Directors and printed in the annual financial reports to the Representative Assembly. A summary of the audit shall be printed in a publication distributed to all members.

12. Definitions

12-1. Definitions of Terms.

As used in the Charter, the Constitution, these Bylaws, and the Standing Rules, the Association adopts and adheres to the following definitions of terms:

  a. State affiliate: (i) State affiliate shall mean the association within each state or commonwealth and associations representing the District of Columbia, Puerto Rico, the Federal Education Association, and such other comparable associations which meet at least the minimum standards of affiliation. (ii) Dual-national state affiliate shall mean a state affiliate of the Association that is also a state affiliate of the American Federation of Teachers.
  b. Dual-national local affiliate shall mean a local affiliate of the Association that also is a local affiliate of the American Federation of Teachers.
  c. State director: State director shall mean a member of the NEA Board of Directors elected to represent Active members in a state, the District of Columbia, Puerto Rico, or the jurisdiction of the Federal Education Association.
  d. Classroom teacher: Classroom teacher shall mean any person who is certified, where required, and a major part of whose time is spent in direct contact with students or who performs allied work which results in placement of the person on a local salary schedule for teachers.
e. Education position: Education position shall mean the following two categories: Category 1 shall include NEA Active members who are not supervisors; and category 2 shall include NEA Active members who are supervisors, NEA retired Life members, NEA staff Life members, and NEA Active members for life who are past presidents of the Association and who do not meet the requirements for membership set forth in Bylaw 2-1.b.

f. Supervisor and administrator: Supervisor and administrator shall mean any person who has continuing authority to hire, evaluate, transfer, discipline, dismiss, or otherwise direct employees or to effectively recommend any of the aforesaid actions. A person shall not be deemed a supervisor or administrator: (i) if the exercise of such authority is routine or clerical in nature and does not call for the exercise of independent judgment; (ii) solely because of the authority that he or she exercises in regard to a secretary, aide, or other employee specifically assigned to assist him or her; or (iii) solely because he or she participates in a peer review program or other program which involves said person on an occasional basis in the evaluation of employees.

g. Ex officio: Ex officio shall mean by virtue of office. This designation shall carry with it the right to vote except as otherwise provided.

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.

13. Parliamentary Authority


The most recent edition of Robert’s Rules of Order Newly Revised shall be the authority in all matters of procedure at the NEA Representative Assembly and in the election of NEA directors and delegates to the NEA Representative Assembly, except as otherwise specified in the Charter, the Constitution, these Bylaws, or the Standing Rules.


An affiliate shall officially adopt any published parliamentary authority and may adopt special rules which supplement or substitute for that parliamentary authority provided that such procedures do not conflict with the Charter, the Constitution, these Bylaws, or the Standing Rules as these documents may be interpreted by the Representative Assembly, Board of Directors, or Executive Committee.