

## STANDING RULE AMENDMENT 1

**TITLE:** To require the chair to postpone debate and vote on any censure motion and require the involved parties to meet restoratively with the NEA Committee on Equity and Ethnic Harmony.

### Rule 3. Order of Business and Debate

#### New Section: Censure

Following a motion to censure or to suspend the rules in order to censure, the presiding chair will delay the debate and vote and specify a time for the involved delegates or caucuses and delegation leaders to meet restoratively with the Committee on Equity and Ethnic Harmony (CEEH,) as per the reporting and investigation procedures in the Standards of Conduct at NEA Events and Meetings and Member Anti-Harassment/Non-Discrimination Policy and Procedures adopted by the NEA Board of Directors on July 1, 2020.

#### Impact Statement

NEA Standing Rule 3.B states that “The annual session of the Representative Assembly shall be conducted in accordance with provisions of the NEA Constitution, Bylaws, and these Standing Rules. Matters not specifically governed in these documents shall be governed by *Robert’s Rules of Order Newly Revised*.” As the NEA governing documents do not address motions to censure, *Robert’s Rules* governs current practice.

The Committee on Constitution, Bylaws, and Rules interprets the term “censure” to mean expressing the strong disapproval of the assembly. Under *Robert’s Rules*, the motion to censure is typically a main motion, needing a second. It is amendable, debatable, and requires a majority vote for passage. The Committee on Constitution, Bylaws, and Rules interprets this amendment to apply to censure of a delegate or group of delegates to the Representative Assembly, and not to outside individuals or entities. Censure of non-delegates would be accomplished through submission of a New Business Item.

The committee is aware of only one recent instance in which the body took action to censure delegates, specifically a motion to censure a caucus at the 2019 Representative Assembly. This censure action was presented as a single motion to suspend the rules and censure the caucus. As such, it was not debatable, and required a two-thirds vote for passage.

If adopted, the amendment would require the chair to postpone debate and vote on any censure motion so that the parties involved in any and all complaints on the matter could participate in a restorative meeting facilitated by the NEA Committee on Equity and Ethnic Harmony (CEEH). The Committee on Constitution, Bylaws, and Rules interprets meeting “restoratively” to mean creating an opportunity for those who are affected by a wrongdoing to share their experiences—tell their story—so that the offender and the group can come to an understanding of what the impacts were; and to create an agreement upon what actions will be taken to make things right or as right as possible (*Restorative Resources, Conference Facilitators Handbook, 2015*). The committee believes the amendment’s intentions would be satisfied by any discussions between the harmed party(s) and the CEEH prior to the censure motion. The committee also believes that parties would be permitted to meet separately with the CEEH if so desired. Finally, the committee recognizes that it is not always possible to determine the injured party and, in such instances, the restorative process may not be appropriate.

The CEEH is charged by the NEA president to help ensure a safe environment free from harassment at the NEA Representative Assembly, including by reviewing discriminatory allegations involving NEA delegates and making recommendations to the NEA president to expedite the resolution of such matters. The NEA Standards of Conduct, as referenced in the amendment, designate the CEEH as the contact entity responsible for responding to any alleged violation of the Standards of Conduct at the Representative Assembly and taking such action as appropriate to ensure full participation of all members in the event. The CEEH is then required to report back to the NEA president for appropriate remedial action. Following the restorative meeting, the maker of the motion would decide whether to withdraw the motion or ask for the motion to be taken up for debate and vote. The committee believes that if the incident in question occurs at a late time making a restorative meeting and subsequent report back to the RA not feasible, the CEEH would continue the restorative process as part of their ongoing work after the RA. In such an instance, an official censure vote would not be possible.

*Submitted by: State Delegation*

*Contact person: Georgene Fountain, Maryland*

## STANDING RULE AMENDMENT 2

**TITLE:** To require NEA to maintain a website for delegate questions and answers on proposed and pending measures, and to further provide that delegate use of the website to receive answers to questions shall satisfy any requirement to access the World of Information prior to making a request for information on the RA floor.

### **Rule 3. Order of Business and Debate; New Section: World of Information**

The NEA shall maintain a World of Information webpage as a part of Delegate Resources accessible to all delegates no later than two months prior to the convening of the Representative Assembly and throughout the RA. The website will permit delegates to post questions about proposed and pending measures and the questions will be answered online by designated personnel. Delegates who post questions to which answers are provided will have fulfilled any requirement for consulting the World of Information prior to raising a point of information on the RA floor.

### **Impact Statement**

NEA Standing Rule 3.B states that “The annual session of the Representative Assembly shall be conducted in accordance with provisions of the NEA Constitution, Bylaws, and these Standing Rules. Matters not specifically governed in these documents shall be governed by *Robert’s Rules of Order Newly Revised.*” Under *Robert’s Rules*, requests for information rise to the top of the speaking order.

In 2017, NEA established an information booth, known as the “World of Information,” where delegates could ask questions and get answers about items up for debate prior to consideration on the floor. Delegates could then use the information received in their talking points in speaking for or against the motion, rather than using their time to make a request for information from the floor. In subsequent years, the body suspended the rules to require delegates to seek answers at the World of Information before making a request on the floor. In 2022, an amendment to codify this requirement was withdrawn prior to consideration by the body.

Since 2017, the World of Information has expanded to become a one stop shop for delegate questions. In 2020, the World of Information was converted to an online platform to coincide with the virtual Representative Assembly held that year. This format was continued in 2021 for that year’s virtual RA, and in 2022 for the in-person RA with a virtual option. The online version of the World of Information allows delegates to use an electronic form to submit questions. Receipt of the form triggers creation of a “case” in NEA’s online tracking system. Triage staff quickly review each question and either respond directly or assign the question to content staff to respond. Responses go back to delegates via email with the response also saved in the tracking system. In 2022, the World of Information responded to over 400 questions from delegates, with the most frequent questions relating to business items, the NEA budget, voting and elections, and parliamentary inquiries. The system also receives numerous questions related to one individual or a small group of delegates, and questions not directly related to RA business. The committee believes the intent of this amendment is to post only those questions and answers significantly related to RA business.

The Committee on Constitution, Bylaws, and Rules understands that NEA’s intention is to continue the online World of Information in the future, regardless of the RA format. No decisions have been made at this time as to whether an in-person booth option will also be available. CCBR understands that the electronic version allows for greater tracking of questions and responses, and for compiling of responses to frequently asked questions.

If adopted, the amendment would require NEA to maintain a website for delegate questions and answers. The amendment also would specify that any delegate receiving an answer via this method would be deemed to have satisfied any requirement to visit the World of Information prior to making a request on the floor. The Committee on Constitution, Bylaws, and Rules interprets this amendment to permit NEA to continue to use the current electronic system of intake and then posting questions and responses to a website (such as the NEA RA site) which is accessible to all delegates. The Committee believes this method would be preferable to asking delegates to post questions directly to a visible site, as the World of Information receives many questions that do not pertain to RA business and would not need to be posted for all delegates to review.

If the amendment is adopted, NEA will open the World of Information intake two months prior to the start of the 2024 Representative Assembly as the proposed amendment requires.

*Submitted by: State Delegation*

*Contact person: Jane Stern, Maryland*

## STANDING RULE AMENDMENT 3

**TITLE:** To allow RA delegates to contact makers of NBIs through a secure NEA system that will not reveal individual delegates' emails.

### **Rule 6. New Business Items**

#### **Section B. Format**

Each new business item shall be printed accompanied by the name of the submitting NEA, state, or local group and shall be accompanied by the name and state of the contact person. Whenever a proposed Representative Assembly action is published, it shall include the name, and state. A secure way to contact the maker that will not reveal individual delegates' contact information will be provided. ~~with the express written consent of the contact person, the email address of said contact person.~~ New business items may include a separate rationale/background statement of no more than 40 words. Any new business item that contains an acronym or abbreviated term shall include the complete name for the acronym followed by the acronym in parenthesis when it is first used in that new business item.

#### **Impact Statement**

NEA Standing Rule 6.B currently provides for the publication in the NEA *RA Today* of the email information of RA delegates who have proposed NBIs and who consent to the publication of their email. In practice, due to the broad distribution of the NEA *RA Today*, RA delegate emails have been shared beyond the intended audience of RA delegates to members of the general public.

Collecting and publishing maker emails has been standard practice since adoption of an amendment to the Standing Rules in 2016. In recent years, and in particular in 2021, the publication of RA delegate email information has resulted in makers of NBIs receiving floods of emails, sometimes containing extremely offensive and threatening messages.

In order to protect RA delegates, NEA will create a secure system that will allow delegates to contact each other about RA business without publicly disclosing their email information. The proposed amendment would strike language allowing NEA to publish maker emails with consent and would replace it with language referencing the new secure contact system. If adopted, the amendment would go into effect at the 2024 Representative Assembly.

*Submitted by: Committee on Constitution, Bylaws, and Rules*

*Contact person: Elizabeth Nahl, Oregon, [ElizabethNahl@comcast.net](mailto:ElizabethNahl@comcast.net)*

## STANDING RULE AMENDMENT 4

**TITLE:** To set June 15 as the date for filing of candidates for at-large seats on the NEA Board, and to update voting procedures on amendments to the Constitution and Bylaws.

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

#### A. Procedures

##### 6. Nominations

~~At the first business meeting of the Representative Assembly, nominations shall take place, as appropriate in each year, for the elections provided for by Article IV, Section 3; Article V, Section 1; and Article VI, Section 1 of the Constitution. Nominations shall be made in writing, via a form provided by the NEA Center for Governance, no later than 4:00pm in the time zone of the host city on June 15.~~

- (a) Nominations, as appropriate in each year, shall be ~~made~~ announced to the body during the first business session in the following order...
- (c) Consistent with the requirements set forth in Rule 11.B.7, each candidate shall be nominated ~~from the floor by~~ written motion of a delegate to the Representative Assembly. When all nominations have been ~~made~~ announced, each candidate or designee shall have an allotment of time to address the Representative Assembly. Candidates for the office of president shall be given five (5) minutes for this purpose. Candidates for vice-president, secretary-treasurer, and the Executive Committee shall be given three (3) minutes. Candidates for at-large positions on the Board of Directors shall be given two (2) minutes.

##### 7. Voting Procedures

Elections shall be by printed ballot by the delegates to the Representative Assembly.

The names of the candidates shall be placed on the first ballot in the order determined by lottery by the candidates or their designees ~~immediately following the close of nominations at the Representative Assembly~~; on subsequent ballots the order also shall be determined by lottery by the candidates or their designees.

The candidates or their designees, ~~no later than thirty (30) minutes after the nomination and acceptance speeches have concluded~~, shall assemble at a place on a date and time designated by the chairperson of the Committee on Constitution, Bylaws, and Rules...

- (i) Voting on amendments shall be open on a date and for a window of time from 8:30 a.m. to 12 noon on the day and at such place or places as the President shall designate and announce in advance to delegates. Each delegate shall receive a URL linked to their unique ballot at the beginning of the voting window. ...

#### IMPACT STATEMENT:

Standing Rule 11 sets out the procedures for the conduct of officer elections and voting on amendments to the NEA Constitution and Bylaws at the Representative Assembly. The current rules allow for nomination of at-large candidates at the first business session, with lotteries for speaking order and placement on the ballot conducted following nominations. Voting for officers and on amendments is conducted via secret ballot at polling places set up in the convention center.

In 2020, 2021, and 2022, the NEA Board adopted rules that set the nomination deadline for at-large candidates at June 15. If adopted, the amendment would add the earlier nomination deadline for at-large candidates to the Standing Rules. The amendment would also change the method of voting on amendments to the constitution and bylaws to an electronic system for all delegates.

If the amendment is adopted, the Committee on Constitution, Bylaws, and Rules (CCBR), and the Elections Committee will continue processes set in place in 2020, 2021, and 2022, starting in 2024. The number of at-large seats will be announced no later than June 1 of each year, and filing forms will be sent to all affiliates and caucuses and posted on the delegate website. Filings will be due by June 15. CCBR and the Elections Committee

will conduct a virtual lottery (via Zoom or similar platform) for nomination order, speech order, and placement on the ballot.

Delegates will continue to vote in officer elections via secret ballot at polling places in the convention center. Voting on amendments to the constitution and bylaws will take place via a secure electronic voting system (such as simplyvoting.com). After floor debate on amendments, each delegate will receive an email with a unique link to their ballot. The voting window will remain open for a period of time determined and announced to the delegates by the chair. Results will be announced to the body during the Representative Assembly.

*Submitted by: Committee on Constitution, Bylaws, and Rules*

*Contact person: Elizabeth Nahl, Oregon, [ElizabethNahl@comcast.net](mailto:ElizabethNahl@comcast.net)*