2019-2020 Handbook
MISSION, VISION, CORE VALUES AND GOALS
As adopted by the 2010 OEA Representative Assembly

MISSION
The mission of the Oregon Education Association is to unite the public education profession and advocate for those professionals to ensure quality public education for students in Oregon.

VISION
The vision of the Oregon Education Association is to improve the future of all Oregonians through quality public education.

CORE VALUES
Collective action:
We believe in engaging and organizing our members to work for the common good. Collective action in bargaining, lobbying, and coalition building strengthens each individual voice.

Democracy:
We believe the foundation and strength of a democratic society is dependent on a strong public education.

Social justice:
We believe through quality public education the rights and worth of all individuals are respected and defended.

Professionalism:
We believe the expertise and judgment of education professionals are critical to student success. We maintain the highest professional standards, and we expect the status, compensation and respect due all professionals.

Integrity:
We believe our core values are reflected and reinforced through our words and actions

Respect for Diversity:
We believe our society is strengthened by public education’s promotion of and respect for the vast diversity of our world.

Collaboration:
We believe our goals can be achieved by working with all interested groups to ensure a quality public education.

Lifelong learning:
We believe lifelong learning is essential in a constantly changing world.

GOALS
- OEA will be the lead advocate for a fully-funded public education system.
- OEA will develop and support leaders who advocate for education, social justice, community and labor issues.
- OEA will organize its members as advocates for professional compensation and benefits, improved working conditions and protection of member rights.
- OEA will be the voice and proponent for professional excellence in public education.
- OEA will be a primary resource for its members’ professional development.

STRATEGIC INTENT
We will engage and empower OEA members to build a movement to transform public education in Oregon.
- Educator-driven innovation and public policy: leading the way to Great Public Schools.
- Building powerful, visionary, member-driven locals.
- Re-shaping politics in Oregon – from the grassroots.
# OEA HANDBOOK TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Code</th>
<th>Paper</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFFIRMATIVE ACTION POLICY &amp; PLAN</td>
<td>(S) 35</td>
<td>Salmon</td>
</tr>
<tr>
<td>ARTICLES OF INCORPORATION</td>
<td>(S) 1</td>
<td>Salmon</td>
</tr>
<tr>
<td>BYLAWS [with Table of Contents (i)]</td>
<td>(B) 1-16</td>
<td>White</td>
</tr>
<tr>
<td>CODE OF ETHICS</td>
<td>(S) 33</td>
<td>Salmon</td>
</tr>
<tr>
<td>LEGISLATIVE OBJECTIVES</td>
<td>(S) 17</td>
<td>Salmon</td>
</tr>
<tr>
<td>NEW BUSINESS</td>
<td>(P) 49</td>
<td>Yellow</td>
</tr>
<tr>
<td>OEA-PAC CONSTITUTION/BYLAWS</td>
<td>(S) 9</td>
<td>Salmon</td>
</tr>
<tr>
<td>POLICIES [with Table of Contents (pg. i)]</td>
<td>(P) 1-58</td>
<td>Yellow</td>
</tr>
<tr>
<td>RESOLUTIONS [with Table of Contents (pg. i)]</td>
<td>(R) 1-26</td>
<td>Tan</td>
</tr>
<tr>
<td>STANDING RULES</td>
<td>(S) 3</td>
<td>Salmon</td>
</tr>
</tbody>
</table>

**Legend:**

- (B) (Bylaws ~ White paper)
- (P) (Policies ~ Yellow paper)
- (R) (Resolutions ~ Tan paper)
- (S) (Supplementary Documents ~ Salmon Paper)
<table>
<thead>
<tr>
<th>Article</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Membership and Dues</td>
<td>1</td>
</tr>
<tr>
<td>II</td>
<td>Fair Share Fee Payers</td>
<td>4</td>
</tr>
<tr>
<td>III</td>
<td>OEA Representative Assembly</td>
<td>4</td>
</tr>
<tr>
<td>IV</td>
<td>Meetings of the OEA Representative Assembly</td>
<td>5</td>
</tr>
<tr>
<td>V</td>
<td>General Meetings of the Association</td>
<td>5</td>
</tr>
<tr>
<td>VI</td>
<td>Elected Officers</td>
<td>5</td>
</tr>
<tr>
<td>VII</td>
<td>Election of Officers, Directors and Delegates</td>
<td>6</td>
</tr>
<tr>
<td>VIII</td>
<td>OEA Board of Directors</td>
<td>11</td>
</tr>
<tr>
<td>IX</td>
<td>OEA Cabinets and Legislative Advisory Council</td>
<td>12</td>
</tr>
<tr>
<td>X</td>
<td>Judicial Panel</td>
<td>13</td>
</tr>
<tr>
<td>XI</td>
<td>Oregon Education Association Legal Defense Program</td>
<td>13</td>
</tr>
<tr>
<td>XII</td>
<td>Oregon Education Association Relief Fund</td>
<td>14</td>
</tr>
<tr>
<td>XIII</td>
<td>Economic and Insurance Benefits</td>
<td>14</td>
</tr>
<tr>
<td>XIV</td>
<td>Publications</td>
<td>14</td>
</tr>
<tr>
<td>XV</td>
<td>Executive Director</td>
<td>14</td>
</tr>
<tr>
<td>XVI</td>
<td>Associations and Uniserv Councils</td>
<td>15</td>
</tr>
<tr>
<td>XVII</td>
<td>Non-Governance Affiliates</td>
<td>15</td>
</tr>
<tr>
<td>XVIII</td>
<td>Rules of Order</td>
<td>15</td>
</tr>
<tr>
<td>XIX</td>
<td>Amendments</td>
<td>15</td>
</tr>
<tr>
<td>XX</td>
<td>Definition of Terms</td>
<td>16</td>
</tr>
</tbody>
</table>
ARTICLE I. MEMBERSHIP AND DUES

Section 1. Affiliation and Qualifications

The Oregon Education Association is an affiliated organization of the National Education Association with all the rights, benefits, privileges and responsibilities which apply.

Any person who is actively engaged in the profession of teaching or other educational work, or any other person interested in advancing the cause of education shall be eligible for membership in the Oregon Education Association, hereinafter referred to as the OEA. Any person joining the OEA shall agree to subscribe to its purposes and objectives, to abide by the provisions of these Bylaws and to join the National Education Association, hereinafter referred to as the NEA, and, where available, a local association. All members shall abide by the rules of the Association including the Code of Ethics in all activities related to Education and the Association. An application for membership shall be subject to review, and may be rejected, by the OEA Board of Directors.

Section 2. Classifications

There shall be five classes of membership in OEA: active, student, retired, substitute, and Community Ally. The fifth category, Community Ally is for those who are not eligible for regular membership but wish to support the mission, vision and core values of OEA. A person who is eligible for more than one (1) category shall join the Association in the membership category that provides the greatest degree of participation in Association governance.

Section 3. Active Members

A. Requirements

Any person who is actively engaged in or who is on a leave of absence, or laid off due to Reduction In Force (RIF’d) from professional educational work, either paid or unpaid, or any person who is serving as a released officer of the OEA shall be eligible to become an active member of the OEA, with full privileges under standards prescribed by the OEA Board of Directors. Except as provided by these bylaws, persons qualifying for active membership must join in that category and pay the appropriate dues rates for their classification.

B. Continuation of Membership

1) Persons who were active members of the OEA for the previous membership year will be considered continuing active members of OEA as long as they meet the requirements for active membership (Article I, Section 3, A). To withdraw from continuing membership, active members must notify the OEA President of their withdrawal, in writing, prior to October 1 of any membership year. No resignation shall be valid during a strike authorized by the member's local association or within fourteen days preceding the commencement of such a strike.

2) Persons who were active members of the Student OEA for the previous membership year shall be considered continuing active members of the Student OEA as long as they have not accepted employment with a district having employees represented by the OEA.

3) An OEA member who is a military reservist called to active duty will have dues suspended when his/her salary is terminated, and dues will remain suspended until the school salary is resumed.

C. Change in Membership

A member who is removed from the bargaining unit due to change of status to supervisor shall be allowed to terminate association membership effective the month of the actual change of status.

D. Rights

An active member shall be entitled to all rights and privileges of the OEA and the NEA, which shall include the OEA and NEA publications and the right to vote, serve as a delegate, and to hold elective or appointive office.

E. Dues & Assessments

All OEA members are also members of NEA. NEA dues are set by NEA, collected by OEA and transferred to NEA. In addition to NEA dues, OEA dues are assessed using the following classifications:

1) Certified and Community College

   a. Full-Time
The annual dues for each active member in a certified bargaining unit shall be .00939 times the teacher average salary (any fractional dollar shall be raised to the nearest whole; this computation shall be made by the OEA). Teacher average salary will be determined by averaging the last 5 years of actual Oregon teacher average salary as provided by the Oregon Department of Education and compiled by NEA Research.

In addition, full-time active members pay full assessments per 3) a-e. below.

2) Education Support Professional

The annual dues for each active member in an education support professional bargaining unit or working in an education support position shall be based on their annual salary using the following formula:

a. education support professionals whose annual salary is equal to or greater than the teacher average salary shall pay full OEA dues;

b. education support professionals who earn one half the teacher average salary or greater, but less than the teacher average salary shall be assessed one-half OEA dues;

c. education support professionals who earn one-quarter, but less than one half the teacher average salary shall be assessed one-quarter OEA dues;

d. education support professionals who earn one-eighth but less than one-quarter of the teacher average salary shall be assessed one-eighth OEA dues;

e. education support professionals who earn less than one-eighth of the teacher average salary shall be assessed one-sixteenth OEA dues.

3) Assessments: In addition to the OEA dues described above, all classifications of active members pay the following assessments:

a. $2.00 per member annually to acquire, improve and maintain office facilities;

b. $20.00 per member annually for the OEA Legal Defense Program;

c. $10.00 per member annually for the Center for Great Public Schools;

d. $25.00 per member annually for OEA Collective Bargaining Fund, the fund established for ballot measure campaigns;

e. $5.00 per member annually shall be assessed in order to promote the interests of public education; and

f. $10.00 per member annually for the Relief Fund if the Relief Fund value falls below $10 million. This assessment will remain in effect until the fund value is $10
million or more determined on a date specified by the Board.

4) Dues Adjustments

a. If a member has paid a full cash payment prior to terminating employment, the OEA shall, upon written request, return a pro-rata amount of the dues for each full month remaining in the contracted school year. However, no dues shall be returned if the member has worked the full school year.

b. Special membership projects for purposes of organizing may be approved by the OEA Board of Directors with dues prorated for specified periods of time. Reports of any such projects shall be made to the OEA Board of Directors.

c. Members who are laid off due to school budget failures, or who are locked out, may continue as members. Their dues shall be prorated at the number of days worked (rounded to the nearest multiple of ten) divided by 190 days. For members who strike, the policy will be implemented after the tenth working day of the strike.

d. Members who are Reduced In Force (RIF’d) may continue as members. Their dues will be waived, but they will continue to pay OEA assessments. Such eligibility shall continue as long as such persons are eligible to be recalled or for three years, whichever is longer.

e. Members who are on an unpaid leave of absence will have dues waived but will continue to pay OEA assessments. Such eligibility shall continue as long as the member is on unpaid leave of absence.

Section 4. Community Ally

A. Any person who is not eligible for active membership may join as a Community Ally.

B. Dues for Community Ally shall be determined by the OEA Board of Directors.

C. Community Ally membership shall be available to but not be limited to, the following:

1) Lay persons interested in the advancement of education in Oregon

2) Staff employees of the OEA

3) Non-certificated intern teachers compensated for their services

D. A Community Ally shall be entitled to receive OEA publications and other benefits authorized through the Board of Directors.

E. Community Ally membership does not include:

1) The right to vote or to hold elective or appointive office.

2) The right to be included in the count for determining the quota for association delegates to the OEA Representative Assembly.

3) The right to receive funds of OEA, LDP or OEARF for expenses arising out of an employment relations dispute.

4) Rights or privileges not specifically granted by the OEA Board of Directors.

Section 5. Student Members

A. Any undergraduate or full-time graduate student enrolled in, or preparing for, a teacher education program in a college or university may become a student member of the OEA by joining a Student Oregon Education Association chapter. An SOEA member may also join a local association of OEA and must also be a student member of NEA. Anyone who has been an active member of any NEA state affiliate is ineligible for SOEA membership. Membership shall include the right to vote, serve as a delegate and to receive OEA publications.

B. Dues for each student member shall be set by the Student OEA at its annual meeting and shall include Student NEA dues. In the event no Student OEA annual meeting is held, the dues will be set by the OEA Board of Directors. The dues shall be reviewed annually and reported in the Budget proposal: Programs and Services for Members.

Section 6. Retired Members

A. Any retired teacher, retired employee of a school district, college or university, or other institution devoted primarily to educational work may become a member of the OEA-Retired. Membership shall include the right to vote, serve as a delegate, hold elective or appointive positions, and receive the OEA and NEA publications.

B. Dues for OEA-Retired members shall be unified with the NEA-R and shall be set by NEA and OEA-Retired.
C. Any member retiring before September 1, 1986 may continue membership with no dues charge and receive the OEA magazine if current address information is maintained.

Section 7. Substitute
A. Education employees employed on a day-to-day basis shall have the option of joining the Association. Substitute members shall be eligible to receive membership benefits and services provided through the OEA and NEA as authorized by the Board of Directors.

Education employees employed on a day-to-day basis who are included in a bargaining unit shall be active members, provided they pay active dues.

Section 8. Reserve Members
Reserve membership is open to: 1) a part-time/adjunct community college faculty/tutor who has not worked in qualifying employment for a period of at least seven months; or 2) a member whose employment in qualifying employment has ended by termination or resignation and is receiving or entitled to receive assistance through the OEA Legal Defense Program. Reserve membership does not include the right to vote or to hold elective or appointive office. Reserve Members will not be included in the yearly January 15 count for representation or election purposes, or for the purpose of determining weighted voting at the OEA Board of Directors. Reserve Members must pay full yearly OEA assessments and required NEA dues.

Section 9. Membership Year
The membership year shall be from September 1 through August 31. Members are classed as delinquent when they fail to pay or make arrangements to pay full dues for which they committed themselves in any given year. If these delinquencies are not taken care of within a grace period of 30 days beyond the due date of the last filing, the members will be notified by the OEA of cancellation of membership.

Section 10. Expulsion and Reinstatement of Members and Adherence to the Code of Ethics
After due notice and hearing, the OEA Board of Directors or Review Boards drawn from the Judicial Panel shall have power to censure, suspend, or expel any member for cause, including violation of the Code of Ethics of the Teaching Profession, and shall have the power to reinstate any suspended or expelled member.

Section 11. Cessation of Property Interest
All right, title, and interest, both legal and equitable, of a member in and to the property of the OEA shall cease and desist in the event of any of the following.

A. Suspension, expulsion, or dropping from membership.
B. Death or resignation.

Section 12. Special Assessments
Special assessments may be considered in regular or special session of the OEA Representative Assembly. Upon passage by two-thirds of those certified delegates voting at a regular or special session, such assessment shall be included in the OEA dues amount for the ensuing year.

ARTICLE II. FAIR SHARE FEE PAYERS
There shall be no fair-share fee payers in OEA bargaining units.

ARTICLE III. OEA REPRESENTATIVE ASSEMBLY

Section 1.
The authority to establish the policies of the OEA shall be vested in the OEA Representative Assembly. Interim policy may be established by the OEA Board of Directors, to be reviewed and voted upon at the next meeting of the OEA Representative Assembly.

Section 2.
A. Allocation of local association delegate credentials shall be based on the ratio of 1:40 active members or major fraction thereof with each local being guaranteed one delegate. For the purpose of allocation, members employed by more than one district shall be counted in the district utilizing the largest percentage of their time. Delegates shall be chosen from the active membership by a secret ballot distributed to all members within the local.

B. Allocation of ethnic minority representation shall be at least equal to the proportion of identified ethnic minority membership of the local association. Delegates from the local association to the OEA Representative Assembly shall be in proportion to the ethnic minority membership of the local association as long as the person of identifiable ethnic minority groups are available as delegates. To determine the number of ethnic minority representatives, the percentage of ethnic minority members in the local shall be multiplied by the number of delegates, and if the product is
over .5 (rounded to the nearest whole), that mandates the number of ethnic minority delegates. All delegates will be elected by the total membership.

C. Allocation of the OEA-Retired delegate credentials shall be based on the ratio of 1:40 OEA-Retired members or major fraction thereof with the OEA-Retired being guaranteed one delegate. These delegates shall be chosen from the all-inclusive state membership by secret ballot distributed to all members of the OEA-Retired.

D. Allocation of the Student Oregon Education Association delegate credentials shall be based on the ratio of 1:40 student members or major fraction thereof with the Student OEA being guaranteed one delegate. The delegate(s) shall be chosen from the all-inclusive state membership rolls by a secret ballot mailed to all members of the Student OEA. Delegate credentials shall be based upon March 1 membership rolls.

**Section 3.**

Active members within a Board district who are not members of an existing affiliate shall have representation. The district director shall call a meeting of those members to elect a delegate(s), from among those members, on the basis of a ratio of 1:40 active members or major fraction thereof, with all such unaffiliated members in a Board district being guaranteed one delegate.

**Section 4.**

The OEA Board of Directors shall be members of the OEA Representative Assembly without voting rights, unless a Director is an OEA Representative Assembly delegate elected by a local association.

**Section 5.**

There shall be no OEA election paraphernalia allowed to be worn by any member while at the dais (head table) during the Representative Assembly.

**ARTICLE IV. MEETINGS OF THE OEA REPRESENTATIVE ASSEMBLY**

**Section 1.**

The annual meeting of the OEA Representative Assembly shall be held at the time and place determined by the OEA Board of Directors.

**Section 2.**

Special meetings of the OEA Representative Assembly may be called by the OEA Board of Directors or by petition approved by a majority vote from two-thirds of the UniServ Councils.

**Section 3.**

A majority of the voting members of the OEA Representative Assembly shall constitute a quorum for the transaction of business.

**ARTICLE V. GENERAL MEETINGS OF THE ASSOCIATION**

**Section 1.**

A convention of the OEA may be held at a time and place determined by the OEA Board of Directors.

**Section 2.**

The OEA Board of Directors shall have general supervision over the plans and programs for the convention.

**ARTICLE VI. ELECTED OFFICERS**

**Section 1.**

The elected officers of the OEA shall be a President, a Vice President, three Regional Vice Presidents, state-elected senior NEA Directors or designee, ESP Director, EMAC Director, Community College Director, and Oregon Education Association members who are serving as an NEA director-at-large or NEA Executive Committee member.

**Section 2.**

The duties of the officers shall be such as their titles imply and the OEA Bylaws and Policies state. They shall perform any other duties prescribed for them by the OEA Board of Directors or the OEA Representative Assembly.

**Section 3.**

The President shall be a full-time officer of the OEA. The OEA president shall serve as the first alternate NEA Director. The duties and compensation shall be established by the OEA Board of Directors.

**Section 4.**

The Vice President shall be a full-time officer of the OEA. The Vice President shall serve as the second alternate NEA Director. The Vice President shall serve as OEA’s representative in the absence of the President. The Vice President shall serve as chair of the Program Budget Committee. In the absence of the President, the Vice President shall chair the Executive Committee. The Vice President shall perform other duties as assigned by the President. The compensation shall be established by the OEA Board of Directors.
**Section 5.**

Regional Vice Presidents shall serve as the OEA President's representative in the region from which elected, will assume equal responsibilities delegated by the OEA President, shall serve on the Program Budget Committee and the Executive Committee, and perform equal duties as established by the OEA Board of Directors and OEA Policies.

**Section 6.**

A. All elected officers shall take office on July 10 of the year their term begins, with the exception of state-elected NEA Directors and Oregon Education Association members who are serving as an NEA Director-at- Large or NEA Executive Committee member, who shall take office as determined by the NEA.

B. The term of office of the President shall be two years, or until a successor is inducted into office. A President may be elected to a maximum of one additional term.

C. The term of office of the Vice President shall be two years or until a successor is inducted into office. The election cycle of the Vice President will coincide with the election cycle of the president. A Vice President may be elected to a maximum of one additional term.

D. The term of office of each Regional Vice President shall be for two years. The first year of that term shall coincide with the second year of the term of the office of the president. Regional Vice Presidents may be elected to a maximum of one additional term.

E. The terms of office and any limitations for NEA Directors shall be determined by the NEA. Terms of office for NEA Directors shall not be concurrent.

**ARTICLE VII. ELECTION OF OFFICERS, DIRECTORS AND DELEGATES**

**Section 1. Notification**

The OEA Executive Director shall notify the officers of each local association in the October issue of the official publication of the OEA each year as to the number of the various OEA officers and directors, NEA Directors, and state NEA Representative Assembly State Delegates which may be nominated and elected from that area that year.

**Section 2. Nominations**

The filing deadline for the OEA Board of Directors, NEA State Delegates and Student Leadership Conference/NEA Delegates shall be January 15. If the nomination deadline for materials falls on a weekend or federal holiday, nomination materials must be postmarked or received by the next business day, including electronic (fax/email) submission. Persons nominated for officer, director, delegate, or student delegate positions shall be active members as defined in Article I, Section 3.

A. President

Nominations for the President shall be made by a direct vote of the members in a local association or UniServ Council or by petition of fifty OEA members. A local association or UniServ Council may nominate only one member. An officer of a local association or UniServ Council shall report the name of the nominee in writing, along with a statement of qualifications, to the OEA President on or before sixty days (60) prior to the meeting of the OEA Representative Assembly that will elect the President. Nominations by petition need not be reported or signed by an officer of a local association or UniServ Council but should include a statement of qualifications. A statement of qualifications of each nominee, if available, shall be sent to all delegates, OEA local associations, and UniServ Councils two weeks prior to the meeting of the OEA Representative Assembly that will elect the President. The nominations shall be reported to the OEA Representative Assembly at its election meeting. In addition, nominations may be made from the floor of the OEA Representative Assembly meeting. The OEA President shall be simultaneously nominated to a concurrent term as the first alternate NEA Director.

B. Vice President

Nominations for the Vice President shall be made by a direct vote of the members in a local association or UniServ Council or by petition of fifty OEA members. A local association or UniServ Council may nominate only one member. An officer of a local association or UniServ Council shall report the name of the nominee in writing, along with a statement of qualifications, to the OEA President on or before sixty days (60) prior to the meeting of the OEA Representative Assembly that will elect the President. Nominations by petition need not be reported or signed by an officer of a local association or UniServ Council but should include a statement of qualifications. A statement of qualifications of each nominee, if available, shall be sent to all delegates, OEA local associations, and UniServ Councils two
weeks prior to the meeting of the OEA Representative Assembly that will elect the Vice President. The nominations shall be reported to the OEA Representative Assembly at its election meeting. In addition, nominations may be made from the floor of the OEA Representative Assembly meeting. The Vice President shall be simultaneously nominated to a concurrent term as the second alternate NEA Director.

C. Regional Vice Presidents

Nominations for Regional Vice Presidents shall be made by a direct vote of the members in a local association or UniServ Council within the designated region or by a petition of fifty OEA members within that region. A local association or UniServ Council may nominate only one member. An officer of a local association or UniServ Council shall report the name of the nominee in writing along with a statement of qualifications, to the OEA President on or before sixty days (60) prior to the meeting of the OEA Representative Assembly that will elect the Regional Vice Presidents. Nominations by petition need not be reported or signed by an officer of a local association or UniServ Council but should include a statement of qualifications. A statement of qualifications of each nominee, if available, shall be sent to all delegates, OEA local associations, and UniServ Councils in the appropriate region prior to the meeting of the OEA Representative Assembly that elects Regional Vice Presidents. The nominations shall be reported to the OEA Representative Assembly at its election meeting. In addition, nominations may be made from the floor, provided that any such nominee is from the region for which the office is designated to serve.

D. Board of Directors

Nominations for OEA district directors shall be made by direct vote of the members in a local association or UniServ Council or by petition of fifty OEA members in the district concerned. A local association or UniServ Council may nominate only one member per position. An officer of a local association or UniServ Council shall report the name of the nominee in writing, along with a statement of qualifications to the OEA President, postmarked or received on or before January 15.

Nominations for the Racial Equity Director and Education Support Director shall be made by direct vote of the members in a local association or UniServ Council or by petition of fifty OEA members. An officer of a local association or UniServ Council shall report the name of the nominee in writing, along with a statement of qualifications, to the OEA President on or before sixty days prior to the meeting of the OEA Representative Assembly.

Nominations by petition need not be reported or signed by an officer of a local association nor UniServ Council. A statement of qualifications of each nominee, if available, shall be published in an official publication of the OEA.

E. NEA Directors for Oregon

Nominations for NEA Director shall be made by a direct vote of the members in a local association or UniServ Council or by a petition of fifty OEA members. A local association or UniServ Council may nominate only one member per position. An officer of a local association or UniServ Council shall report the name of the nominee in writing along with a statement of qualifications, to the OEA President on or before sixty days (60) prior to the meeting of the OEA Representative Assembly that will elect the NEA Director. Nominations by petition need not be reported or signed by an officer of a local association or UniServ Council but should include a statement of qualifications. A statement of qualifications of each nominee, if available, shall be sent to all delegates, OEA local associations, and UniServ Councils two weeks prior to the meeting of the OEA Representative Assembly that will elect the NEA Director. The nominations shall be reported to the OEA Representative Assembly at its election meeting. In addition, nominations may be made from the floor of the OEA Representative Assembly meeting.

F. NEA Representative Assembly State Delegates

Nominations for NEA Representative Assembly State Delegates shall be made by direct vote of the members in a local association or UniServ Council within the designated region or by petition of fifty NEA members within that region. A local association or UniServ Council may nominate only one member per position. An officer of a local association or UniServ council shall report the name of the nominee in writing, along with a statement of qualifications, to the OEA President, postmarked or received on or before January 15. Nominations by petition need not be reported or signed by an officer of a local association or UniServ Council.

G. Nominations for Student Leadership

Nominations for Student Leadership Conference/NEA Delegate shall be made by the direct vote of the members of the Student Oregon Education Association or by petition of 10 Student NEA members. The Student Membership Committee of OEA shall report the names of the
nominees postmarked or received on or before January 15. The report shall be in writing with a statement of qualifications to the OEA President. The term for Student Leadership conference NEA Delegate shall be for (one) 1 year.

Section 3. Election Districts and Regions
The election districts and regions are outlined in OEA Policy 2550.

Section 4. Elections

A. Credentials Committee

A Credentials Committee member, appointed for a three-year term by the OEA President, may serve one additional appointment. The Credentials Committee shall act as an elections committee, construct election rules for approval by the OEA Board of Directors, make recommendations to the OEA Board of Directors prior to the OEA Representative Assembly and to the OEA Representative Assembly during its session on the enforcement of election rules wherein the penalty can be disqualifications; count ballots, certify election results and secure ballots for a period of one year.

B. President, Vice President, Regional Vice Presidents, and NEA Directors

During an annual meeting of the OEA Representative Assembly delegates shall elect, by secret ballot, the President, Vice President, Regional Vice Presidents, or state-elected NEA Directors. The NEA Directors shall be elected by active NEA members who are delegates to the OEA Representative Assembly. In odd numbered years the President and Vice President will be elected to concurrent two-year terms. In even numbered years the Regional Vice Presidents will be elected to concurrent two-year terms. The OEA President shall be elected to a concurrent term as the first alternate NEA Director. The OEA Vice President shall be elected to a concurrent term as the second alternate NEA Director. Delegates to the OEA Representative Assembly will elect the President, Vice President, and NEA Director on a statewide basis and will elect the Regional Vice Presidents on a regional basis with delegates voting for a candidate in their region. If no candidate for office receives a majority vote on the first ballot, runoff elections shall be held on all candidates except the candidate receiving the fewest votes, until a majority vote is shown.

C. Directors

1) Ballots shall be distributed no later than February 20 from OEA headquarters to all members in districts having elections. To be valid, ballots shall be postmarked or received on or before March 10. If March 10 falls on a weekend or federal holiday, ballots must be postmarked or received by the next business day. Election results shall be filed with the Executive Director no later than the last day of March. Elections shall be determined by plurality vote.

2) During the annual meeting, the OEA Representative Assembly shall elect by secret ballot the Racial Equity Director for the ensuing term. If no candidate for office receives a majority vote on the first ballot, runoff elections shall be held on all candidates except the candidate receiving the fewest votes, until a majority vote is shown.

3) During the annual meeting, the OEA Representative Assembly shall elect by secret ballot the Education Support Professional Director for the ensuing term. If no candidate for office receives a majority vote on the first ballot, runoff elections shall be held on all candidates except the candidate receiving the fewest votes, until a majority vote is shown.

4) Directors shall be elected on a rotating basis. The OEA Credentials Committee will review and update a rotation schedule in compliance with the terms stated in Bylaws, which will be published in OEA Policy 2500 as well as online and in the OEA calendar book. The purpose of rotation shall be to maximize continuity of representation and to minimize turnover of representation wherever equitable and in compliance with the Bylaws.

5) A district may elect the same individual for two successive three-year terms. Having served two terms, a Director shall not be eligible for reelection until at least one term has elapsed.

D. Proportional Representation Directors

1) Education Support Professional members shall be represented on the Board at least in proportion to their active membership in the Association as of January 15. If the percentage of Education Support Professional members elected to the Board of Directors fails to achieve such proportional representation, the Representative Assembly shall elect the number of At-Large Directors required to assure such representation for three-year terms. An individual may be elected to one additional successive three-year term. Having served six successive years, a proportional At-Large Director shall not be
eligible for re-election until at least one term has elapsed.

2) The licensed members shall be represented in proportion to their membership in the Association as of January 15. If the percentage of licensed members fails to achieve such proportion, the Representative Assembly shall elect the number of At-Large Directors required to assure such representation for three-year terms. An individual may be elected to one additional successive three-year term. Having served six successive years, a proportional At-Large Director shall not be eligible for re-election until at least one term has elapsed.

3) Candidates for these positions shall be nominated by the delegates at the Representative Assembly.

E. NEA Representative Assembly State Delegates and Successor Delegates

1) NEA Representative Assembly State Delegates and Successor Delegates as allocated by NEA shall be elected by secret ballot. Ballots must be distributed no later than February 20. To be valid, ballots shall be postmarked or received on or before March 10. If March 10 falls on a weekend or federal holiday, ballots must be postmarked or received by the next business day. Election results shall be filed with the Executive Director no later than the last day of March. Election results shall be determined by plurality vote.

2) The candidates not elected shall be declared Successor Delegates and listed in order of votes received. The number of Successor Delegates shall not exceed the State Delegates.

3) Terms of office for State Delegates shall be for three years and shall not all be concurrent. Terms may be less than three years for purposes of implementing a rotation schedule.

Section 5. Vacancies

A. The President shall declare a vacancy in the event of death, expulsion from membership, disability, resignation (when submitted in writing), chronic absenteeism, ineligibility by virtue of retirement or other change of membership category, or election to another office that overlaps the current office. If a current holder of one office has been elected to another office, the OEA president shall immediately declare the up-coming vacancy in the officer’s current office. A vacancy in the office of President is to be determined by the OEA Board of Directors for the above reasons and declared by the presiding officer. The declaration of a vacancy in the case of resignation will become effective at the discretion of the President or presiding officer.

B. Vacancies shall be filled under the following rules and regulations:

1) When a vacancy is declared in the office of President the OEA Board of Directors shall appoint the Vice President to serve the remainder of the term of President. If this appointment is in the first nine months of a term the newly appointed President is eligible to run for one more term of office. If the appointment is after the first nine months in office the appointed President will be eligible to run for two more terms of office.

2) When a vacancy is declared in the office of Vice President before the Representative Assembly in the first year of a term, the OEA Board of Directors shall elect by secret ballot, not later than the second successive Board meeting, an interim Vice President to serve until the next meeting of the OEA Representative Assembly. The OEA Representative Assembly shall then elect a successor for the remainder of the term. The term of the successor shall begin on July 10 following the election.

When a vacancy is declared after the Representative Assembly in the first year of a term, the OEA Board of Directors shall elect by secret ballot, not later than the second successive Board meeting, an interim Vice President for the remainder of the term.

3) When a vacancy is declared in the office of a Regional Vice President before the Representative Assembly in the first year of a term, the district Directors from the region involved shall elect, within thirty days, an interim Regional Vice President to serve until the next meeting of the OEA Representative Assembly. The delegates of the OEA Representative Assembly from the region involved shall then elect a successor for the remainder of the term. The term of the successor shall begin on July 10 following the election.

When a vacancy is declared after the Representative Assembly in the first year of a term, the district Directors from the region involved shall elect, within thirty days, an interim Regional Vice President for the remainder of the term.
4) When a vacancy is declared in the office of an NEA Director the President shall serve as the first alternate NEA Director. The Vice President shall serve as the second alternate NEA Director.

An “alternate” director is intended to fill such a vacancy on a short-term temporary basis.

When a vacancy is declared for the purpose of filling an “interim” NEA Director position, the OEA Board shall appoint an interim Director who will serve until a new NEA Director is elected by the OEA membership at the next regularly scheduled election. The term of the newly elected NEA Director shall begin immediately following the election or on the date consistent with NEA Bylaws and Policies.

5) When a vacancy is declared in the position of Racial Equity Director before the Representative Assembly in the first or second year of a term, the OEA Board of Directors shall elect an interim Director to serve until the next meeting of the OEA Representative Assembly. The OEA Representative Assembly shall then elect a successor for the remainder of the term. The term of the successor shall begin on July 1 following the election.

When a vacancy is declared after the Representative Assembly in the second year of a term, the OEA Board of Directors shall elect an interim Director for the remainder of the term.

6) When a vacancy is declared in the position of Education Support Professional Director before the Representative Assembly in the first or second year of a term, the OEA Board of Directors shall elect an interim Director to serve until the next meeting of the OEA Representative Assembly. The OEA Representative Assembly shall then elect a successor for the remainder of the term. The term of the successor shall begin on July 1 following the election.

When a vacancy is declared after the Representative Assembly in the second year of a term, the OEA Board of Directors shall elect an interim Education Support Professional Director for the remainder of the term.

7) When a vacancy is declared in a district OEA Board of Directors position before the annual Board election in the first or second year of a term, the UniServ Council(s) members from that Board district shall elect, not later than the second successive Board meeting, an interim Director to serve until the next annual Board election. At that election, a successor shall be elected for the remainder of that term. The term of the successor shall begin on July 1 following the election.

When a vacancy is declared after the annual Board election in the second year of a term, the UniServ Council(s) members from that Board district shall elect, not later than the second successive Board meeting, an interim Director for the remainder of the term effective immediately.

The OEA-Retired Executive Board shall fulfill the duties of a UniServ Council for the purpose of filling vacancies in District 27.

8) When a vacancy is declared in the position of NEA Representative Assembly State Delegate, ranking Successor Delegate from the region involved shall serve as Delegate for the remainder of the term of the Delegate in whose place the Successor Delegate is serving.

However, if a State Delegate submits a statement to the NEA Credentials Committee (no later than January 15 immediately preceding the annual meeting at which the Delegate wishes to resume office) certifying that the Delegate was unable to attend by reason of uncontrollable circumstances and wishes to resume office, and the NEA Credentials Committee concurs, the Delegate may resume service for the remainder of the term of office to which the Delegate was elected.

9) When a vacancy is declared in a proportional representation Director position, the OEA Board of Directors shall elect an interim Director for the remainder of the term.

C. Notice of Vacancies

When a vacancy is declared (except a temporary vacancy in the office of President), written notice shall be made to all eligible members. The notice may be by UniServ newsletter, the official OEA publication, local association newsletter, or direct mailing.

D. Temporary Vacancies

When, in the judgment of the Executive Committee, the President is unable to fulfill the duties of the office due to an accident or illness of a temporary nature, it shall declare a temporary vacancy, appoint the Vice President to serve as acting President, and report to the Board. In the event of a temporary vacancy, the Executive
Section 6. Recall

A. A recall election for President shall be held if a petition specifying charges and requesting such an election is signed by twenty percent of the OEA members within each of two of the Vice- Presidential Regions and is filed with the OEA Executive Director. Such an election shall be held within thirty days of the date the petition is filed. Eligible voters shall be OEA members. The Credentials Committee shall be convened to count the ballots.

If the President is recalled, the position shall be declared vacant, and the provisions of Article VII, Section 5, B.1), shall go into effect. The President recalled shall not be eligible to be returned to office during that term.

B. A recall election for the Vice President shall be held if a petition specifying charges and requesting such an election is signed by twenty percent of the OEA members within each of two of the Vice- Presidential Regions and is filed with the OEA executive director. Such an election shall be held within thirty days of the date the petition is filed. Eligible voters shall be OEA members. The Credentials Committee shall be convened to count the ballots.

If the Vice President is recalled, the position shall be declared vacant, and the provisions of Article VII, Section 5, B. 2), shall go into effect. The Vice President recalled shall not be eligible to be returned to office during that term.

C. A recall election for a Regional Vice President shall be held if a petition specifying the charges and requesting an election is signed by twenty percent of the OEA members within the Vice- Presidential Region and is filed with the OEA Executive Director. Such an election shall be held within thirty days of the date the petition filing. Eligible voters shall be OEA members within the region involved. The Credentials Committee shall be convened to count the ballots. If a Regional Vice President is recalled, the position shall be declared vacant and the provisions of Article VII, Section 5, B 3), shall go into effect. A Regional Vice President who is recalled shall not be eligible to be returned to office during that term.

D. If a NEA Director is recalled according to the NEA bylaws, the position shall be declared vacant, and the provisions of Article VII, Section 5, B. 4), shall go into effect. The NEA Director recalled shall not be eligible to be returned to office during that term.

E. A recall election for a NEA Representative Assembly State Delegate shall be held if a petition specifying charges and requesting such an election is signed by twenty percent of the OEA members within the appropriate region and is filed with the Executive Director. The procedures for recall election for an NEA Representative Assembly State Delegate shall be the same as those specified for Regional Vice President. An NEA Representative Assembly State Delegate who is recalled shall not be eligible to be returned to office during that term.

F. A recall election for an OEA Board of Directors district Director shall be held if a petition requesting such an election is signed by twenty percent of the OEA members in that OEA Board of Directors district and filed with the Executive Director. Such an election shall be held within thirty days of the date the petition is filed. Eligible voters shall be OEA members in that OEA Board of Directors District. If the OEA Board of Directors district Director is recalled, the position shall be declared vacant and filled in the manner prescribed under Article VII, Section 5, B. 7). The Director recalled shall not be eligible to be returned to office during that term.

ARTICLE VIII. OEA BOARD OF DIRECTORS

Section 1.

A. The Board of Directors shall consist of the President, Vice President, Regional Vice Presidents (3), state-elected NEA Directors (3), Racial Equity Director (1), Education Support Professional Director(s), district Directors and will include Oregon Education Association members who are serving as an NEA Director-at-Large or NEA Executive Committee member.

B. Each elected officer and director shall be allowed weighted voting based upon the January 15 active membership.

Section 2.

A. The President, Vice President, Regional Vice Presidents, state-elected senior NEA Director or designee, ESP Director, EMAC Director, Community College Director, and Oregon Education Association members who are serving as an NEA Director-at- Large or NEA Executive Committee member shall function as an Executive Committee of the OEA Board of Directors. Any Oregon Education Association members who are serving as an NEA Director-at- Large or NEA
Executive Committee member shall be ex officio and non-voting members of the Executive Committee.

B. Meetings of the OEA Executive Committee may be held at the call of the President. Upon receiving written request from at least three members of the Executive Committee stating the purpose of the meeting, the President shall call a special session of the OEA Executive Committee.

C. The duties of the Executive Committee shall be specified by the OEA Board of Directors.

Section 3.

Meetings of the OEA Board of Directors may be held at the call of the President. Upon receiving written request from at least five members of the Board stating the purpose of the meeting, the President shall call a special meeting of the Board. Meetings regularly scheduled by the Board shall not require a written request.

Section 4.

The OEA Board of Directors shall have general charge of the work of the OEA and shall do all that is necessary to fulfill the purposes of the OEA as authorized by the OEA Representative Assembly and/or provided by the OEA Bylaws.

It shall:

A. Appoint and enter into a contract with the Executive Director.

B. Approve the employment of management staff.

C. Advise and assist the President in the preparation of programs and in arranging for meetings of the OEA or its departments.

D. Cause to be prepared each year an updated copy of the Policies of the OEA which shall be submitted to each local and UniServ area in September.

E. Prepare and adopt an annual balanced budget for each fiscal year.

F. Make appropriations, authorize or delegate authority to make expenditures, and issue or delegate authority to issue contracts. Monitor the OEA budget and expenditures.

G. Review and forward an annual financial report to be presented to the OEA Representative Assembly.

H. Authorize an annual audit of the financial transactions of the OEA.

I. Approve all employee contracts.

J. Cause the official publications of the OEA (Article XIV) to be issued.

K. Provide information and services to Student OEA members.

L. Provide authorization of all petitions from OEA executive officers seeking review or action from any OEA Judicial Panel or other judicial body. Officers are still eligible to file petitions as individual members without prior approval.

M. Conduct performance review of the Executive Director to help set goals for the Executive Director’s performance in carrying out his/her operational responsibilities.

Section 5.

The OEA Board Director(s) within each UniServ Council area shall, if possible, attend all UniServ Council meetings and:

A. Report actions of the OEA Board of Directors.

B. Seek local representatives’ input through UniServ Council discussion and report the conclusions to the OEA Board of Directors.

C. Disseminate OEA Board of Directors' reports in addition to other regular communications to local association members.

Section 6.

The Directors shall represent the OEA and do all that is possible to further the purposes and carry on the work of the OEA in their respective districts.

ARTICLE IX. OEA CABINETS AND LEGISLATIVE ADVISORY COUNCIL

Section 1.

An OEA Cabinet shall be established for the Center for Affiliate Services, the Great Public Schools and the Center for Public Affairs.

Section 2.

A Legislative Advisory Council shall be established to propose, coordinate, and promote legislative and political action necessary for goal accomplishment. The Council shall present its proposal to the OEA Board of Directors for action.

The Legislative Advisory Council shall work with the OEA Cabinet for the Center for Public Affairs.
Section 3.

A. The OEA President, with approval of the OEA Board of Directors, shall appoint to each of the OEA Cabinets an equal number of representatives from each vice-presidential region. OEA-Retired members may be appointed to represent the vice-presidential regions in which they reside. The members appointed shall serve for a term of three years. Terms for the OEA Cabinets shall commence July 1, terms not to be concurrent for all members. A member may be appointed to no more than two successive three-year terms.

B. The OEA President shall annually appoint a chairperson for each OEA Cabinet from the members of that Cabinet.

C. The OEA President, with the approval of the OEA Board of Directors, shall appoint to the Legislative Advisory Council one member from each Oregon Senate district. The President shall also appoint one OEA-Retired member to represent OEA retirees; one member to represent OEA retirees; one OCESP member who represents Oregon Council of Education Support Professionals; and one non-voting member of OEA Board of Directors to serve as Board Liaison. The members shall serve for a three-year term, terms not to be concurrent for all members. A member may be appointed to no more than two successive three-year terms. The OEA President shall annually appoint a chairperson and vice-chairperson for the Legislative Advisory Council from the members of that Council.

Section 4.

An OEA Cabinet shall be terminated, or their numbers increased, whenever the OEA Representative Assembly shall decide conditions warrant such action.

ARTICLE X. JUDICIAL PANEL

Section 1.

The judicial powers of the OEA as described in this Article shall be vested in a Judicial Panel. The Judicial Panel shall be composed of nine persons, with equal numbers from each region, appointed by the OEA President from names submitted by the OEA Directors and/or the Vice President of that region. The terms of office of the Judicial Panel members shall be three years, not to be concurrent.

Section 2.

When a case arises, a review board of three persons shall be selected from the Judicial Panel by the OEA President according to OEA policy. [See Policy 2700 I.E.] The OEA Executive Director shall appoint such adviser(s) and provide assistance as may be needed. The review board shall be considered dissolved upon completion of its task. No person shall be selected who has a conflict of interest as determined by the OEA Conflict of Interest Officer or OEA General Counsel if the Conflict of Interest Officer is involved in the case.

Section 3.

The review board shall have original jurisdiction in alleged violations of the Code of Ethics of the Education Profession, and in reviewing, upon request, by an OEA member or local association, an action of the Executive Committee, Board of Directors or Representative Assembly, regarding consistent application of the Bylaws or Policies of the OEA. The OEA review board shall act as an appellate body in cases appealed from decision by subordinate judicial bodies including local boards of review/executive boards.

Section 4.

The review board shall have the following powers:

A. To censure, suspend, or expel a member for the reasons provided in Policy 2700 II.A.

B. To vacate a censure, lift suspension, or reinstate a member.

C. To affirm or recommend reversal of lower judicial body decisions.

Section 5.

In cases of censure, suspension or expulsion, the member shall have the right of appeal to the OEA Board of Directors on procedural grounds only.

Section 6.

The OEA Board of Directors shall establish such rules and procedures as to insure procedural and substantive due process and to further define the responsibilities of the Judicial Panel and review boards.

ARTICLE XI. OREGON EDUCATION ASSOCIATION LEGAL DEFENSE PROGRAM

Section 1. Purposes

A. To provide financial assistance toward:

1) Insuring fair and equitable treatment for individuals against persons and/or forces that threaten effectiveness in their work.

2) Protecting an individual's legal rights such as, but not limited to, retirement, certification, salary, leave, and fair dismissal.
3) Promoting academic freedom and responsibilities.

4) Assisting individuals in protecting their collective rights.

B. To collect and disburse funds for implementing the OEA Legal Defense Program.

C. To cooperate in protecting and strengthening member rights.

**Section 2. Legal Defense Program Committee**

The committee shall consist of one member appointed from each region plus a Board Liaison. The terms of appointments shall be three years staggered. No person shall serve more than two consecutive terms. The OEA President, with approval of the OEA Board of Directors, shall appoint a chairperson and vice chairperson from members of the committee. The OEA Executive Director shall appoint a staff member who will become the consultant.

**Section 3. Funding**

Funds shall be obtained according to Article I, Section 3, E, 3) b.

**Section 4. Annual Report**

The OEA Executive Director shall prepare an annual report of assistance given and received, as well as financial statement. The fund shall be included in the regular Association financial reports and reported annually to the OEA Representative Assembly.

**ARTICLE XII. OREGON EDUCATION ASSOCIATION RELIEF FUND**

**Section 1. Purposes**

To provide financial assistance for members and local associations who suffer a loss of income due to a natural disaster which closes schools, budget deficit with school closure, work stoppage or strike build-up.

**Section 2. Rules and Procedures**

A. Funding

Funds shall be obtained according to Article I, Section 3, E, 3) f.

B. School Closures and Sanctions

1) The OEA Board of Directors shall establish rules and procedures for the investigation of and provision for assistance to bargaining unit members in need, where natural disaster prevents school operation, and therefore results in a loss of income, or where schools have been closed by budget deficit.

2) The OEA Board of Directors shall establish procedures for the investigation of anticipated work stoppage/strike build-up and shall determine whether a work stoppage/strike build-up shall be sanctioned and supported by the fund and the resources of the Association.

**Section 3. Reports**

The Executive Director shall prepare an annual report of assistance given and received, as well as financial statement. The fund shall be included in the regular Association financial reports and reported annually to the OEA Representative Assembly in the audit.

**Section 4. Limitations**

A uniform schedule of benefits shall be established to provide assistance to members. However, the OEA Board of Directors may enact such rules as it deems necessary to limit the availability of funds to any individual or local in order to provide assistance to others in similar or anticipated need.

**ARTICLE XIII. ECONOMIC AND INSURANCE BENEFITS**

The OEA Board of Directors shall establish such corporate entities as may be necessary to provide insurance and other economic benefit programs to members and other groups interested in such services.

**ARTICLE XIV. PUBLICATIONS**

**Section 1.**

Official publications shall be issued at the direction of the OEA Board of Directors.

**Section 2.**

The publications shall serve the program of education and specifically the educators of Oregon. They shall include summaries of the proceedings of the OEA Board of Directors, of the OEA Representative Assembly, or other meetings of interest to the OEA membership, and articles relating to curriculum development and instructional excellence. Such publications may be print, electronic or other new technological medium.

**ARTICLE XV. EXECUTIVE DIRECTOR**

**Section 1.**

A. The Executive Director shall perform all duties necessary to put into effect the plans and policies of the OEA.
B. The Executive Director shall serve as consultant to the OEA Board of Directors and the Executive Committee without vote.

Section 2.

With the approval of the OEA Board of Directors, the Executive Director shall employ management staff.

Section 3.

The Executive Director shall employ such non-management staff as may be necessary to carry on the work of OEA, and placement of a UniServ Consultant in a UniServ area shall have prior approval of the UniServ Council in which the UniServ Consultant will serve.

Section 4.

The Executive Director shall administer the finance of the OEA in accordance with established policies.

Section 5.

The Executive Director, or the Executive Director’s designee, shall serve as secretary to the OEA Board of Directors and to the Executive Committee, keep permanent records of those proceedings, and prepare for the OEA Representative Assembly an annual report of the action and recommendations of the OEA Board of Directors.

ARTICLE XVI. ASSOCIATIONS AND UNISERV COUNCILS

Section 1.

Provided all their members are members of OEA/NEA, the following groups may affiliate with the OEA in accordance with standards and policies adopted by the OEA Representative Assembly.

A. A local association composed of education employees in a single school district, combination of school districts, or state school.

B. A local association composed of education employees at a public or private post-secondary school.

Section 2.

A. A UniServ Council shall be formed in each UniServ area authorized by the OEA Board of Directors. The UniServ Council shall develop a constitution and/or bylaws consistent with the OEA and NEA constitution and bylaws.

B. The membership of the Council shall consist of the president(s) of local(s) or the designated local representative(s), designated district OEA Director(s) who serve the UniServ area, and other members as authorized by the constitution and/or bylaws of the UniServ Council.

C. The UniServ Council shall assist in promoting and coordinating the communications, services, workshops, projects, and programs of local associations/OEA/NEA, within the UniServ area.

D. All local associations shall be fully participating members of their UniServ Councils. Membership will be determined on the payment of dues. The amount of dues will be determined by each UniServ Council. If the Council wishes not to assess annual dues, then the Council may operate on a pay as you go basis, as determined by the Council.

ARTICLE XVII. NON-GOVERNANCE AFFILIATES

Non-governance affiliates may be established which must comply with the requirements of the OEA Board of Directors. Members of non-governance affiliates may receive benefits from the Oregon Education Association Relief Fund provided their association contributes to the fund as required by the OEA.

ARTICLE XVIII. RULES OF ORDER

The current revision of Robert’s Rules of Order shall be the parliamentary authority of the OEA subject to the Bylaws and special rules which have been adopted.

ARTICLE XIX. AMENDMENTS

Section 1.

These Bylaws may be amended at a meeting of the OEA Representative Assembly by a two-thirds vote if the proposed change shall have been presented in writing to the members of the OEA Representative Assembly at least thirty days before its meeting and published in the official publication of the OEA before such meeting, or if unanimous consent of the OEA Representative Assembly members present is given for taking a vote without such advance notice. All proposed bylaws amendments, except for those for which unanimous consent of the OEA Representative Assembly has been secured, shall be submitted to the OEA President for editing sixty days prior to the meeting of the OEA Representative Assembly.

Section 2.

No substantive alternations shall be made in the editing process.

Section 3.

Amendments may be presented by:
A. The OEA Board of Directors.

B. A majority vote of the OEA Representative Assembly at a preceding meeting of the OEA Representative Assembly.

C. A petition of any ten accredited delegates to the preceding OEA Representative Assembly.

D. A petition of any twenty OEA members.

E. An OEA department after formal action by its policy-making body.

Section 4.

Bylaws changes will take effect July 1 unless otherwise directed by the OEA Representative Assembly.

ARTICLE XX. DEFINITION OF TERMS

As used in the Articles of Incorporation, OEA Bylaws and Standing Rules, the OEA adopts and adheres to the following definition of terms:

Ethnic Minority

Ethnic minority shall mean those persons designated by statistics published by the U.S. Bureau of the Census. This designation shall specifically include African American, Mexican American (Chicano/Hispanic), other Spanish speaking groups, Asian American, Native Hawaiian or other Pacific Islander-NHOPI, and American Indian/Alaskan Native.
### POLICIES TABLE OF CONTENTS

#### 1000 OEA GOALS & PURPOSES

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1100</td>
<td>Mission</td>
<td>1</td>
</tr>
<tr>
<td>1200</td>
<td>Goals</td>
<td>1</td>
</tr>
<tr>
<td>1300</td>
<td>Purposes &amp; Policy Development</td>
<td>1</td>
</tr>
</tbody>
</table>

#### 2000 GOVERNANCE

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2100</td>
<td>General Regulations</td>
<td>3</td>
</tr>
<tr>
<td>2200</td>
<td>Representative Assembly</td>
<td>4</td>
</tr>
<tr>
<td>2300</td>
<td>Officers of OEA</td>
<td>5</td>
</tr>
<tr>
<td>2400</td>
<td>Board of Directors</td>
<td>7</td>
</tr>
<tr>
<td>2410</td>
<td>OEA Cabinets &amp; Legislative Advisory Council</td>
<td>9</td>
</tr>
<tr>
<td>2420</td>
<td>Cabinets, Committees &amp; Task Forces</td>
<td>10</td>
</tr>
<tr>
<td>2500</td>
<td>Elections &amp; Campaigning</td>
<td>11</td>
</tr>
<tr>
<td>2550</td>
<td>Election Districts And Regions</td>
<td>14</td>
</tr>
<tr>
<td>2600</td>
<td>NEA Committees</td>
<td>16</td>
</tr>
<tr>
<td>2700</td>
<td>Judicial Panel</td>
<td>16</td>
</tr>
<tr>
<td>2800</td>
<td>Legal Defense Program</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Guidelines for Legal Assistance</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Policy Statement on Criminal Charges</td>
<td>27</td>
</tr>
</tbody>
</table>

#### 3000

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3100</td>
<td>I. Promotion of Education Excellence</td>
<td>28</td>
</tr>
<tr>
<td>3200</td>
<td>I. Members’ Personal, Professional, Legal and Human Rights</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>II. Contract Reopener Procedures</td>
<td>32</td>
</tr>
<tr>
<td>3300</td>
<td>I. Professional Development</td>
<td>32</td>
</tr>
<tr>
<td>3400</td>
<td>I. Achievement of Organizational Excellence</td>
<td>33</td>
</tr>
</tbody>
</table>

#### 4000 AFFIRMATIVE ACTION FOR EMPLOYEES | 36

#### 5000 UNISERV | 36

#### 6000 RELIEF FUND | 43

#### 7000 AFFILIATED ORGANIZATIONS | 47

#### 8000 NEW BUSINESS

(2019 Representative Assembly) | 47

**APPENDIX A: Judicial Panel Complaint Form**

(OEA Policy 2700 II) | 56
1000 OEA Mission, Goals and Purposes

1100 MISSION

The mission of the Oregon Education Association is to unite the public education profession and advocate for those professionals to ensure quality public education for students in Oregon.

1200 GOALS

• OEA will be the lead advocate for a fully-funded public education system. (2010)

• OEA will develop and support leaders who advocate for education, social justice, community and labor issues. (2010)

• OEA will organize its members as advocates for professional compensation and benefits, improved working conditions and protection of member rights. (2010)

• OEA will be the voice and proponent for professional excellence in public education. (2010)

• OEA will be a primary resource for its members’ professional development. (2010)

1300 PURPOSES AND POLICY DEVELOPMENT

I. FUNDAMENTAL GUIDELINES FOR OEA

The fundamental guidelines for programs and governance of the Oregon Education Association originate with the Articles of Incorporation and the actions of the OEA Representative Assembly and of the OEA Board of Directors.

II. DIRECTION FOR OEA

(OEA Articles of Incorporation)

A. To promote the interests of public education.

B. To advance the standards of the teaching profession.

C. To publish educational magazines and other papers.

D. To secure the conditions necessary for the greatest efficiency of members and schools.

E. To represent its members in their employment relations with their public employers.

III. OEA BOARD OF DIRECTORS

The OEA Board of Directors is in general charge of the work of the OEA and must do all that is necessary to fulfill the purposes of the Association.

IV. POLICY DEVELOPMENT

A. An operating policy is a rule or regulation that prescribes a guide for action.

B. Policies of the Oregon Education Association are established by action of the delegates at the annual OEA Representative Assembly and/or by the OEA Board of Directors.

C. Interim policy may be established by the OEA Board of Directors, to be reviewed and voted upon at the next meeting of the OEA Representative Assembly. If the OEA Board adopts Interim Policy within 60 days of the OEA RA, the RA will vote on the Interim Policy; there would be no requirement of a 60-day notice.

D. One of the duties of the OEA Board of Directors is to cause to be prepared each year a statement of the policies of the Oregon Education Association which shall be submitted to the OEA Representative Assembly for approval, alteration or rejection.

1. If the Board of Directors votes to include a “do not pass” recommendation for a Bylaws or Policy to be submitted to the OEA Representative Assembly, the Board will include a written “rationale” for this recommendation. This rationale will be included in the printed action items as published in the OEA Handbook.

E. Policy for areas not covered by OEA Representative Assembly action is not established by staff, but staff may recommend interim policy to the Executive Director.

F. UniServ Councils operate under OEA established policies.

G. How to Amend Policies

These Policies may be amended at any meeting of the Representative Assembly by a majority vote. All proposed Policies amendments shall be
submitted to the OEA President for editing 60 days prior to the meeting of the OEA Representative Assembly.

The proposed amendment shall have been presented in writing to the OEA Representative Assembly delegates at least thirty days before its meeting and published in an official publication of the OEA before such meeting.

Policies amendments may be proposed by the OEA Board of Directors or by petition of 20 OEA members.

V. PREPARATION, CONTENT, AND USE OF THE OEA HANDBOOK

A. Since policy development is an ongoing process, this Handbook is updated continuously and issued annually.

B. Items will be deleted from the Handbook goals when they have been achieved through legislation or other action.

C. The governing documents in the OEA Handbook include the OEA Bylaws and Policies, New Business, Resolutions, and Standing Rules adopted at the previous Representative Assembly, the Code of Ethics for the Profession, the Constitution and Bylaws of PAC, Rules and Guidelines of the OEA Legal Defense Program, OEA Relief Fund, Judicial Panel, and Member Benefits Committee.

D. It is intended that the Handbook be used by all Association leaders.

VI. SUMMARY OF OEA TERMINOLOGY

A. Governance - anything which has to do with ruling or policy formulation, or position statements. This includes development and adoption of bylaws, policies, and rules; it includes those persons authorized by election or appointment for the purpose of governing or assisting in governing. Matters related to these issues are governance issues.

B. Program - the identification of components and priorities, funding and evaluation are the province of governance. The delivery and implementation of program is service.

C. Service - anything which has to do with the delivery of authorized program elements to identified segments of the membership: i.e., individual members, faculty representatives, local associations, or other entities.

D. Source of Public Position Statements - public position statements are made by the OEA President, local presidents or their designees.

E. Publications - Print, electronic or any new technological medium.

F. Governance Bodies

1. OEA Representative Assembly (elected) - the ultimate authority on Bylaws, Policies, Resolutions, officer elections, official position statements, dues, and program.

2. OEA Officers (elected)
   a. President - spokesperson for the Association; overseer of governance structure, rules, Policies, and Bylaws.
   b. State Vice President – assist the President, Chair the Program Budget Committee, and serve as representative of OEA in absence of the President.
   c. Regional Vice Presidents - assist the President.
   d. NEA Directors - represent the state at NEA and advocate the NEA program in the state.

3. NEA Representative Assembly Delegates (elected):
   a. State Delegates - bound by OEA Representative Assembly documents
   b. Local Delegates - bound by local association documents

4. The OEA Board of Directors (elected) - interim authority on policy, ultimate authority on budget allocation, and over the OEA Executive Director.
   a. Committees of the Board (appointed) recommend action to the Board (the OEA Executive Committee has power to
act, but only when specifically authorized by the Board).

b. **Task Forces/Committees (appointed)** fulfill specific charges adopted by the OEA Board of Directors.

c. **OEA Cabinets (appointed)** recommend program adoption or modification to the OEA Board of Directors. Their charge is to provide input and advice to the locals, and to aid in explaining the OEA Centers to those locals.


6. **The Legal Defense Program Committee (appointed)** a body which administers the Legal Defense Program.

7. **The PAC Board (appointed by the UniServ Council and subject to approval by the OEA Board)** a body which oversees the administration of voluntary contributions for political candidates and/or issues. It is a separate corporate body.

8. **The Relief Fund Committee (appointed)** a committee which oversees the administration of relief funds in each specific crisis.

G. **Non-Governance Bodies** - within the assigned service area of each OEA UniServ Consultant, there is a UniServ Council comprised of representatives from each local association, the OEA Board Director(s), and other OEA members as determined by the Council (OEA Bylaws, Article XVII). The Councils are established to assist in the implementation of the adopted state program, and to adjust it to accommodate various specific local needs. They assist in the evaluation of the implementation of the service program on an annual basis. UniServ Councils operate under OEA established Policies (OEA Policy, UniServ 5000, describes the UniServ function.)

H. **OEA Choice Trust** (Trustees subject to approval by OEA Board) - a separate corporate entity which has charge of the statewide school employee Choice program.

I. “UEP” refers to Unified Education Profession.

**2000 - GOVERNANCE**

**2100 - GENERAL REGULATIONS**

I. **ATTENDANCE AT MEETINGS**

If any member of the OEA Board of Directors, an OEA Cabinet, the Legislative Advisory Council, a task force, or a committee is absent from two consecutive regularly scheduled meetings, the OEA President shall declare the position vacant after consultation with the OEA Board Director from the affected area unless attendance is prevented by illness or other justifiable cause as substantiated in writing to the appropriate chairperson or the OEA President. At the end of each year each continuing member should be evaluated by the OEA Board of Directors for irregular attendance (including excused absences), and a decision reached concerning continuance. The OEA President shall report any declared vacancy at the next OEA Board of Directors' meeting.

II. **DUAL ROLES**

No person may serve as a member of the OEA Board of Directors or the OEA Representative Assembly, or in any other governance position, and be a regular salaried UEP staff member at the same time.

III. **LIMIT OF ONE STATE OFFICE**

No member will be allowed to hold more than one elected state office at a time, except the OEA President who serves as the first alternate NEA Director (OEA Bylaws Article VII, Section 2A), and the OEA Vice President who serves as the second alternate NEA Director (OEA Bylaws Article VII, Section 2B). A current officer elected to a new office will be able to complete his/her term in the event of an overlap of less than three months due to the initiation date of the new office.

IV. **VACANCY DUE TO CHANGE IN MEMBERSHIP OR GEOGRAPHIC LOCATION**

When any member of the OEA Board of Directors, an OEA Cabinet, Legislative Advisory Council or other OEA Board of Directors' committee or task force ceases to be a member of a local or is no longer in the Board district/unit from which elected/appointed, that...
person's position shall be declared vacant by the OEA President.

V. USE OF THE ORGANIZATIONAL NAME

Members of the OEA Board of Directors or other Association leaders and staff may use the organizational name OEA only when making statements that are consistent with OEA Bylaws and Policies.

VI. USE OF ASSOCIATION TITLES

All titles of appointed or elected OEA leaders and staff shall not be used in external political activities until the political endorsement procedure has been completed.

VII. USE OF MEMBERSHIP LISTS

Lists of OEA leaders/members are for Association use only, consistent with program and Policy requirements.

VIII. GOVERNANCE AGREEMENTS

All agreements for governance participation by OEA representatives in external activities shall be in writing and consistent with OEA Bylaws and Policies. Each such written agreement shall indicate by signature who wrote the agreement and what the resources and expectation of participation shall be.

2200 - REPRESENTATIVE ASSEMBLY
(OEA Bylaws Article III and IV)

I. DELEGATES

A. The OEA President shall notify the president of each local association by February 10 of its allocated number of delegates for the annual meeting based on January 15 active membership. Names of elected delegates shall be filed with the OEA President at least 45 days prior to the annual meeting of the OEA Representative Assembly.

B. Delegates shall be seated in the OEA Representative Assembly when the Credentials Committee has approved the certificate of election signed by an officer of the represented members.

C. Delegates to the OEA Representative Assembly will be seated by Board district.

D. A person must be an active member as of January 15 to be eligible for election as a delegate to the OEA Representative Assembly.

II. SPECIAL SESSIONS OF THE REPRESENTATIVE ASSEMBLY

A. Delegates will be those who were elected to attend the last OEA Representative Assembly. In cases of vacancies, special elections meeting election standards will be held. If a special election cannot be held, the local Executive Committee shall elect delegates.

B. Notice shall be mailed to the local association president at least thirty days prior to the special session. Notice shall include the issues(s), specific proposals, financial plan (budget and assessment), and action plan.

C. The agenda for any special session of the OEA Representative Assembly shall be determined by the OEA President in cooperation with the Board of Directors. Such agendas shall set out specific items for consideration, in priority order, and a specific time limit shall be set for adjournment. Any changes to the agendas must be adopted by a two-thirds majority of those delegates certified at the Representative Assembly in special session.

D. A person must be an active member as of January 15 to be eligible for election as a delegate to the OEA Representative Assembly.

III. SERVICES FOR SPECIAL INTEREST CAUCUSES (This Policy does not apply to the OCESP Caucus)

During the OEA Representative Assembly, services are available to caucuses as indicated.

A. Logistical Assistance

Matters relating to hotel accommodations, meeting room assignments, meeting announcements, and other support services in connection with the Representative Assembly shall be directed to the OEA RA Staff Coordinator.

B. Meeting Space

1. Arrangements for space for all caucus meetings at the convention center and hotels during the Representative Assembly will be made by the OEA RA Staff Coordinator at
caucus expense if any additional cost is required for space. Caucus meetings cannot be scheduled at the same time as local or regional delegations are meeting or other official convention business is in progress.

2. Prior to the Representative Assembly, the caucus chairperson should contact the OEA RA Staff Coordinator for meeting room request forms.

3. The meeting room request forms should be signed by the caucus chairperson and submitted to the OEA RA Staff Coordinator as soon as the plans for the meeting have been made, accompanied with payment. Allocations will be made on a first-come, first-served basis for meeting room space.

4. Space will be assigned only for specific meetings at the convention center.

C. Copy Services

Limited copy services will be available to the caucuses at their own expense. All work to be reproduced should be camera ready when taken to the OEA RA Staff Coordinator by a caucus representative with a completed work order. Caucuses will be billed for printing costs.

D. Exhibit Space

1. Space will be provided based on availability at the Convention site. All costs will be incurred by the caucus.

2. Applications to exhibit may be secured from and must be approved by the OEA RA Staff Coordinator.

IV. DELEGATE REIMBURSEMENT

The OEA Board of Directors shall determine a reasonable schedule of expenses to be allowed delegates to the OEA Representative Assembly.

2300 - OFFICERS OF THE OEA

(OEA Bylaws, Article VI, Section 4)

I. PRESIDENT'S ROLE STATEMENT

(OEA Bylaws, Article VI, Sections 2 and 3; Article IX, Section 3; LDP Bylaws, and PAC Bylaws.)

A. The OEA President shall serve as the spokesperson for the Association, and therefore shall:

1. Be responsible for matters publicized from the state headquarters, with provision for delegation of this power.

2. Promote and explain the Policies established by the OEA Representative Assembly and the Board of Directors.

3. Approve all statements of Policy and reaction by staff unless the President approves an alternative method of release.

B. The OEA President shall serve as the implementer of OEA Representative Assembly Resolutions, and actions by the OEA Representative Assembly and therefore shall:

1. Present a document showing the goal areas to which Resolutions approved by the Representative Assembly have been assigned. The document shall be presented at a Board of Directors' meeting. Resolutions not related to goal areas may be assigned to "Resolutions Miscellaneous."

2. Cause the OEA Cabinet and Legislative Advisory Council chairpersons, on request of the Board of Directors, to present a written or verbal report to the Board of progress made on action assigned to their Center.

3. Send to all local presidents and Representative Assembly delegates a copy of the document in "1" above.

4. Be responsible for reporting to the members through the recognized publications of the OEA on the implementation and progress of action passed at the Representative Assembly.

C. The OEA President shall present to the Board of Directors a report of committees/projects that the President and Vice President will be responsible for implementing. The report will be presented at the second Board of Directors meeting of the membership year.

D. Additionally, the OEA President shall:

1. Be available and visible to the membership.
2. Appoint each Regional Vice President to a significant role of leadership.

3. Serve as program facilitator.

4. Prepare the agenda and preside at OEA governance meetings.

5. Provide leadership in a positive manner.

6. Work cooperatively and in the best interests of the United Education Profession.

7. Be open, objective, and a good listener.

8. Be accountable to the Board of Directors.

9. Make, with Executive Committee approval, all OEA appointments from nominations submitted by Board members, and include a member from each region on each task force/committee.

10. Serve as the first alternate NEA Director.

11. To be a voting member of the Executive Committee.

12. To be a voting member of the Program Budget Committee.

II. VICE PRESIDENT'S ROLE STATEMENT
(OEA Bylaws Article VI, Section 4)

A. To assist the OEA President as requested by the OEA President.

B. To serve as chair of the OEA Program Budget Committee.

C. To serve as the chair of the OEA Foundation.

D. To assume the office of the OEA President in the event of a temporary vacancy determined by the Executive Committee (OEA Bylaws Article VII, Section 5D).

E. To be accountable to the OEA Board of Directors.

F. To be a voting member of the Executive Committee.

G. To be a voting member of the Program Budget Committee.

H. To serve as the OEA representative in meetings and at functions of an official nature as requested by the OEA President.

I. To meet with local leaders and members to gather feedback and explain, promote, and secure commitment to the OEA program.

J. To attend management and staff meetings.

K. To serve as the second alternate NEA Director.

III. REGIONAL VICE PRESIDENTS' ROLE STATEMENT
(OEA Bylaws Article VI, Section 5)

A. To assist the OEA President as requested.

B. To serve as a Cabinet chair as appointed by the OEA President.

C. To chair regional caucus meetings.

D. To be accountable to the OEA Board of Directors.

E. To be a voting member of the Executive Committee.

F. To be a voting member of the Program Budget Committee.

G. To meet as necessary with local leaders and members to explain, promote, and secure commitment to the OEA program.

H. To serve as the President's representative in the region from which elected.

IV. NEA DIRECTORS' ROLE STATEMENT

A. To promote the program of the NEA within Oregon and develop and maintain cooperation of state and local associations affiliated with the NEA.

B. To represent the members of Oregon in the policymaking of the NEA Board of Directors.

C. To report and interpret to Oregon members those UEP policies and programs which most directly relate to the national level.

D. To actively participate in the policy-making aspect of Association work at the NEA Board, the OEA Board and the local levels.
E. To broaden the spheres of influence for OEA within the UEP, as directed by the OEA governance bodies.

F. To work cooperatively with other OEA officers in modifying the policies, goals, and objectives of OEA and NEA to provide the best service for Oregon members.

G. To work with state, national, and local staffs as requested in the capacity of a volunteer in effecting programs of the UEP.

H. To be accountable to the OEA Board of Directors.

I. The Senior NEA Director or designee shall be a voting member of the Executive Committee.

J. To be a voting member of the Program Budget Committee.

2400 - BOARD OF DIRECTORS

I. BOARD OF DIRECTORS' DUTIES
   (OEA Bylaws, Article VIII, Section 4)

Standing Rules for Board of Directors' meetings shall be determined by the Board and made a part of the Board of Directors' handbook. Such handbook shall be available to any Association member upon request.

II. THE INDIVIDUAL OEA BOARD DIRECTOR

A. Represents the Oregon Education Association and carries on the work of the OEA in his/her respective districts.

B. Adheres to the responsibilities set forth in Article VIII of the OEA Bylaws.

C. Acts in the interest of OEA members.

D. Submits a written report (including electronically written) to the OEA Board to highlight UniServ Council news, issues and celebrations.

E. Has a dedicated time on UniServ Council agendas to provide reports and other communications from the OEA Board of Directors to Council members.

F. Attends UniServ Council meetings in his/her district(s). Community College and statewide ESP Directors will attend their respective UniServ Council meetings. The Racial Equity Director will attend Council meetings as necessary to fulfill his/her role. In addition, ESP Directors attend OCESP Council meetings.

G. Takes the decision of the Board to members, local leaders and Councils and explains, if necessary, the rationale for the decisions; and listens to members, local leaders and Councils and advocates for them as their Board Director.

H. Seeks information and opinions from constituents on issues of specific concern to his/her respective area and conveys such to the OEA Board of Directors.

I. Alerts the OEA President to potentially volatile issues within his/her constituency.

J. Vacates positions on OEA committees, OEA Cabinets, Legislative Advisory Council, OEA-PAC Board and task forces unless requested by the OEA President to continue.

K. Serves as liaison on OEA committees, OEA Cabinets, Legislative Advisory Council, OEA-PAC Board and task forces when assigned by the OEA President.

L. Serves whenever possible on committees and task forces of the Board of Directors upon request of the OEA President.

M. Does not use his/her title as an OEA/NEA elected leader in partisan political activities unless there has been a prior recommendation by the PAC Board.

N. Fulfills other responsibilities as defined by the Representative Assembly.

O. Collaborates with UniServ Council President to plan and conduct a Pre-RA Meeting (PRAM) prior to the OEA RA.

P. Recruits volunteers for OEA committees, collects completed interest forms and sends them to the appropriate Regional Vice President for submission to the OEA President for appointments.

Q. Serves as chairperson for governance meetings of leadership from local associations of a multi-unit Board district when asked to do so.
R. May not cast ballots in the elections nor vote on any action on the floor of the OEA Representative Assembly unless he/she is a duly elected delegate.

III. PROPORTIONAL AT-LARGE DIRECTORS

A. A proportional At-Large Director represents the Oregon Education Association and carries on the work of the OEA within his/her constituency.

B. A proportional At-Large Director shall have the same rights and responsibilities as all other Directors of the Board, except as stated in Article VII, Section 5 B3.

C. When the annual Board of Directors election report is made to the Executive Director the President will determine if the number of proportional representation Directors positions needs to be increased or decreased.

The number of proportional At-Large Directors will be adjusted equal to the whole multiple resulting from comparing the ratio of the number of elected licensed Directors to the licensed membership and the number of elected ESP Directors to the ESP membership.

The number of proportional representation Directors will be adjusted if for any two consecutive years the membership numbers warrant a change. If the adjustment results in a group having an inappropriate number of Directors, an election (if required) will be held at the next annual Board election to determine which member(s) will represent the group.

IV. WEIGHTED VOTING RIGHTS OF OFFICERS AND DIRECTORS

A. The number of votes for each district 1-21, 24, 26 and 30 shall be equal to the number of active members in the district.

B. The number of votes for the OEA President, state Vice President, Regional Vice-Presidents, NEA Directors, Racial Equity Director, Education Support Professional Director, Proportional At-Large Directors and District #27 will be the average of district Director votes 1-21, 24, 26, and 30.

C. The number of votes within districts having more than one Director will be divided equally between/among the directors.

D. A Director will not be permitted to divide his/her votes between pro, con, and/or abstain.

E. The number of votes will be adjusted on July 1, based upon January 15 active membership.

V. OEA BOARD OF DIRECTORS LIAISON SHALL:

A. Serve two functions as liaison between the OEA Board of Directors and various internal groups:

1. Represent the views of the OEA Board of Directors and advise the internal groups in a manner consistent with OEA governing Policies.

2. Interpret to the OEA Board of Directors recommendations made by the internal groups.

B. Not make or second motions or vote.

C. Be responsible for assuring that Board action is taken on all recommendations presented by their group to the OEA Board of Directors.

D. Notify the OEA President when unable to attend a meeting of the group to which assigned so the OEA President may designate another Board member to attend that meeting.

VI. THE OEA EXECUTIVE COMMITTEE SHALL:

A. Meet as needed to discuss current issues of concern to the UEP of Oregon, prepare information for Board of Directors' use and report information.

B. Act on any emergency policy matter on the Board of Directors' behalf. It shall be understood that any such action taken on an emergency basis shall be reported in full for Board information and appraisal at the next Board meeting. In no case may the Executive Committee act outside the implied or delegated powers held by the Board.

C. Perform other duties as may be assigned by the Board of Directors.

D. Generally advise the OEA President.
VII. PROGRAM BUDGET COMMITTEE DUTIES

A. The Program Budget Committee is established by the Board of Directors as a committee acting on behalf of the Board and answerable to the Board relative to the construction of the subsequent year's budget.

B. The Program Budget Committee shall function as a committee on planning and organizational development for Oregon Education Association, receiving information from OEA Cabinets and the Legislative Advisory Council and other sources in long-range planning for the OEA.

C. The Program Budget Committee is to monitor the current budget.

VIII. ATTENDANCE AT MEETINGS
(OEA Policies 2100, General Regulations)

IX. POSITION ON ISSUES

The OEA Board of Directors shall take no position on issues which are not directly involved with education or covered by the subject of a Resolution.

2410 – OEA CABINETS & LEGISLATIVE ADVISORY COUNCIL

I. OEA CABINET STRUCTURE
(OEA Bylaws, Article IX)

Recognizing the need to further develop activity in OEA Centers, the Association shall support the development of OEA Cabinet structures at the local and UniServ levels that are consistent with the OEA Centers.

II. THE CONGRESSIONAL ADVOCACY TEAM

The Congressional Advocacy Team (CAT) functions are as follows:

1. Following the November federal election, the OEA President, with the Board’s approval shall appoint members to serve on the Congressional Advocacy Team (CAT).

2. The CAT shall have twice as many members as the Oregon Congressional Delegation size with the addition of two OEA-Retired members.

3. Two OEA CAT members will be assigned to serve as liaison to each member of the Oregon Congressional Delegation. One of the OEA-Retired CAT members will be assigned as liaison to both Senators and the other shall be assigned as liaison to all Representatives.

4. All appointments shall be made for a two-year term that coincides with the term of a U.S. Representative.

III. OEA CABINET, ROLES AND RESPONSIBILITIES

Cabinets are established to assist the OEA Centers and the Board of Directors in a coordinating capacity to achieve our membership's goals. The Cabinets work to support the goals established by the OEA Representative Assembly and to assist in the creation of the subsequent year's program budget through recommendations made to the Board of Directors and resulting from charges given to the Cabinets by the Board.

Each Cabinet will report to the OEA Board of Directors prior to the OEA Representative Assembly if the Cabinet has a recommendation requiring Policy or Bylaws amendment by the Representative Assembly.

IV. LEGISLATIVE ADVISORY COUNCIL, ROLES AND RESPONSIBILITIES

A. Criteria

1. The Oregon Education Association must have a continuing legislative program.

2. The legislative program shall be prepared by staff, with recommendations from leadership. The legislative program shall be based upon Policies of OEA, Representative Assembly directives, and Board of Directors' recommendations.

3. The legislative program of the Oregon Education Association is not geared to internal OEA time schedules. It must be approved and ready for introduction into the legislative process (either a regular session or a special session of the Legislature).

4. The Board of Directors shall establish the legislative priorities of the Association.
B. **Tasks and Procedures** - The OEA Board of Directors charges the Legislative Advisory Council with the following tasks:

1. The Legislative Advisory Council shall propose, coordinate, and promote legislative and political action necessary for goal accomplishment.

2. The Legislative Advisory Council shall present its recommendation(s), in writing, to the OEA Board of Directors for review, amendment, and approval.

3. After the legislative program is approved by the Board of Directors, it shall be implemented by OEA staff.

V. **OEA CABINET AND LEGISLATIVE ADVISORY COUNCIL CHAIRPERSONS' RESPONSIBILITIES**

A. Participate in leadership meetings, involving chairpersons of OEA Cabinets and the Legislative Advisory Council.

B. Preside over meetings of the Cabinets and the Legislative Advisory Council.

C. Work with the chairperson and prepare to assume the chairperson's responsibilities in the chairperson's absence.

VII. **ATTENDANCE AT MEETINGS**

(OEA Policies 2100, General Regulations)

2420 – CABINETS, COMMITTEES & TASK FORCES

I. **GUIDELINES**

A. The OEA President, with the Executive Committee approval, shall appoint the members of each cabinet, committee and task force from nominations submitted by the Board members and local presidents, and shall include a member from each region on each cabinet, committee and task force. Committee and cabinet members will be appointed to three-year terms and may be appointed to a maximum of one additional term unless otherwise stipulated.

B. All cabinet, committees and task forces must be given a charge and reporting date(s).

C. All chairpersons shall meet with the OEA President as soon as practical after their confirmation to receive a delineation of their duties in order to insure communication and coordination. Previous year's chairpersons may be asked to attend this meeting.

D. Each group shall be assisted by a liaison from the OEA Board of Directors who shall:

1. Represent the views of the OEA Board of Directors and advise the internal groups in a manner consistent with the OEA governing policies.

2. Interpret to the OEA Board of Directors recommendations made by the internal groups.

3. Not make or second motions or vote.

4. Be responsible for assuring that Board action is taken on all recommendations presented by their group to the OEA Board of Directors.

E. All groups shall meet as necessary, within budgetary limitations, to carry out their charges.
F. All groups may request a recording secretary (who will do the final typing) and to meet with them prior to Board presentation to clarify changed material and format.

G. The chairperson or OEA Board Liaison shall present recommendations to the OEA Board of Directors on a date designated by the OEA President, unless another date has been specified.

H. The chairperson of each group, or a person designated by that chairperson, shall review final typed material prior to publication.

I. The Bylaws, Policies, and Resolutions committees' functions related to OEA Representative Assembly are as follows:
   1. These committees shall review their documents prior to the OEA Representative Assembly and make appropriate recommendations to the OEA Board of Directors for additions or amendments.
   2. All committee members are to attend the OEA Representative Assembly. All members will be funded by the OEA, within budgetary limitations.
   3. All committee members will have responsibilities for the OEA Representative Assembly open hearings and presentations to the OEA Representative Assembly.
   4. The chairperson of each committee will meet with the OEA President prior to the OEA Representative Assembly to collaborate on the method or presentation to the OEA Representative Assembly.
   5. Committee members may be asked to report to caucuses.

J. Chairpersons of the Resolutions, Bylaws and Policies committees will meet with the OEA Representative Assembly recording secretary after the close of the OEA Representative Assembly to prepare the OEA Handbook, which shall include all actions of the OEA Representative Assembly and the interim policies of the OEA Board of Directors through the OEA Board meeting after the OEA Representative Assembly.

K. The Committee on Racial Equity, composed of representatives of each of the ethnic minority groups, shall propose, coordinate, and promote a program of activities to implement the policies of OEA and NEA and provide for continuing minority involvement in the Association.

L. The Human and Civil Rights Committee advocates for social justice, equity and equal access for all. The Committee will be responsible for proposing policies and activities to attain equitable treatment for all and eliminate all forms of discrimination at all levels. The committee will provide OEA members access to resources, materials, tools and training to help create great public schools for all students.

Membership on the Committee will be inclusive of all, including but not limited to a representative from the GLBT Caucus, a representative from the Women’s Caucus and ethnic minority representatives.

II. ATTENDANCE AT MEETINGS
   (OEA Policies 2100, General Regulations)

2500 - ELECTIONS & CAMPAIGNING

I. PROCEDURES FOR CANDIDATES RUNNING FOR ASSOCIATION OFFICE
   (OEA Bylaws, Article VII)

   The following shall apply uniformly to all state, regional or district elections:

   A. Informational printing supplied by OEA - the editor of the OEA official publication will edit all materials supplied by the candidate and establish space approximately equal to the space provided any other candidate for the same position. Provided the candidate has met all informational printing deadlines, the following information about the candidate shall be given in an OEA official publication:

   1. A statement of qualification, 100 words or less, supplied by the candidate.
   2. A position statement supplied by the candidate, not to exceed 150 words for presidential candidates, 150 words for state vice-presidential candidates, 150 words for regional vice-president candidates, 100 words for OEA Board Director candidates, 100 words for NEA Director candidates, and 100 words for NEA Representative Assembly Delegates.
3. OEA Bylaws, Article VII, Section 2, regarding distribution of information.

B. Filing information:

1. All nomination forms and support data must be in the office of the OEA President by the printing deadline in order to qualify for informational printing in OEA publication.

2. The Credentials Committee chairperson shall be sent the names of all candidates qualifying for informational printing on the day following the printing deadline.

3. Any candidate whose nomination form or petition is received, at any time, by the OEA President shall be sent a copy of the election rules as printed in OEA Bylaws, Policies, and Credential Rules.

4. Election-by-mail ballots shall include the names of all candidates whose nominations were received by the deadline published in Bylaws Article VII, Section 2.

C. Dues money for elections - there shall be no NEA, OEA, or local dues money, whether in cash, materials, postage, or service expended in the interest of any candidate for any Association office except as specified in paragraphs 1 and 2 below which apply to procedures for candidates voted upon at the OEA Representative Assembly. This includes use of any staff person or extended use of any facility either during or after regular working hours, whether the time or materials are wholly reimbursed or not. Association offices and facilities may be used briefly if there is no additional direct cost to the Association and there is no disruption of the regular Association program.

1. OEA will give each candidate one set of mailing labels and a delegate list with most recent known address, phone numbers, and home e-mail address for the delegates who will vote in his or her race.

2. OEA will print and bind, as part of the OEA RA Delegate Handbook, a one-sided 8 ½” x 11” black and white flyer for candidates for OEA offices; OEA will post and publish timely notice of the deadline for candidates to submit this flyer to OEA for inclusion in the handbook.

D. Ballots and Voting:

1. For each office with more than one nominee, a drawing shall be held to determine order of the names on the ballot.

2. Acceptable marks shall include any mark that indicates the voter's preference.

3. Voting for more than the specified number of persons invalidates the ballot.

4. Ballots from all OEA elections shall be secured for a period of one year.

5. The Credentials Committee chairperson is responsible for:
   a. enforcing balloting regulations,
   b. securing ballots,
   c. securing voting areas,
   d. securing counting areas, and
   e. providing a location from which members may observe the vote counting area.

6. Voting at the OEA Representative Assembly
   a. Campaign material (anything that identifies a candidate) shall not be permitted in the balloting area.
   b. Each candidate may send one observer to watch the voting and counting of ballots. The observer would stay with the Committee until the totals are announced.
   c. No one other than the Credentials Committee, candidate observers and assigned staff will be allowed in the vote counting area.
   d. At the conclusion of counting the votes, the Elections Chairperson will immediately or as soon as possible:
      1. notify the OEA President of the results
      2. notify candidates of the results
      3. give the OEA-RA the results
e. Run off candidates will be given three minutes to address the RA.

7. Mail Elections

a. Before each election, the Credentials Committee will approve a plan that prescribes how ballots will be handled when they are received by OEA. The plan will provide for specific staff members to receive, handle and secure the ballots. The plan will provide that OEA members (including OEA officers as well as others with a stake in the outcome of the election) shall be prohibited from contact with or influence over the ballots.

b. A drawing shall be held to determine order of the names of the nominees on the ballot.

c. No replacement ballots shall be sent without communication with the Credentials Committee chairperson.

E. General procedures for candidates voted upon at OEA Representative Assembly:

1. Notification of the candidate’s meeting with the Credentials Committee will be sent two weeks prior to the date set for the March meeting of the Credentials Committee.

2. Candidates and/or their representatives will meet with the Credentials Committee in March to review election and balloting rules and determine the order of the names on the ballot and their speaking order.

3. Each known candidate will be assigned a display area outside the assembly room. The general display area will be divided equitably among the known candidates by a drawing at the meeting referred to in #1.

4. Campaign materials may be posted or distributed on the opening date of the Representative Assembly as specified by the Credentials Committee.

5. Campaign materials may be posted or distributed on the floor of the Assembly only at those times when the Assembly is not in session.

6. Display area materials must be removed by the conclusion of the Representative Assembly.

7. OEA will notify each candidate of OEA’s official publications’ deadlines.

II. BOARD DIRECTOR ELECTION PROCEDURES

In accordance with Bylaws Article VII. Section 4.C.4, and as approved by the OEA Credentials Committee:

Board Directors shall be elected in the following order of rotation:

(Terms ending 2020): Districts 01b, 02, 03a, 09, 10c, 11, 13, 15b, 16, 24, 26b (3yr term), 27, and 30b

(Terms ending 2021): Districts 03b, 04, 05, 07, 10a, 14, 17, 18, and 26a;

(Terms ending 2022): Districts 01a, 06, 08, 10b, 12, 15a, 19, 20a, 20b, 21, and 30a.

III. NEA DIRECTOR ELECTION PROCEDURES

A. NEA Directors shall be elected in accordance with NEA requirements.

B. Terms for the NEA Director(s) shall not be concurrent.

C. The NEA Directors shall be elected by active NEA members who are delegates to the OEA Representative Assembly.

D. Elections shall be determined by plurality vote.

IV. NEA RA DELEGATE ELECTION PROCEDURES

A. NEA Representative Assembly State Delegates and Successor Delegates, as allocated by NEA, shall be elected by secret ballot in accordance with the one-person-one-vote principle for a term not to exceed three years.

B. Persons not elected shall be listed in order of number of votes received and shall be designated Successor Delegates. The person receiving the greater number of votes shall be the first Successor Delegate, the person receiving the second greatest number of votes shall be second Successor Delegate, etc.

However, in any year in which the number of elected NEA Representative Assembly State
Delegates currently serving exceeds the number of State Delegate positions allocated by NEA: The most recently elected regional State Delegates with the least number of votes will become first regional Successor Delegates.

C. OEA is committed to the achievement of the national policy contained in NEA Bylaws that the Association "achieve ethnic minority delegate representation at least equal to the proportion of identified ethnic minority populations within the state." State, regional and local association leaders shall assist with publicity and promotion of proportional minority participation in the NEA Representative Assembly.

D. State Delegate election results shall be filed with the OEA Executive Director and published in the May issue of an OEA publication.

E. All candidates must comply with the NEA and OEA regulations concerning this office.

F. Upon receipt of the annual membership figures from the NEA, the OEA President shall determine the number of members by region and recommend to the OEA Executive Committee the allocation of the State Delegates by region. The OEA Executive committee shall declare such vacancies and provide for the election of NEA RA State Delegates to the vacant position(s).

2550 – ELECTION DISTRICTS AND REGIONS

A. Election Districts

For the purpose of electing directors to the OEA Board of Directors, the state shall be divided into districts. The Director(s) shall be elected by the membership at large within each district. Districts will be allocated Director(s) equal to a ratio of 1 director per 1,000 members and whole multiples thereof; i.e., 1-1,999 members (1 Board Director), 2,000-2,999 members (2 Board Directors), 3,000-3,999 (3 Board Directors) based on the January 15 active membership. Every Board district will be guaranteed 1 Director. The number of Directors will be adjusted if for any two consecutive years the membership numbers warrant a change. If membership numbers warrant an additional director for a board district, an election will be held at the next annual Board election to determine which member(s) will represent the Board district for one full three-year term. Following this first full term, the length of the term for this newly added position may be staggered (1-year or 2-years) to accommodate the board rotation schedule. This language does not apply to OEA-Retired, District #27, which would always have only one Director.

In districts with multiple board director seats, seats will be tracked in the order they were added (ex.: 10a, 10b, 10c…) When membership numbers drop below the required ratio for two consecutive years, the last board director seat added in a district will be the first removed (ex: 10c) upon completion of the current term.

If any newly added board seat is up for election and has been out of compliance in membership numbers for 1 year, the election will be for a one-year term only.

- At the conclusion of that one-year term, if the membership numbers are still below the ratio, the board seat will not be renewed.
- At the conclusion of that one-year term, if the membership numbers are above the ratio, the election will be for a full, three-year term.

The state shall be divided into the following districts:

District #1  Ashland, Butte Falls, District 6, Eagle Point, Grants Pass, Grants Pass ACE, Medford, Phoenix-Talent, Prospect, Rogue River, Rogue River ACE, Southern Oregon ESD and Three Rivers

District #2  Banks, Banks ACE, Forest Grove, Gaston, and Hillsboro

District #3  Salem Keizer

District #4  Bethel ACE, Creswell, Crow-Applegate-Lorane, Fern Ridge, Junction City, Junction City ACE, Lane County ESD, Lowell, Marcola, McKenzie, Oakridge, Pleasant Hill, South Lane, Springfield and Triangle Lake

District #5  Eugene

District #6  Bandon, Brookings-Harbor, Central Curry, Central Curry CEA, Coos Bay, Coquille, Mapleton, Mapleton ACE, Myrtle Point, North Bend, Port Orford-Langlois TA, Powers, Assoc of Reedsport, Assoc of Reedsport ESP, Siuslaw and South Coast ESD

District #7  Bend, Black Butte (NCBL), Burns- Hines, Cranc TA, Crook County, Culver, Dayville (NCBL), Frenchglen (NCBL), High Desert, Madras (Includes Jefferson
Co. ESD), Mitchell, Mitchell ACE (NCBL), Redmond and Sisters

District #8 Adrian (NCBL), Annex, Baker, Cove, Elgin, Enterprise, Imbler, John Day, Joseph, LaGrande, Long Creek, Long Creek ACE (NCBL), Monument, Monument ESP, North Powder, Nyssa, Ontario, Pine Eagle, Prairie City, Union, Vale and Wallowa

District #9 Canby, Colton, Colton ACE, Estacada, Molalla River, Oregon City, and West Linn-Wilsonville

District #10 Portland Association of Teachers

District #11 Alsea TA, Central, Corvallis, Dallas, Falls City, Lincoln County, Monroe TA, Perrydale TA, and Philomath

District #12 Arlington, Athena-Weston TA, Condon, Echo, Fossil ACT, Helix AE, Helix ACE (NCBL), Hermiston AT, Intermountain ESD, Ione, Milton-Freewater, Morrow County, North Central ESD, Pendleton AT, Pilot Rock, Sherman County, Spray, Spray ACE (NCBL), Stanfield and Umatilla

District #13 Astoria, Clatskanie, Jewell, Knappa #4, Neah-Kah-Nic TA, Nestucca Area, Northwest, Rainier, Scappoose, Seaside, St. Helens, Tillamook, Vernonia and Warrenton

District #14 Centennial, Corbett, Corbett ACE, Gresham-Barlow, Parkrose FA, and Reynolds

District #15 Beaverton and Beaverton Subs

District #16 Amity TA, Dayton, Gervais, Mt. Angel, Sheridan, Silver Falls, St. Paul, State Teachers, United North Marion Educators, Willamette Valley, Willamina, Woodburn and Yamhill-Carleton

District #17 Cascade, Central Linn, Greater Albany, Greater Albany ACE, Harrisburg, Jefferson, Lebanon, Lebanon ESPA, Linn-Benton-Lincoln ESD, North Santiam, Santiam Canyon, Scio CTA and Sweet Home

District #18 Columbia Gorge ESD, District 21, Hood River, Mosier TA, Multnomah ESD, North Wasco ESP, South Wasco and South Wasco ACE

District #19 Klamath County, Klamath County ACE, Klamath Falls, Klamath Falls ACE, Lakeview, North Lake and Paisley

District #20 Clackamas ESD, Clackamas ESD ESPA, David Douglas, Gladstone TA, North Clackamas, and Wy’East

District #21 Camas Valley TA, Days Creek, Days Creek ACE, Douglas ESDA, Elkton, Glendale, Glide, North Douglas, Oakland TA, Oakland ACE, Riddle, Riddle ACE, Roseburg, South Umpqua, Sutherlin, Winston-Dillard, Yoncalla and Yoncalla ACE

District #22 Association of Salem Keizer ESP

District #23 Lake Oswego, McMinnville, Newberg, Riverdale TA, Sherwood and Tigard-Tualatin

District #24 OEA-Retired

District #25 Blue Mountain FA, Chemeketa FA, Clackamas CC ACE, Clackamas CC FA, Clackamas CC PTFA, Clatsop CC FA, Clatsop CC PTFA, Community College (NCBL), Klamath CC FA, Lane CC, Mt. Hood CC CEA. Mt. Hood CC FA, Mt. Hood CC PT FA, Rogue CC, Treasure Valley, Umpqua CC FA, Umpqua CC PT, and ACE of Umpqua CC

B. Regional Vice Presidents and NEA Representative Assembly State Delegate Regions.

1) a) For the purpose of electing Regional Vice Presidents, Board districts shall be combined into the following regions:

Region I-Districts #2, 9, 10, 14, 15, 20, 26, 30
Region II-Districts #3, 4, 5, 11, 13, 16, 17, 24
Region III-Districts #1, 6, 7, 8, 12, 18, 19, 21

b) OEA-Retired delegate(s) shall vote in the region in which he/she resides.

2) For the purpose of electing NEA Representative Assembly State Delegates, Board districts shall be combined into the regions as listed above as in paragraph 1.a.

3) For the purpose of representing the Oregon NEA members at the NEA Representative Assembly, there shall be elected one state delegate position per 1,000 members of the NEA.
The state delegate positions allocated by NEA shall be distributed proportionally among the three regions. Delegates for all positions shall be elected according to a schedule established by the Credentials Committee and approved by the OEA Board of Directors. Terms may be less than three years for purposes of implementing this schedule.

2600 - NEA COMMITTEES

I. OEA MEMBERS ON NEA COMMITTEES

OEA members who serve on NEA committees, task forces, etc., shall be recognized as a valued resource to OEA. The OEA President shall request occasional reports from these members to the OEA Board of Directors and/or OEA Representative Assembly. Further, these members shall be invited to sit in an advisory capacity with OEA groups of similar interests as the NEA group on which the member serves.

II. GUIDELINES FOR OREGON'S NEA RESOLUTIONS COMMITTEE MEMBERS AND ALTERNATES

A. The duties, qualifications, terms of office and election are prescribed by NEA in Standing Rule 10.

B. The members and alternates, and the OEA-Retired members, if any, shall serve as consultants to the OEA Resolutions Committee.

C. The process for resolutions to be presented to the spring meeting of the NEA Resolutions Committee shall be as follows:

1. Development by NEA Resolutions Committee members and alternates as a committee, seeking input from the OEA Cabinets and the Legislative Advisory Council.

2. Approval by OEA Resolutions Committee.

3. Approval by OEA Board of Directors.

D. For resolutions approved by the Board, their support at the NEA Representative Assembly will be dependent upon the action of the OEA Representative Assembly.

2700 - JUDICIAL PANEL & REVIEW BOARD

I. PROCEDURE FOR ESTABLISHING THE JUDICIAL PANEL AND REVIEW BOARDS

(NEA Bylaws, Article X)

A. Purposes

The purposes of these Rules are to establish an OEA Judicial Panel from which shall be appointed OEA Review Boards to exercise the judicial powers of the OEA and to provide procedures for the exercise of those powers in relation to OEA members. The Credentials Committee, not the Judicial Panel, however, shall have jurisdiction over alleged violations of the Bylaws, Policies or rules that govern elections for OEA Board seats, including NEA Directors and officers. Both the establishment of Review Boards and their procedures shall be consistent with Article X of the OEA Bylaws as adopted by the 1977 Representative Assembly.

B. Definitions

1. Affiliate means any local affiliate of the OEA.

2. Board of Directors means the Board of Directors of the OEA.

3. Censure means an action taken by a Review Board which officially condemns the conduct of a member. A copy of this action shall be sent to the member and may be given such other circulation as the Review Board deems appropriate.

4. Certified Delegate to the Representative Assembly means a person who was a certified Delegate to the session of the OEA Representative Assembly that was convened immediately prior to the date on which a petition is filed under Section III of these Rules.

5. Challenged action means any action of the OEA Executive Committee, Board of Directors, or Representative Assembly which has been challenged pursuant to Section III of these Rules as inconsistent with the OEA Bylaws.

6. Charged member means a member of the OEA against whom proceedings are initiated.
pursuant to Section II of these Rules, or for purposes of the procedural rights afforded by these Rules the person designated by such member to act as his or her representative.

7. Charging party means the person initiating a proceeding or the person selected to act as representative for the person who has initiated proceedings pursuant to Section II of these Rules.

8. Code of Ethics of the Education Profession means the Code of Ethics adopted by the NEA Representative Assembly, as said Code may from time to time be amended.

9. Conflict of interest means a situation in which a person considered for a review board is a personal friend, a member of the same OEA Board district, a member of the same UniServ Council as a charging party or charged member or stands to gain personally from the decision.

10. Days mean calendar days.

11. Executive Committee means the Executive Committee of the OEA.

12. Executive Director means the Executive Director of the OEA.

13. Expel means terminate the membership of a member in the OEA.

14. Lift the suspension means restore to a suspended member, upon expiration of a period of suspension or compliance with conditions of suspension fixed by a review board, all rights and benefits of membership as provided in the OEA Bylaws and Policies.

15. Member means a member of the OEA.

16. Officer means an executive officer of the OEA, a member of the OEA Executive Committee, or a member of the OEA Board of Directors.

17. Petition for review means a written request for review filed pursuant to Section III of these rules.

18. Reinstate means restore to an expelled member all rights and benefits of membership as provided in the OEA Bylaws and Policies. Any person reinstated to OEA membership shall acquire only those rights, privileges, and benefits of a new member and shall not acquire any past benefits, offices, or accrued rights held at the time of expulsion.

19. Representative Assembly means the OEA Representative Assembly.

20. Representative of the challenged body means the presiding officer of the body whose action is being challenged, or his/her designee.

21. Representative of the challenging party means the person designated as such by the body or group initiating proceedings under Section III, B, of these Rules, provided the OEA President shall be ineligible for such designation.

22. Review Board means three persons appointed by the OEA President to investigate charge that has been filed under these Rules.

23. Suspend means deprive a member, for a period of time and on conditions fixed by a review board, of any or all rights and benefits of membership as provided in the OEA Bylaws and Policies.

24. Vacate censure means an action taken by a review board which officially lifts prior condemnation of a censured member. A copy of this action shall be sent to the member and given such other circulation by the review board as was given to the censure itself.

C. Appointment of the Panel

1. The OEA Judicial Panel shall be composed of nine persons with equal numbers from each region appointed by the OEA President. Recommendations will come to the OEA President from OEA Board Directors and/or the Vice President of that region.

2. Criteria--Judicial Panel members shall:
   a. Be members of the United Education Profession.
   b. Be recommended to the Board member by the UniServ Council(s) of the respective Board district.
c. Be available to serve on a review board.

d. Be available to receive training in:

   (1) procedural due process and grievance processing.

   (2) the OEA Bylaws and Policies and governance.

e. Be supportive of the Code of Ethics of the Education Profession.

f. Be willing to serve a three-year term.

3. All members of the OEA Judicial Panel shall be appointed for a three-year term, one-third being appointed every year. A panel member may be re-appointed to a second three-year term. If a vacancy occurs on the Panel, a new member may be appointed to serve the remainder of the term for the position left vacant. Every effort shall be made to fill a vacancy at least thirty days prior to the next training session.

D. Training

The OEA Board of Directors shall authorize a basic training program for new members of the OEA Judicial Panel, to be conducted each year. Persons who have not received the basic training may be appointed to the Panel but may not serve on a review board until the training has been received.

E. Three-person Review Board

When a charge or a petition for review is filed under the provisions of Article X, Section 3, of the OEA Bylaws, the OEA President shall select by lot one person from each region to form a review board. No person who has a conflict of interest as determined by the OEA Conflict of Interest Officer or OEA General Counsel if the Conflict of Interest Officer is involved in the case, may serve on a review board. If the OEA President is the charged or charging party, the OEA Vice President shall perform any duties assigned to the President for these proceedings. The review board shall select its chairperson and render a decision after conducting an investigation, hearing or other proceedings that it determines are necessary.

In the event the OEA President does not comply with a request for a judicial review, the complainant may take the request to the OEA Board of Directors and petition for action from the OEA President or an NEA Director.

F. Records

1. The OEA President shall cause to be assembled and shall have custody of a file containing profiles of OEA Judicial Panel members to aid the OEA President in making appointments to three-person review boards.

2. All records of hearings, decisions and other written materials pertaining to review board investigations or actions shall be kept in a central file at OEA.

II. PROCEDURE FOR ACTION AGAINST A MEMBER

A. Censure, Suspension or Expulsion for Cause - a member may be censured, suspended, or expelled only for cause. The following shall constitute cause:

1. A willful and knowing violation of a provision of the OEA Bylaws or Policies, the Code of Ethics of the Education Profession, or other written Policy of the OEA.

2. Willful and knowing conduct which is intended to prevent the implementation of a provision of the OEA Bylaws or Policies of the OEA.

B. For purposes of this Policy, the Code of Ethics of the Education Profession shall apply to union officers who are on a leave of absence or who have resigned or retired from their school employment.

C. Initiation of Proceedings

1. Written charges must identify which provisions of OEA Bylaws, Policies, Code of Ethics, etc. are alleged to be violated.

2. A written charge against a member may be filed with the OEA President by:

   a. a governing body of an affiliate of which the person charged is a member,
b. ten or more OEA members, or
c. the OEA Executive Director at the request of individual OEA members, or on his/her own behalf.

3. Only charges made in writing will be investigated by the review board. All decisions will be based upon evidence submitted by the parties.

4. The OEA Executive Director shall file a charge against a member when an officer of the OEA requests that a charge be filed and the Executive Committee of the Board of Directors approves such charge. In such event, the OEA Executive Director shall be considered the charging party for purposes of these Rules. If a charge is filed at the request of a member of the Board of Directors, the member shall not function as a member of the Board of Directors in processing any appeal filed under Section F of these Rules. Any charge filed by or against a nonmember shall be dismissed by the Executive Director following confirmation of membership status.

5. Where the OEA Executive Director is not the charging party, he or she may participate in the proceedings with all procedural rights afforded the parties by these Rules, including, without limitation, the right to receive copies of notices and other documents and to present written and oral arguments.

6. The OEA President shall make available a form to be used for initiating proceedings pursuant to this Section and all charges filed hereunder shall be on such form. The form is attached as Appendix A.

7. A copy of the charge shall be sent to the charged party, by certified mail, return receipt requested, or other verifiable actual notification, within ten days after the date of filing or before it is reviewed by a review board pursuant to the following paragraph, whichever is sooner.

8. Within 21 days of receipt of the charges, the charged party shall submit a written response to the review board. If the charged party fails to respond within 21 days from receipt of the charges, the review board may find the charged party in default or impose other penalties deemed fair and appropriate.

9. A review board shall review the charge filed and shall schedule a hearing under Section II, C, of these Rules at the request of a party. The review board shall not schedule a hearing upon a charge alleging a violation of the Code of Ethics of the Education Profession unless the charging party has made a good faith effort to exhaust any procedures for processing such violations which have been established by the local affiliate of which the person charged is a member. A statement of any action taken by the local affiliate shall accompany the charge. A charge shall be dismissed by a review board if:

a. the charge is filed more than six months after the conduct in question occurred or the charging party reasonably should have known of its occurrence, whichever is later, or

b. a prior charge based on essentially the same conduct was disposed of after a hearing or on the basis of written submissions under Section II, C, 9, of these Rules.

If a charge is dismissed, the charged member and the charging party shall receive notification of the reasons for the dismissal within ten days.

c. upon scheduling a hearing, the review board shall send to the charged member and the charging party, by certified mail, return receipt requested, or other verifiable actual notification, a copy of the charge, a notice of the date, time and place of the hearing to be held under Section II, C, of these Rules, and a copy of these Rules. The foregoing material shall be received by the charged member and by the charging party at least thirty days prior to the hearing, provided that his/her period may be shortened with written consent of the review board, the charged member and the charging party.

D. Hearing

1. The hearing shall take place before all members of the review board and shall be conducted in an informal manner. The case against the charged member shall be presented before the charged member presents his/her response, provided that the
charging party and the charged member shall have opportunity for rebuttal.

Witnesses may testify either in narrative form or through questions and answers. Notarized, written testimony may be accepted. All relevant non-repetitious information shall be admissible as evidence and given such weight as the review board deems appropriate. The proceedings shall be recorded. The parties to the proceeding are entitled to a copy of the transcript.

Materials, including correspondence, evidence or argument, submitted to the review board by either party, at any stage of the proceeding, shall be provided to the other party at the same time and by the same method (for example, email, regular mail, etc.)

2. Evidence in support of the charge shall be presented by the charging party, who shall have all the rights afforded the charged member by the following paragraph of these Rules.

3. The charged member and/or his/her representative shall have the right to appear at the hearing, present witnesses and other evidence on his/her behalf, cross-examine witnesses, and make brief opening and closing arguments.

4. If, without good cause, the charging party or charged member does not appear at the hearing, the review board may proceed with the hearing and render its decision in his/her absence.

5. At the close of the hearing, the review board shall close the record and no further evidence (written, oral or other) will be received or reviewed by the review board.

6. Hearings, insofar as practicable, shall be open to all persons who conduct themselves in an orderly manner, provided that on the written request of the charged member, or for good cause on its own initiative, the review board may limit attendance to persons necessary to the hearing.

7. The review board may allow the charging party and the charged member a reasonable opportunity to submit post-hearing written arguments and establish a schedule for such briefs. Within thirty days after the date established for the submission of any post-hearing written arguments, or within thirty days after the conclusion of the hearing if no post-hearing written arguments are to be submitted, the review board shall render its decision.

8. The affirmative vote of all three members of the review board shall be required to censure, suspend, or expel a charged member. If this required number of votes is not achieved within the thirty-day period set forth in the preceding paragraph of these Rules, the charge shall be dismissed. The decision of the review board shall be in writing, shall be served by certified mail, return receipt requested, on the charging party and the charged member, and shall be postmarked within five days after the vote of the review board or the expiration of the aforesaid thirty day period, whichever is sooner.

9. If the hearing is conducted at a place more than fifty miles from the residence of the charged member or charging party, the OEA shall pay the cost of travel, room and/or meals reasonably necessary to his/her attendance at the hearing, at the rate of reimbursement for Representative Assembly Delegates.

10. With the written consent of the charging party and the charged member, the review board may render its decision on the written submissions of the parties without a hearing.

E. Decisions

1. If the charged member is suspended subject to conditions, the charged member, when he/she considers the conditions to be satisfied, may submit to the review board an affidavit demonstrating compliance. Within thirty days of the receipt of such affidavit, the review board shall:

   a. lift the suspension of the charged member,

   b. accepting the allegations of the affidavit as true, continue the suspension of the charged member and indicate in writing the specific respects in which he/she has failed to satisfy the conditions, or
c. hold a hearing to determine whether to lift or continue the suspension of the charged member. Such a hearing shall be conducted according to the procedures set forth in Section II, C, of these Rules, except that the charged member shall present his/her case prior to the presentation of any evidence by the charging party.

2. The review board may vacate the censure, lift the suspension, or reinstate a member at any time on the affirmative vote of at least two members of the review board. Before taking any such action, the review board shall provide written notice to the charging party and afford him/her an opportunity to submit his/her views to the review board in writing within thirty days.

F. Consolidation of Hearings

Under these Rules, the OEA President may order the consolidation of two or more proceedings involving the same member(s) if he/she determines that:

1. The charges raise one or more common issues; or

2. The interests of efficiency would be served; or

3. The consolidation would not prejudice the interest of any charged member or charging party.

G. Appeal to the Board of Directors

1. If the review board votes to censure, suspend, or expel the charged member, he/she may, within thirty days of his/her receipt of the decision of the review board, file a notice of appeal with the Board of Directors, together with any written arguments that he/she may desire to submit. The only basis for appeal under this Section (F) shall be that the review board has failed to comply with the procedures set forth in these Rules. The charging party may file a written response within thirty days of receipt of the notice of appeal and arguments submitted by the charged member. The charged member may file a reply within ten days of receipt of any response by the charging party. At the same time that they file any material with the Board of Directors, the charging party shall send a copy of all such material to the other party by certified mail, return receipt requested.

2. The Board of Directors may, at its sole discretion, decide the appeal on the written material or may schedule oral argument.

3. Within forty-five days after the date established for the submission of any written material or the conclusion of any oral argument, whichever is later, the Board of Directors shall render its decision.

4. The Board of Directors may remand the matter to the review board for such further proceedings as the Board of Directors deems appropriate, provided the affirmative vote of at least a majority of the full membership of the Board of Directors shall be necessary in order for it to do so. If this required number of votes is not achieved within the forty-five day period set forth in Section F, 3, of these Rules, the decision of the review board shall have been affirmed. The decision of the Board of Directors shall be in writing, served by certified mail, return receipt requested, on the charging party, the charged member, and the chairperson of the review board, and shall be postmarked within five days of the vote of the Board of Directors or the expiration of the aforesaid forty-five day period, whichever is sooner.

III. PROCEDURES FOR REVIEW OF CHALLENGED ACTIONS

A. Definition of Challenged Actions

An action of the OEA Executive Committee, Board of Directors, Representative Assembly, or the Credentials Committee may be reviewed by a review board for consistency with the OEA Bylaws and Policies. An action of the OEA Executive Committee, Board of Directors, or Representative Assembly shall be deemed inconsistent with the Bylaws or Policies only if a review board finds that said action is not consistent with any reasonable interpretation of the language or intent of the OEA Bylaws or Policies.
B. **Initiation of Proceedings**

Requests for review by a review board may be made by the filing of a petition for review by:

1. The OEA Executive Committee
2. The Board of Directors
3. The Representative Assembly
4. Official action of a local affiliate
5. Ten percent of the certified delegates to the Representative Assembly
6. The Credentials Committee
7. A member, or group of members

The OEA President shall prepare and make available a form to be used for initiating proceedings pursuant to this Section and all requests for review filed hereunder shall be on such form.

C. **Decision of Review Board**

1. A review board shall review each petition filed for review, and may schedule a hearing, receive written submissions, and/or take such other steps as it deems appropriate in order to determine whether the challenged action is consistent with the OEA Bylaws and Policies.

2. The affirmative vote of at least two members of the review board shall be necessary to find that an action of the OEA Executive Committee, Board of Directors, or Representative Assembly is inconsistent with the OEA Bylaws. If this required number of votes is not achieved within the forty-five day period set forth in Section III, C, 1, of these Rules, and the petition challenging the action shall be dismissed. The decision of the review board shall be in writing, shall be served by certified mail, return receipt requested, on the representatives of the challenged body and the challenging party and shall be postmarked within five days after the vote of the review board or the expiration of the aforesaid forty-five day period, whichever is sooner.

3. If the review board finds that the challenged action is inconsistent with the OEA Bylaws, it shall so report in writing to the appropriate OEA governing body, recommending remedial action if necessary. As used in this Section, the phrase "appropriate governing body" shall mean the governing body whose action is being challenged and any other OEA governing body that the review board believes should take remedial action.

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**2800 - LEGAL DEFENSE PROGRAM**

I. **PURPOSES**

A. **Individual**

To provide funds for legal assistance to members of the OEA/NEA in matters that are considered employment related through the Legal Defense Program of the Oregon Education Association and the Unified Legal Services Program of the National Education Association ("ULSP").

B. **Bargaining Unit**

To provide financial aid, staff and legal assistance to local affiliates for bargaining a satisfactory agreement, factfinding, ERB matters, arbitrations, and related court actions, assuring equitable treatment for all unit members.

II. **PROCEDURES**

Before entering into any legal proceeding where funds are expected to be received from the Legal Defense Program, or the ULSP, the following procedures shall be followed:

A. The applicant(s) must be a member of the OEA, or an OEA bargaining unit, at the time of the occurrence that gives rise to the need for legal assistance. New member applicants shall be granted a one-month grace period after the beginning of the school year to join the Association.

Nonmember cases will be considered separately and individually on the basis of how they would affect the rights of OEA members.

B. The applicant(s) shall request authorization for legal assistance through the UniServ Consultant.

C. The UniServ Consultant shall request authorization for legal assistance from an OEA Manager before consulting an attorney.

D. Decisions about authorization will be based upon an evaluation of:

1. The facts of the case;
2. Relevant statutes and case law;
3. The merits and likelihood of prevailing;
4. The potential impact on other members; and
5. The legal costs to support the case.

E. The applicant(s) shall fill out a Legal Defense Program/ULSP assistance request and return it to the UniServ Consultant, who will sign and forward it to the Legal Defense Program Committee consultant. A copy of that form shall be provided to the local.

F. An applicant's request for legal funding beyond the initial consultation with an attorney shall be reviewed in a timely manner and decision on further proceedings will be made by the Legal Defense Program consultant. The LDP Committee will review, at least annually, legal funding decisions made by the Legal Defense Program.

1. If the applicant's request is approved, the Legal Defense Program consultant will designate or approve the attorney to be used in the case. Applicants who use attorneys not authorized or who refuse to accept a satisfactory settlement offer may receive curtailed assistance.

2. If the applicant's request is denied, assistance may be appealed to the Legal Defense Program Committee, and, if still denied, to the OEA Board of Directors. Finally, a member has the right to appeal to the NEA on the sole ground that the OEA Legal Defense Program failed to process the application in accordance with the provisions of the Legal Defense Program. NEA shall process such an appeal only if the applicant has exhausted all appeals available to him/her under the provisions of the state affiliate's legal services program, and the appeal to the NEA shall be timely only if received by the NEA within 90 days of the date on which the decision of the state affiliate to reject the applicant's application for legal assistance has become final.

3. Legal Defense Program/ULSP will be reimbursed:
   a. from any award of cost or attorneys' fees, in a share proportionate to the extent of the financial contribution to such cost or fees;
   b. from that portion of other monetary recovery by way of litigation, arbitration, compromise, or settlement which exceeds the member's out-of-pocket loss in a share proportionate to the extent of Legal Defense Program and ULSP contributions to the total expense incurred in such proceedings. In no event shall such reimbursement exceed the total amount of assistance extended by the Legal Defense Program/ULSP.

G. Attorneys representing OEA members in any federal court case shall consult with the NEA General Counsel's office in preparation of the briefs for the case. NEA will designate counsel to represent the member in any federal court appeal.

OEA GUIDELINES FOR LEGAL ASSISTANCE

I. Legal Assistance to Members

A. Purpose

The Legal Defense Program of the Oregon Education Association ("LDP") and the ULSP provide funds for legal assistance to members of the OEA/NEA in matters that are employment related.

B. Criteria for LDP Assistance

1. This program is intended primarily to protect the educational employment rights and privileges of program members in instances involving adverse job actions. Legal assistance under the program will be provided in individual cases which arise out of the member's employment by a school district or other educational institution.

2. LDP will provide legal assistance to its members when it is determined that:
   a. The action at issue resulted or will result in actual prejudice or injury to the member's employment rights and privileges;
b. There is a substantial likelihood that the member will be granted relief under current policies, regulations and laws;

c. The procedures and standards described in these Guidelines have been met;

d. Such assistance is required by law for nonmembers where the bargaining unit is the exclusive representative.

e. Legal assistance is conditioned on Unified membership at the time of the occurrence and must be maintained while receiving such assistance unless withdrawal of membership is approved by OEA and NEA for special circumstances.

3. LDP may decline to provide representation or continued assistance when:

a. The case involves support of a position contrary to the policies of the OEA or the NEA;

b. The member does not fully cooperate with LDP and its representatives;

c. LDP determines that the facts of the case as alleged by the member are not true;

d. The member rejects a settlement proposal or other disposition of the case as advised by LDP;

e. The member retains an attorney without the knowledge and/or consent of LDP;

f. Limited resources preclude pursuing every case to the ultimate level;

g. The continuance of the case is based solely on the rejection of an acceptable settlement offer.

4. Ineligible Cases

a. Individual matters that are excluded for reimbursement under the plan are:

1) Matters in which one rank-and-file employee challenges another such employee or the Association;

b. Criminal actions against a member except as stated in Appendix A: Policy on Criminal Charges;

c. Matters for which payment is available through another NEA program (e.g. Educators Employment Liability, Association Professional Liability, etc.)

5. Workers Compensation Cases

No authorization will be given for attorney fees in workers compensation cases except as follows:

a. Funding may be authorized for representation in cases which will have precedential value for other school employees; and

b. Funding may be authorized for representation in cases when the decision in the workers compensation proceeding could have an effect on a related Fair Dismissal Appeals Board (“FDAB”) claim or other court claim in which attorney fees already have been authorized.

C. Procedures

It is important that attorneys, OEA staff members, and other persons connected with such legal service understand the appropriate procedures to be followed. All legal assistance should have the approval of the bargaining unit, where possible.

The UniServ Consultant will initiate the application for funding. Attorneys who are retained will proceed in cooperation with the bargaining unit, the UniServ Consultant, and the Executive Director of the Oregon Education Association or designee.

Before entering any legal proceedings where funds are expected to be received from LDP or the ULSP fund, these procedures should be followed:

1. Membership at the time of the occurrence.

A person is considered a member for the purpose of determining eligibility if he/she was a member of the bargaining unit at the time the incident occurred. Nonmember
cases will be considered separately and individually on the basis of how they would affect the rights of other education employees.

2. All requests received will be reviewed in a timely manner. Denial of legal assistance may be appealed to the LDP Committee, and, if still denied, to the Board of Directors. Finally, a member has the right to appeal to the NEA on the sole ground that the LDP failed to process his/her application in accordance with the provisions of the Legal Defense Program.

3. The UniServ Consultant shall request authorization for legal assistance from an OEA Manager before consulting an attorney.

4. Should an aggrieved member refuse to sign an OEA/NEA LDP Legal Assistance Authorization and Memorandum of Agreement form, the Association shall not be obligated to pursue the matter further.

5. Decisions about authorization will be based upon an evaluation of:
   a. The facts of the case;
   b. Relevant statutes and case law;
   c. The merits and likelihood of prevailing;
   d. The potential impact on other members; and,
   e. The legal costs to support the case.

6. The member shall fill out an OEA/NEA LDP Legal Assistance Authorization and Memorandum of Agreement form and return it to the UniServ Consultant, who will sign and forward it to the LDP consultant.

D. Implementation

1. The LDP shall not discriminate against applicants on the basis of race, color, national origin, creed, religion, gender, sexual orientation, age, sensory, physical or mental handicap, political affiliation, marital status or economic status.

2. The LDP consultant will designate or approve the attorney to be used in the case.

3. Attorneys representing members in any federal court case shall consult with the NEA General Counsel's office in preparation of the briefs for the case. NEA will designate counsel to represent the member in any federal court appeal.

4. A member's request for legal funding shall be reviewed in a timely manner and a decision will be made by the LDP consultant. Written notice will be sent to the member by certified mail within five working days from the date of the decision when funding is denied.

5. An applicant's request for legal funding beyond the initial consultation with an attorney shall be reviewed in a timely manner and a decision on further proceedings will be made by the LDP consultant. Written notice to the member, sent by certified mail, will follow any denial of further funding.

6. The LDP and NEA ULSP will be reimbursed:
   a. From any award of costs or attorney fees, in a share proportionate to the extent of their financial contribution to such costs or fees; and
   b. From that portion of other monetary recovery by way of litigation, arbitration, compromise, or settlement which exceeds the member's out-of-pocket loss, in a share proportionate to the extent of LDP and NEA ULSP contributions to the total expense incurred in such proceedings.

   In no event shall such reimbursement exceed the total amount of assistance extended by LDP and NEA ULSP.

7. Certain criminal allegations will be processed according to Appendix A, Policy Statement on Criminal Charges.

II. Legal Assistance to Bargaining Units

A. Purpose

It is important to provide financial aid, staff and legal assistance to bargaining units for factfinding,
Employee Relations Board ("ERB") matters, arbitrations, and related court actions, assuring equitable treatment for all members.

B. Criteria for LDP assistance are predicated on the following assumptions:

1. Assurance is guaranteed that the bargaining efforts result in minimally acceptable local contracts across the table;
2. The integrity of bargained contracts is protected;
3. The responsibility to advance organizational and class action grievances is guaranteed;
4. The right of our units to good faith bargaining is secured;
5. The right of education employees to defend themselves against reprisals is guaranteed;
6. Bargaining units needing legal assistance are expected to contribute financially in order to demonstrate their commitment;
7. The state association recognizes its obligation to assist units too small to fully fund their own costs;
8. Decisions to litigate shall be made jointly with the local leadership after careful study of each case;
9. Limited resources preclude pursuing every case to the ultimate level;
10. The foremost obligation of all bargaining units is to gain a satisfactory agreement at the local level and to implement the agreement properly. Assistance to bargaining units will be provided to protect their rights and privileges as collective bargaining unit representatives. The LDP will assist with legal aid where:
   a. Failure to challenge a deteriorating local situation could result in a poor contract or even lack of a contract at the local level;
   b. The presence of unfair labor practices prevents education employees from exercising their legal rights; and
   c. Failure to challenge a particular issue, practice, or position would have a negative statewide impact.

11. Ineligible cases

Bargaining unit matters that are excluded for reimbursement are:

a. Corporate matters of the state association or bargaining unit; and
b. Cases arising from the activities of local and state political action committees (PACs.)

C. Procedures

1. The UniServ Consultant shall request authorization for legal assistance from an OEA Manager before consulting an attorney.
2. The bargaining unit president shall fill out an OEA/NEA LDP Legal Assistance Authorization and Memorandum of Agreement form and return it to the UniServ Consultant, who will sign and forward it to the LDP consultant.
3. Decisions about authorization will be based upon an evaluation of:
   a. The facts of the case;
   b. Relevant statutes and case law;
   c. The merits and likelihood of prevailing;
   d. The potential impact on other members; and,
   e. The legal costs to support the case.
4. The LDP consultant will designate or approve the attorney to be used in the case.
5. Attorneys representing bargaining units in any federal court case shall consult with the NEA General Counsel's office in preparation of the briefs for the case. NEA will designate counsel to represent the member or bargaining unit in any federal court appeal.
6. Further authorization will be secured from the LDP Committee for each additional stage of legal proceedings; i.e., court of appeals, etc.

7. A bargaining unit's request for legal funding shall be reviewed in a timely manner and a decision will be made by the LDP consultant. Written notice will be sent to the bargaining unit by certified mail within five working days from the date of the decision when funding is denied.

8. The Legal Defense Program and NEA ULSP fund will be reimbursed:
   a. From any award of costs or attorney fees, in a share proportionate to the extent of their financial contribution to such costs or fees; and
   b. From that portion of other monetary recovery by way of litigation, arbitration, compromise, or settlement which exceeds the bargaining unit's out-of-pocket loss in a share proportionate to the extent of LDP and NEA ULSP contributions to the total expense incurred in such proceedings.

   In no event shall such reimbursement exceed the total amount of assistance extended by LDP or ULSP.

D. Funding

1. The LDP and NEA ULSP shall pay all legal fees and costs incurred by bargaining units in approved cases. NEA has a cap on annual and lifetime funding for approved ULSP cases.

2. The following guidelines shall apply for LDP payment of arbitration fees, factfinding fees and unfair labor practice complaint and answer filing fees, as specified by the OEA Policies:
   a. Units with 50 or fewer members, 65 percent;
   b. Units with 51 through 99 members, 45 percent;
   c. Units with 100 or more members, 35 percent; and
   d. Special circumstances will be considered on a case-by-case basis.

**OEA POLICY STATEMENT ON CRIMINAL CHARGES**

I. Initial Attorney Fees

The OEA Legal Defense Program will reimburse up to $1,150.00 for attorney fees and costs incurred by an OEA member in defense of a criminal charge, subject to the limitations and conditions below:

A. The criminal charge must arise out of the member's contracted activities in an Oregon public school district or in a State school;

B. The member must submit an LDP Legal Assistance Authorization and Memorandum of Agreement form stating the alleged criminal charge, if known, and the name and address of the member's attorney; and

C. The member shall provide directly and through his/her attorney, to such attorneys as the LDP may designate, such information regarding the case as the LDP attorneys deem necessary to evaluate the member's application and to ensure compliance with this policy.

II. Investigation Costs

The LDP will reimburse up to $1,150.00 of attorney’s fees and investigator's costs incurred by an OEA member subject to the conditions set forth in Paragraph I above, and further subject to the additional limitations and conditions stated below.

A. The costs are not reimbursed or paid by the Educators Employment Liability Insurance policy or any other insurance policy; and

B. The member and his/her attorney will provide the LDP-designated attorney a copy of the investigator's report, along with all other information discovered in preparation of the member's defense.

III. Additional Attorney Fees

The LDP will fund up to an additional $2,500.00 of attorney fees subject to the conditions and limitations set forth in Paragraphs I and II above, and further
subject to the additional limitations and conditions stated below:

A. The LDP is given a detailed bill of the fees charged;

B. Any reimbursement will only be for attorney fees not reimbursed or paid by the Educators Employment Liability Insurance policy or any other insurance policy;

C. The LDP Committee reserves the right to decline to pay any fees it determines to be unreasonable; and

D. The LDP Committee determines that the merits of the case, the probability of success, and the nature of the precedents justify the additional reimbursement.

IV. The LDP will reimburse all attorney fees and costs in excess of the initial $1,150.00, and the $2,500.00 additional attorney fees in Paragraph III above, provided all of the limitations and conditions set forth in Paragraphs I, II, and III above are met, and provided further the member is found not guilty of the criminal charges.

The intent of this policy is that the LDP will not be responsible, except as provided in Paragraphs I, II, and III above, for payment of legal fees or costs related to the defense of criminal charges, including "up-front" fee deposits (retainer), until the member is found not guilty of all charges or all charges are withdrawn or dismissed. The LDP will not be responsible, except as provided in Paragraphs I, II, and III above, if a member is found guilty or pleads guilty or no contest to another criminal charge arising out of the same circumstances.

V. The LDP Committee may make individual exceptions to this policy based upon the merits of a case, advice of counsel, and the member's financial inability to pay, as determined by the LDP Committee. If an exception is made, the LDP Committee and the member shall enter into a written agreement setting forth the amount of all reimbursement and the terms of repayment.

3000

3100

I. PROMOTION OF EDUCATION EXCELLENCE

A. Research that will enhance the excellence of student learning will continue to be reported by the OEA through its publications.

B. OEA shall take steps to monitor, make recommendations and take action on proposed educational issues.

C. In conjunction with NEA, OEA will promote American Education Week and will provide information to locals.

D. Local affiliates will promote a positive, constructive, and accurate presentation of public education.

3200

I. MEMBERS’ PERSONAL, PROFESSIONAL, LEGAL AND HUMAN RIGHTS

A. Grievance Processors in Local Buildings - there should be a trained grievance processor in each building.

B. Follow-up Grievance Training - OEA staff is directed to attempt to implement follow-up grievance processing training within budgetary constraints and membership requests.

C. Collective Bargaining by All Locals - all local affiliates should negotiate comprehensive local contracts as defined by the terms and conditions recommended in the OEA prototype agreement.

D. Guidelines for Legal Assistance for OEA/NEA Members from the OEA Legal Defense Program or the NEA ULSP.

The ULSP of the National Education Association, and the Legal Defense Program of the Oregon Education Association provide funds for assisting members of the NEA/OEA in court cases that are job-connected. It is important that attorneys, OEA staff members, and other persons connected with such litigation understand the appropriate procedure for such proceedings. All such proceedings should have the approval of the local
association, where possible. The UniServ Consultant should help process the application for funding. Attorneys who are retained should proceed in cooperation with the local association, the UniServ Consultant, and the Executive Director (or his/her designee) of the Oregon Education Association.

Before entering any litigation where funds are expected to be received from the NEA ULSP or the OEA Legal Defense Program, the following information should be provided:

1. A short summary of all actions prior to making request for funds.
2. A summary of the legal proceedings or legal basis on which any proceedings will be based.
3. A statement of the purpose of the suit, or what is expected to be gained by court litigation.
4. A statement confirming discussions with parties concerning the recovery of court costs and attorney fees.
5. A statement of the possibilities of success in the litigation.
6. A statement of the chances of appeal.
7. An estimate of the probable court costs and attorney fees for the first level of litigation.
8. A statement confirming contact with the NEA regarding this case.
9. Any member who has been dismissed but whose case is yet in litigation or on appeal shall continue to be considered an active member of the Association until the legal questions relating to his/her employment status are resolved.

E. Procedures for Legal Assistance to the OEA Bargaining Units

1. Rationale - it is important that OEA provide financial aid, staff and legal assistance to local affiliates for factfinding, ERB matters, arbitrations, and related court actions, assuring equitable treatment for all members.

The procedures are predicated on the following assumptions:

a. We must assure that the bargaining efforts result in minimally acceptable local contracts across the table.
b. We must protect the integrity of bargained contracts.
c. We must advance organizational and class action grievances.
d. We must secure the right of our units to good faith bargaining.
e. We must help our members to defend themselves against reprisals.
f. Locals needing legal assistance are expected to contribute financially in order to demonstrate their commitment.
g. The state association recognizes its obligation to assist units too small to fund fully their own costs.
h. Decisions to litigate shall be made jointly with the local leadership after careful study of each case.
i. Limited resources preclude pursuing every case to the ultimate level.
j. In OEA affiliates having achieved exclusive recognition, nonmembers shall be accorded such assistance as is required by law.

2. Criteria for State Participation

a. The foremost obligation of all OEA affiliates is to gain a satisfactory agreement at the local level and to implement the agreement properly. The OEA will assist with legal aid where:

(1) Failure to challenge a deteriorating local situation could result in a poor contract or even lack of a contract at the local level.

(2) The presence of unfair labor practices prevents members from exercising their legal rights.
(3) Failure to challenge a particular issue, practice, or position would have a negative statewide impact.

(4) One or more members would suffer significant professional, personal, or economic disadvantage.

b. Priority will be assigned to:

(1) Cases involving broad statewide application.

(2) Strike-related matters if the pre-strike assistance procedures have been adhered to.

3. Funding by OEA - the following guidelines shall apply for OEA payment for grievance arbitration, contract arbitration, factfinding, and unfair labor practices:

a. Locals with 50 or fewer members – 65 percent

b. Locals with 51 through 99 members – 45 percent

c. Locals with 100 or more members – 35 percent

d. Special circumstances will be considered on a case-by-case basis.

4. Authorization for Legal Assistance

a. Legal assistance shall be authorized by the OEA Executive Director or his/her designee. Authorization may be given verbally, followed in each case by written authorization with a copy to the attorney.

b. Prior to payment of a subsidy for contract/grievance arbitration or factfinding, a copy of the following must be transmitted to the OEA General Counsel:

(1) Copy of the arbitrator's award or factfinder's report.

(2) Arbitrator's (factfinder's) bill.

(3) Other applicable bills.

c. The OEA will seek aid from the NEA ULSP in meeting the expenses of special cases covered by NEA ULSP policy.

F. OEA Position on Strikes and Strikebreakers

1. Members may refuse to provide services in situations where conditions make providing quality education impossible.

   The decision to strike is a professional action by a majority of the members in a bargaining unit. To initiate a work stoppage is a right specifically granted by the Oregon Public Employee Collective Bargaining law when all other attempts at reaching a satisfactory agreement have failed. Members reporting for work during a legitimate work stoppage are strikebreakers and undermine the collective efforts of their colleagues.

   The Oregon Education Association urges all members of the bargaining unit to act as one when the situation demands a strong show of member solidarity.

2. When deplorable conditions in education exist in a school district that has brought about a crisis, after all peaceful resolutions fail to resolve an impasse occurring therein, members may have no choice but to resort to a withdrawal of services as the only means of attracting public attention. The OEA recommends that its affiliates seek aid in time of a crisis and involve the Association at the earliest possible time. Administrative and supervisory personnel may remain with the schools or take other precautions to provide for the safety of students and protection of property. During such withdrawal of services by a recognized professional organization, schools should be closed for the duration of the withdrawal of services.

3. All members have a duty to honor any primary picket line authorized by the local association. Any member who crosses an authorized picket line, or knowingly accepts work in a district whose employees are on strike, may be subject to discipline according to OEA Bylaws, Article XI and OEA Policies 2700.

G. Qualifying for OEA Bargaining Crisis Assistance

2. Before mediation is likely to be called, the local association, in consultation with the local UniServ Consultant, shall:
   a. Complete and submit the Mediation Readiness Survey, along with supporting documentation, to the OEA Associate Executive Director for the Center for Advocacy & Affiliate Services, who will provide a copy to the OEA Executive Committee and to the OEA Relief Fund Committee.

3. Prior to the first mediation session, the local association will:
   a. Complete and submit the Mediation Readiness Survey, along with supporting documentation, to the OEA Associate Executive Director for the Center for Advocacy & Affiliate Services, who will provide a copy to the OEA Executive Committee and to the OEA Relief Fund Committee.
   b. Execute OEA Crisis Organizing Agreement;

4. After the declaration of impasse, but before the 30 day cooling-off period begins, the local association, in consultation with the local UniServ Consultant, shall complete the OEA Strike Readiness Survey and submit it, along with supporting documentation, to the OEA Associate Executive Director for the Center for Advocacy & Affiliate Services, who will provide a copy to the OEA Executive Committee and to the OEA Relief Fund Committee.

5. Before the 30-day cooling-off period ends, the local association, in consultation with the local UniServ Consultant, shall:
   a. Participate in an initial pre-strike evaluation by OEA administered by a Strike Evaluation Team. The Team will be composed of UniServ Consultants and local leaders from other local OEA associations. In consultation with the local UniServ Consultant, the Associate Executive Director for the Center for Advocacy & Affiliate Services shall appoint the Consultants to the team, and the OEA President shall appoint the local leaders. The local association may request changes in the Strike Evaluation Team.

   A report from this Team will be forwarded to the local association, the local UniServ Consultant, the OEA Executive Committee and the OEA Associate Executive Director for the Center for Advocacy & Affiliate Services or designee.

   b. Approximately two weeks following the initial strike evaluation, after having addressed any organizational weaknesses identified in the initial report, the local association will participate in a follow-up pre-strike evaluation by the same OEA team. A final report from this Team will be forwarded to the local association, the local UniServ Consultant, the OEA Associate Executive Director for the Center for Advocacy & Affiliate Services or designee, the OEA Executive Committee, and the OEA Relief Fund Committee.

   c. The Strike Evaluation Team is advisory to local associations. The Team shall conduct its evaluation and make its confidential recommendations to the local leadership but does not decide if a local is to strike.

6. The OEA Executive Committee and Board Director(s) from the involved OEA district(s) may sanction a strike based on the pre-strike evaluation reports.

7. The release of resources will be based upon the readiness surveys and supporting documentation provided by the local association and upon the pre-strike evaluation reports. Procedures for administering the Relief Fund are described in Policy 6000.

H. Local Association Strike Assessment

Before a strike is called, the local association governing body shall:
1. Notify its members, in writing, of the OEA Policy: that all members have a duty to honor any primary picket line authorized by the local association, and that the local association may initiate charges against any member strikebreaker through the judicial review process.

2. Conduct a one-on-one strike assessment (as per OEA Strike Assessment Guidelines) with all members prior to an actual strike vote.

I. Cadre Assistance

Cadre assistance may be provided to locals for grievance, bargaining, political action, professional development and community outreach.

II. CONTRACT REOPENER PROCEDURES

A. Obligation of Fair Representation

The Association has a duty and legal responsibility to represent everyone in the unit fairly when bargaining and maintaining the contract. The Association must continue to exercise its duty of fair representation and assure that its actions are not arbitrary, discriminatory or in bad faith to any member of the bargaining unit. Failure to follow established procedures may subject the Association to substantial liability.

This procedure will be followed to avoid future legal problems:

1. A local which has received a written management request to reopen a contract shall immediately notify the UniServ Consultant who shall notify the Associate Executive Director for the Center for Advocacy & Affiliate Services.

2. The local, in consultation with the UniServ Consultant, shall establish a procedure to evaluate the need to reopen the contract. OEA will provide assistance as requested and appropriate.

3. After consideration of the request through the procedure established in A.2 above, the Single Agent Bargaining Council or the local membership (for those not participating in a Single Agent Bargaining Council) shall determine an appropriate course of action.

B. Circumstances to Be Considered by an Association Before Re-Opening a Contract

DISTRICT BUDGET:

___ All program cuts outside the regular school day have been made.
___ Administrative costs have been cut.
___ Status of district budget shows money is/isn’t available.
___ Tax rates are comparable to the average of surrounding districts.
___ The allowable amount of taxes is being assessed.
___ Funds have been appropriately allocated or transferred to operating budget.
___ Enrollment numbers show a downward trend over time.
___ Financial information has been considered.

At least the following documents have been supplied and considered:

- Preceding year’s audit (December)
- Current adopted budget (June)
- Resolutions-Adopting the budget, appropriating the budget, declaring a tax levy
- Recent monthly financial statements
- District’s current carryover/contingency

___ Available grant funds have been used to address budget concerns
___ Over-budgeting and/or under-spending issues have been addressed.

INTERNAL

___ Possibility of an MOU addressing the issue has been considered.
___ Appropriate local decision-making responsibility has been addressed.
___ Assessment of member support for re-opening has been conducted.

COMMUNITY

___ Local unemployment rate has been considered.
___ Local business closures have been considered.

3300

I. PROFESSIONAL DEVELOPMENT

A. Teacher Standards and Practices Commission

The Oregon Education Association will inform its membership concerning the work and activities of the Teacher Standards and Practices Commission.
I. ACHIEVEMENT OF ORGANIZATIONAL EXCELLENCE

A. Membership, Dues, and Contributions Payments (OEA Bylaws, Articles, I and II)

1. The OEA shall continue every enrolled member of the OEA as an active member until such time as the member withdraws membership, and as long as he/she meets the requirements for membership: thus members need not re-enroll annually in order to maintain membership.

2. It shall be the policy of the OEA to charge dues for those who work less than a full year, the percentage of the annual OEA dues (including assessments), equal to the months worked during the membership year divided by the number of months in the membership year.

3. When an individual pays OEA/NEA dues but not local dues, OEA shall take steps to insure compliance with unification agreements.

4. It is essential that the NEA Fund for Children & Public Education be adequately funded, and staff shall have the appropriate plan for the NEA Fund promotion each year.

5. Community College adjunct faculty dues shall be collected as one-ninth of the annual amount for each month worked for this category.

B. Local Association Requirements (OEA Bylaws, Article XVI, Section 1)

1. An association shall affiliate with both OEA and NEA. Application is required only for newly formed chapters.

2. A local association must have bylaws consistent with those of OEA and NEA. This document must be on file with the OEA and must state that membership is unified, with each member belonging to the local association, OEA and NEA.

3. The local association must have an approved budget, which will promote the activities of the association and meet leadership commitments.

4. The local association shall vest all policy-making power in either the membership or an elected representative body.

5. The local association has the responsibility to represent, in good faith, its members before employment related bodies and boards.

6. The association, either directly or through a bargaining council, will gain recognition as the exclusive negotiating representative of the members and negotiate a comprehensive contract.

7. The local association shall maintain a level of dues that allows for the operation of a full program of services to the membership and the ability to fund an organizational structure without the financial sacrifice of one leader or a small group of leaders. The local association must have an approved budget, which will promote the activities of the association and meet leadership commitments.

8. The local association, wherever possible, supports state and national program priorities in political action, legislative support, professional development, and affirmative action.

9. The local association shall maintain financial records which shall record the income and disbursement of its funds. The local association shall maintain adequate, permanent files in a location reasonably assessable to the membership.

10. The local association program shall include an effective communication system.

11. The local association program shall promote membership growth and maintenance.

12. The local association shall provide assurance that the local association membership categories shall not compete with those of another affiliated local within the same employing jurisdiction.

13. Local associations shall transmit all NEA/OEA dues on hand on a regular basis to
be determined by the OEA Board of Directors.

14. Names of local officers shall be submitted annually to OEA.

15. A form indicating to a newly-formed local that it has been accepted for continuing membership in OEA shall be delivered to the officers of the new local by the OEA Board District Director.

16. A local may be declared by the OEA President to be disaffiliated with OEA when no local officers can be found who will declare that an affiliation with OEA exists.

17. OEA will not organize the employees of a charter school or approve affiliation of a charter school unit unless an internal legal determination is made that the charter school clearly is not subject to either the NLRA or the LMRDA.

18. OEA will disaffiliate from any already-represented charter school where a jurisdictional challenge is filed objecting to representation of the charter school’s employees under the PECBA, unless an internal legal determination is made that the charter school clearly is not subject to either the NLRA or the LMRDA.

19. Except as provided for elsewhere in OEA Policies and Bylaws, the Board has the authority to initiate disaffiliation proceedings and to disaffiliate from local associations.

C. Association Services

1. Eligibility for member services

   a. Members are eligible for assistance under Categories A and B (below) providing the membership application form was received at least fifteen calendar days before the occurrence of the incident for which the assistance is requested.

   b. Members must conform to the following categories:

Category A - previous year members will continue to receive all program service and assistance until November 30 of the current year. Previous year members who are not members as of November 30 of the current year become eligible for program, services and assistance 15 calendar days following receipt of the membership application form.

Category B - previous year nonmembers who were eligible for membership become eligible for program, services and assistance 15 calendar days following receipt of the membership application form.

Category C - previous year nonmembers who were not eligible for membership shall become eligible for program services and assistance on receipt of the membership application form.

2. Student Oregon Education Association

   a. Where possible the local associations should invite the local Student OEA to have a member on their different committees and task forces on the local level.

   b. UniServ Council officers are charged with the responsibility of communicating with, guiding and advising the SOEA units in their districts.

   c. Cadre assistance may be provided for Student OEA.

3. Printing Services

The Oregon Education Association will provide printing services within the following constraints:

   a. Written requests must indicate where in the budget the printing cost is to be charged and must be submitted to the OEA Executive Director before May of each year.

   b. Copy must be submitted on time, in "press-ready" condition, and conform to the OEA print shop requirements.
4. **Program Funding**

The OEA Program Budget Committee will consider funding programs which fit within the OEA adopted goals and objectives. OEA will provide flat-grant funding only under extraordinary circumstances.

D. **Unit Incentive Subsidy for Statewide Conferences/Training**

The budget provides that the financial parameters within any statewide conference/training should be confined. To the extent that one element of a conference/training reduces the budget, other items must be adjusted. Such adjustment will normally be in the cost of room and the provision of meals, if any, and decisions regarding the duration of the conference/training. Provision for room and meals will be announced in advance, along with other anticipated expenses.

1. Lodging will be reimbursed at one-half the double occupancy rate, including tax, of OEA approved accommodations.
   a. Participants traveling 100 miles or more (one way) will be reimbursed for one night's lodging.
   b. Participants traveling 200 miles or more (one way) will be reimbursed for two night's lodging.
   c. Participants traveling 50 miles or more (one way) to attend a two (2) day conference/training will be reimbursed for one night's lodging.

2. Meals, except for those provided to the group at the conference, will not be reimbursed.

3. A mileage incentive subsidy, not necessarily intended to cover the full cost of the travel, will be allowed.

   Units with 100 or fewer members - 1/2 the IRS rate rounded to the nearest cent per mile for the driver, plus 2 cents per mile for each additional participant riding in the car.

   Units with more than 100 members - 1/2 the IRS rate rounded to the nearest cent per mile for the driver, plus 2 cents per mile for each additional participant riding in the car, traveling 50 miles (one way) or more to the conference/training site.

4. Exceptions may be made in the case of hardship in a local which has exhausted its funds for other purposes providing the local has a minimum of $10 local dues or has been identified as a unit needing special organizing assistance.

E. **School Closures**

During school closures caused by financial constraints, local affiliates or individual members of the Oregon Education Association shall not become involved in activities or programs that:

1. Involve members in areas for which they have no liability protection.

2. Economically discriminate against students or limit their opportunities because of family economic status.

3. Shift an unequal burden of educational costs to any particular group in the community.

4. Eliminate or reduce incentives for citizens to pass adequate long-term funding measures.

F. **Statewide Meeting Sites**

Whenever possible, facilities which are not on the union unfair list will be selected for OEA statewide meetings. Priority consideration, however, will be given to facilities with union affiliation.

G. **Corporate Relationships**

1. The OEA-PAC Constitution and Bylaws shall be included in the OEA Handbook.

2. Minutes of all meetings shall be exchanged between the members of the OEA Board of Directors and the OEA-PAC Board of Directors.

3. The basic relationship is between the NEA Fund for Children & Public Education and the OEA Board of Directors; therefore, any expenses for OEA participation in NEA Fund activities must be carried by the OEA, the OEA President, or the President's designee.
representing the OEA at all the NEA Fund functions.

4. All staff assistance to OEA-PAC shall be provided by OEA.

5. OEA-PAC shall be continued as a voluntary, non-profit, unincorporated association and is not affiliated with any political party.

H. United Education Profession Membership

All NEA/OEA members should be members of a local in their area. If no local is available, the UniServ Council shall assist in formation of a local for that area.

I. Fair Share Agreements

There shall be no fair-share fee-payers in OEA bargaining units.

J. Local Officers and Chairpersons

Local officers and Representative Assembly Delegates should be elected by April of each year.

K. OEA Position on Merger with Other Organizations

OEA acknowledges the value of having all education employees covered under a single national organization.

The OEA Representative Assembly reaffirms a desire to unite all education employees into a single national organization. The OEA Representative Assembly further recognizes that a merger with the AFT, the AAUP, and other appropriate organizations could contribute to that end.

OEA can pursue discussions regarding potential merger with other organizations. At a time and on terms it deems appropriate, the Board of Directors may initiate discussions with other organizations on merger or combination.

4000 - AFFIRMATIVE ACTION FOR EMPLOYEES

I. POLICY OF NONDISCRIMINATION

It shall be the policy of the Oregon Education Association not to discriminate because of race, color, religion, national origin, gender, age, disability, political affiliation, sexual orientation, marital status or residence.

II. POLICY OF AFFIRMATIVE ACTION

The OEA Board of Directors shall adopt an affirmative action plan and procedures for OEA staff. An affirmative action progress report shall be presented annually to the OEA Representative Assembly by the OEA President.

5000 - UNISERV

The purpose of UniServ is to provide a coordinated program of services to members on an equitable basis throughout Oregon. These services are provided through local, state and national staff whose responsibilities include a wide variety of professional and representational assistance to individuals and affiliates. While assignments are specific, the availability of staff to assist in emergency situations throughout the state and nation assure members that even in unusual circumstances they will receive appropriate assistance.

In order to assure local member involvement, OEA established UniServ Councils as an administrative agency to assist in program coordination. All locals shall be fully participating members of their assigned UniServ Councils. Except in single units where the UniServ Council and Executive Committee serve the same purposes, Councils are not intended to set local programs. The role of the UniServ Council is to identify the main priorities of all units in the Council and with the help of assigned staff implement strategic priorities. These priorities should include the fulfillment of the legal responsibility of member representation and assistance in developing long-range goals for representational and professional needs. Priorities are further detailed in the state and national UniServ policies and local UniServ Council programs. All services must fit within the framework of the policies and programs of the unified local-UniServ unit-OEA-NEA and the NEA UniServ Guidelines.
I. PROGRAM SUPPORT RESOURCES

UniServ Councils will be provided a copy of the proposed budget by field office before or at the budget hearings.

Each year the OEA Executive Director or his/her designee shall notify each UniServ Council of its assigned budget. The assigned budget shall be by OEA field office rather than by individual Council. This provision of services and support is intended to cover normal operating costs within the Association's capability and administrative rules and includes the following:

A. Staff Assignment
   The total cost includes salaries of assigned professional and associate staff whose terms and conditions of employment are defined under collectively bargained agreements and applicable laws.

B. Office Rent, Utilities and Maintenance
   Rent, if applicable, utilities and maintenance shall be paid by OEA. Office space shall be provided based on OEA’s minimum standards for UniServ offices.

C. Travel and Expenses
   The estimated cost of travel and expenses associated with the assignments of UniServ Consultants and Associate Staff will be budgeted. Reimbursement shall be at the rate allocated per OEA administrative rules and applicable Collective Bargaining Agreements.

D. Telephone and Internet Service
   Local and long distance telephone service costs and the cost of providing internet service to each office will be budgeted. In addition, the cost of actual business-related cell phone expenses for UniServ Consultants shall be included.

E. Capital Outlay
   Equipment shall be provided based on the OEA minimum standards for UniServ offices.

F. Supplies
   Adequate supplies shall be provided for each office as per minimum standards for OEA offices.

G. Exceptions
   Exceptions to support resources listed above will be made only if the UniServ Council can demonstrate that without such resources the UniServ Council(s) would be unable to provide necessary services.

II. ADMINISTRATIVE RULES FOR NEA-OEA PARTICIPATION IN UNISERV PROGRAMS

A. Each UniServ Council or a committee thereof shall annually review and evaluate the constitution, budget and program as related to the UniServ Council functions. Upon request, the NEA-OEA will assist in this process.

B. Within one hundred twenty (120) days following the close of the Council’s fiscal year, the UniServ Council shall provide the OEA Executive Director with evidence that a review of expenses during the past twelve (12) months has been completed. The review shall be done by a licensed auditor or other competent person(s) or committee agreed to by the Council. The reviewers shall be independent from Council governance or committee structures. The review shall include a written report to the Council which may be used as evidence required by this rule.

C. The UniServ Council will support and implement the objectives and the program of action of the unified local-UniServ Council-OEA-NEA.

D. Expenses incurred through the program support listed in Section I shall be the responsibility of OEA. Expenses incurred at the Council's direction and not otherwise covered by OEA shall be paid by the Council. Payment of dues for such additional expenses may determine participation in those additional activities, but may not form the basis for depriving any member of governance rights, such as voting for interim Director or voting for PAC Director, and may not exclude the local from OEA-funded UniServ activities.

Clarification of privileges provided to all:

1. Benefits of participating in activities funded by UniServ Council dues may be based on payment of UniServ Council dues;

2. Voting on state-level issues and candidates is dependent on payment of state dues;
3. Benefits of participating in OEA-NEA funded services is dependent on payment of OEA-NEA dues.

E. Annually a review and evaluation of the UniServ program shall be completed no later than the May OEA Board meeting.

1. The purpose of this review is to provide the UniServ Council and the Board of Directors with an assessment of the Council program. The review shall take place among the local UniServ Council, or its designee(s), UniServ Consultant(s), and the OEA Executive Director or his/her designee.

2. The review instrument will be completed by the Council or its designee(s) in advance of the meeting. A written summary of this review will be prepared by the OEA Executive Director or his/her designee with copies provided to the UniServ Council, the OEA Board of Directors, Executive Director and the UniServ Consultant(s) no later than the May OEA Board of Directors meeting.

3. At least biennially, the UniServ Council and the OEA Executive Director or his/her designee shall meet jointly to discuss the review results. However, if at any time concerns arise either the Council or the OEA Executive Director or his/her designee may request a joint conference.

F. Normally, special assignments of a Consultant outside his/her UniServ area will only be made with the approval of the UniServ Council or its designee(s). However, in unusual circumstances (strikes, organizing efforts, etc.) the OEA Executive Director may assign UniServ staff to another UniServ Council within the OEA and/or NEA for the purpose of assisting members. Provisions will be made for staff assistance to the affected Council and local associations during these assignments. The following procedure will be used when staff are to be assigned outside his/her UniServ area:

1. UniServ staff will not be assigned to work outside their assigned UniServ unit without first seeking volunteers. If no appropriate volunteer(s) is forthcoming, then the OEA Executive Director or his/her designee may assign staff to work outside of their UniServ unit. In any case, the Council President shall be notified of the assignment. Said notification shall also indicate what provisions will be made for staff assistance to the affected Council and local associations.

2. Should the affected Council object to the assignment, said objection shall be made to the Executive Director or his/her designee and will include the basis for the objection. If the basis for the objection cannot be resolved, then the Executive Director shall review the proposed assignment and make a determination.

3. When possible, at least two weeks prior notice will be given to affected Councils.

III. THE UNISERV CONSULTANT AND OTHER UNISERV STAFF

A. UniServ Consultant Responsibilities

The main purpose of the UniServ structure is to provide competent professional field service to the local membership of the unified local-UniServ Council-OEA-NEA. Detailing the responsibilities of the UniServ Consultant is left to the respective UniServ Councils who are charged with the responsibility of determining the priorities of services needed in their service units.

The UniServ Consultant shall carry out the policies and programs of the local associations within the UniServ Council.

1. The UniServ Consultant's primary responsibilities are to:

   a. Represent member interests in employment-related and professional matters, primarily through collective bargaining and contract maintenance.

   b. Develop programs for political action and legislation in coordination with the OEA Center for Public Affairs.

   c. Provide training in public relations and internal communications.

   d. Be aware of and utilize NEA-OEA resources.

   e. Coordinate UniServ, state and national resources into local association's activities, including professional
development, instructional improvement and human relations.

f. Help identify and train local leaders to become actively involved.

g. Assist locals to develop creative programs and identify long-range goals.

h. Assist with NEA Member Benefits special services to members.

i. Assist in the employment and management of associate staff assigned to their office in accordance with UniServ Council policy, OEA personnel policies and applicable collective bargaining agreements.

j. Coordinate and advocate national and state association programs and priorities with local associations and members.

k. Maintain files as per OEA Records Retention List.

l. Fulfill other duties connected with the UniServ office.

2. The OEA Consultant job description and evaluation criteria further clarify these responsibilities.

3. The UniServ Consultant shall attend all OEA field staff meetings. OEA shall provide adequate notice of such staff meetings. The scheduling of such meetings will allow the UniServ Consultant the flexibility necessary in his/her work with individuals or locals.

4. The OEA Executive Director or his/her designee will assist the UniServ Consultant in the establishment of added responsibilities consistent with state and national guidelines or staff contracts which may be necessary to implement the Council program. All services must fit within the framework of the policies and programs of the unified local UniServ Council-OEA-NEA.

5. The UniServ Consultant will be evaluated at least biennially by the OEA Executive Director or his/her designee(s) in accordance with OEA Policy.

B. Employment procedures of UniServ professional personnel

1. Notification of opening
   a. All current Oregon professional staff shall be notified in advance of general notification.
   b. General notification shall be made by the OEA Executive Director or his/her designee.

2. Preliminary screening
   a. Current professional staff who apply will be excused from the preliminary screening.
   b. All external applicants shall be screened by the OEA Executive Director or his/her designee(s). The UniServ Council or its designee(s) may participate in the screening process.
   c. The Associate Executive Director for Advocacy & Affiliate Services and the UniServ Council will meet prior to the Council interview to define program emphasis and desired skills and experiences sought by the interviewing Council.

3. The following is a suggested list of the minimum qualifications for the position of UniServ Consultant:
   a. Have an earned bachelor's degree, or equivalent.
   b. Have five years teaching experience or equivalent work experience.
   c. Have demonstrated leadership ability.
   d. Have familiarity with professional organization work, especially with the work of a local education association.

4. Final interviews and approval of appointments.
   a. Interviews shall be held within the UniServ unit if possible. The Council shall interview candidates recommended
by the OEA Executive Director or his/her designee.

b. The interviews shall be conducted by the Council’s interview committee or Executive Committee and shall be assisted by the OEA Executive Director or his/her designee and the OEA Board Director(s) of the affected OEA district(s).

c. The final recommendation shall be made to the UniServ Council by the Council’s Executive Committee or the designated representatives and the OEA Board Director(s) with the advice of other members of the interview committee.

d. Ratification of the appointment of the UniServ Consultant shall be according to the UniServ Council Bylaws or if Council Bylaws do not exist, procedures established by the affected locals. Notification of acceptance or rejection of the candidates shall be made by the OEA Executive Director or his/her designee as decided by the UniServ Council.

e. The successful candidate must be approved by the UniServ Council and the OEA Executive Director. If either disagree, the position shall be posted again, if necessary, and further interviews will be scheduled.

If budgetary limitations preclude the addition of staff not previously anticipated in the budget, or if such an allocation were to leave current staff unassigned, in the interest of maintaining a balanced budget, a UniServ Consultant may be assigned for a limited time not to exceed three months to a Council where he/she was not approved.

This appointment will be submitted for action to the OEA Board of Directors if the affected UniServ Council is dissatisfied with the proposed assignment. It is understood that prior consultation with the UniServ Council will occur before an appointment, as outlined above.

f. UniServ professional personnel are employees of the OEA and are covered by the provisions of the Collective Bargaining Agreement between the Professional Staff Organization and OEA.

C. Employment of UniServ Associate Personnel

1. UniServ Assistants are employees of the OEA and are covered by the provisions of the Collective Bargaining Agreement between the Associate Staff Organization and OEA.

2. Applicants who are determined by the Executive Director or designee to be qualified for the UniServ Assistant position are eligible to be interviewed by OEA. The interviews shall be conducted by a designee from OEA and the UniServ Consultant and a joint recommendation of employment shall be made to the Executive Director. If a joint recommendation cannot be made, then the Executive Director will determine how to proceed.

3. The UniServ Assistant shall support members, and be accountable to the UniServ Consultant and, ultimately, to OEA.

4. The UniServ Consultant shall have the authority to recommend dismissal of the UniServ Assistant consistent with OEA policies, directives, relevant laws and the ASO Collective Bargaining Agreement.

D. Selection procedures for employment of staff shall comply with the fair employment practices established by the NEA-OEA.

IV. LOCAL AFFILIATE INVOLVEMENT PLAN

The Oregon Education Association (OEA) believes that an effective working relationship between UniServ staff members and the leaders of local affiliates is essential to providing members with the highest quality service. For this reason, presidents of local affiliates are afforded appropriate, meaningful input into the decision-making processes regarding employment, establishment of performance expectations and work priorities, and evaluation of UniServ staff members. Therefore, in order to ensure the continued success of the field service program, and to comply fully with the requirements of the Guidelines for the NEA UniServ Program adopted by the NEA Board of Directors on May 2, 2008, an Oregon Education Association Local Affiliate Involvement Plan (LAIP) was developed with input from the Cabinet for Advocacy and Affiliate Services. The OEA LAIP has been
duly approved and is now established as the official policy of the organization.

Nothing in this plan shall in any way supersede, modify or nullify the terms of the Collective Bargaining Agreement between the OEA and its bargaining units. In accordance with the NEA UniServ Guidelines, any conflict between the Guidelines or this Plan and the Collective Bargaining Agreement(s) between the OEA and its staff organization(s) will be decided in favor of Collective Bargaining Agreement.

A. The OEA LAIP provides the following:

1. Local affiliate involvement in the employment of UniServ professional staff members is covered under Article III.B of this policy.

2. Local affiliate involvement in the establishment of performance expectations and annual work priorities for UniServ staff members.
   a. In order to properly align services with local affiliate needs, OEA will conduct a program review of each UniServ Council at least biennially to determine which services provided by the UniServ Council and staff are of the greatest value to members and local leaders, what level of priority should be assigned by OEA to each category of service, and the level of satisfaction local leaders have with the delivery of each service.
   b. In addition, the OEA will periodically conduct a statewide survey of all local association presidents to augment information gathered through program reviews.
   c. The results of statewide survey will be carefully analyzed to determine if the work priorities of the statewide UniServ should be adjusted in order to conform to the changing needs of local affiliates. The OEA training for UniServ staff will be revised on an ongoing basis in response to the changing service needs of local affiliates.
   d. The Cabinet for Advocacy and Affiliate Services shall make recommendations concerning the types of programs developed and conducted by UniServ professional staff in order to meet the needs and priorities of local leaders at the state and UniServ Council level.
   e. Resolutions adopted by the OEA Representative Assembly establish policy
directions and organizational priorities which OEA staff, including UniServ staff, has responsibility to implement.

f. When UniServ professional staff members provide training or workshops at regional or statewide leadership conferences, written evaluations completed by those in attendance and feedback received by members of the Board of Directors will continue to be reviewed and given consideration by the Associate Executive Director for future conference plans.

g. Input concerning UniServ Council needs will be solicited from members of the Board of Directors as part of the process of determining organizational priorities and work priorities.

3. Local affiliate involvement in the UniServ staff evaluation process.
   a. UniServ staff members are formally evaluated by Associate Executive Director for Advocacy & Affiliate Services during their twelve-month probationary period. Formal evaluations of probationary UniServ staff are required prior to the end of the fourth month of employment.
   b. Local affiliate presidents who have compliments or concerns are encouraged to share their feedback directly with the UniServ staff member. Local affiliate presidents may also share compliments or concerns directly with the Associate Executive Director. Input from local affiliate presidents is essential to an accurate assessment of the performance of probationary UniServ staff members. Any concerns that rise to the level of complaint shall be addressed through the complaint procedures outlined in the Collective Bargaining Agreement between OEA and PSO.
   c. Additional evaluations may be done as needed. UniServ staff members who successfully complete their probationary period are subject to a formal evaluation process every other year thereafter as per the Collective Bargaining Agreement between OEA and PSO.
   d. Local affiliate presidents who have compliments or concerns are encouraged to share their feedback directly to the UniServ Staff member who has gained permanent status. Local affiliate presidents may also
share compliments or concerns directly with the Associate Executive Director. Any concerns that rise to the level of complaint shall be addressed through the complaint procedures outlined in the Collective Bargaining Agreement between OEA and PSO.

V. STATUS AND REVIEW OF UNISERV POLICIES

Sections II and III are administrative policies for NEA-OEA participation in UniServ programs and shall be reviewed periodically by representatives of the NEA-OEA and UniServ Councils.

VI. OEA /NEA UNSERV PROGRAM DISPUTE RESOLUTION PROCEDURE

A. Purpose

The Guidelines for the National Education Association UniServ Program require, in Articles III-B and XVIII-A-1 that each state develop a dispute resolution procedure to provide a process for resolving allegations that the Oregon Education Association has erred in the interpretation or implementation of the state or national UniServ Program as defined below. The purpose of this procedure is to secure, at the lowest possible administrative level, an equitable resolution to such complaints or disputes. All parties agree that these proceedings shall be kept as informal and confidential as may be appropriate at any level of the procedure.

B. Definitions

1. Complaint: An allegation by a local association affiliate affected by the dispute, that:
   a. The OEA has improperly interpreted a Grant Application. (NEA III-B).
   b. The OEA has improperly implemented a Grant Application. (NEA III-B).
   c. The state has improperly interpreted the state’s Local Affiliate Involvement Plan. (NEA III-B)
   d. The state has improperly implemented the state’s Local Affiliate Involvement Plan. (NEA III-B)
   e. The state has improperly interpreted a provision of the “Guidelines for the National Education Association UniServ Program.” (NEA XVIII-A-1-a)
   f. The state has improperly implemented a provision of the “Guidelines for the National Education Association UniServ Program.” (NEA XVIII-A-1-a)

2. Complainant: A complaint may be filed by a majority vote of the Executive Committee or Representative Council of a local association affiliate or UniServ unit through its President or a designated representative of the Committee/Council.

C. Timeline for Filing

A complaint must be initiated as per D.1 within 20 calendar days from the time of the event leading to the complaint or from the time the complainant should reasonably have known of the event. Should a complainant not receive a response within the timelines listed it may appeal to the next step. Should a complainant fail to appeal to the next step within the listed appeal period, the complaint shall be considered withdrawn. Timelines during the process may be modified for a reasonable period of time by mutual agreement of the parties to allow for scheduling of any necessary meetings or calls.

D. Procedure

1. Informal Stage.

The representative of the complainant will contact the Associate Executive Director and discuss the complaint with the object of resolving the matter informally. The Associate Executive Director shall have ten days to respond.

2. Formal Stage.

Step 1. Lowest Level of Authority.

If the complaint is not satisfactorily resolved within ten calendar days of the discussion at the informal stage listed above in D.1., the representative of the complainant may, within ten calendar days of the informal response, file a formal complaint in writing with the Associate Executive Director for the Center for Advocacy & Affiliate Services.
A written formal complaint must:

a. List the specific provision(s) of the UniServ Guidelines, Grant Application, or State UniServ Program that is being contested, and

b. Contain a detailed description of the complaint, including facts and rationale for the complaint.

The Associate Executive Director shall respond in writing within ten days of receiving the written formal complaint.

Step 2. Next Level of Authority.

If the complaint is not satisfactorily resolved at Step 1, the representative of the complainant may, within ten calendar days of receipt of the Step 1 response, appeal the complaint in writing to the OEA Executive Director who shall respond in writing within ten days of receiving the written appeal.

Step 3. Next Level of Authority (Last State Appeal Step).

If the complaint is not satisfactorily resolved at Step 2, the representative of the complainant may, within ten calendar days of receipt of the Step 2 response, appeal the complaint in writing to the OEA Executive Committee who shall respond in writing within ten days after its next scheduled meeting subsequent to receiving the written appeal. The response shall include a statement that the OEA’s Dispute Resolution Procedure has been exhausted.

Step 4. NEA Regional Director

If the complaint is not satisfactorily resolved at Step 3, the representative of the complainant may, within ten calendar days of receipt of the Step 3 response, appeal the complaint in writing to the NEA Pacific Regional Director who shall respond in writing within twenty days of receiving the written appeal.

Step 5. NEA Executive Committee.

If the complaint is not satisfactorily resolved at Step 4, the representative of the complainant may, within ten calendar days of receipt of the Step 4 response, appeal the complaint in writing to the NEA Executive Committee which will attempt to resolve the dispute in accordance with the provisions NEA Article XVIII-A-1-b of the UniServ Guidelines. The decision of the Executive Committee will be final.

Appeals should be mailed to:

NEA CR UniServ Program
1201 16th Street N.W.
Suite 410
Washington, D.C. 20036

6000 - RELIEF FUND POLICY
(OEA Bylaws Article XII)

I. THE OREGON EDUCATION ASSOCIATION RELIEF FUND COMMITTEE

A. Purpose

The Committee shall oversee and review the administration of funds and monitor the disbursement of benefits. The Committee shall review the fund annually to maintain a balance of $10 million or higher, recommend changes and improvements for the future, ensure availability of the funds to affiliates and members, and set limits per each situation or local association consistent with wise management of the resources.

B. Composition of the Committee

1. The Committee shall be composed of five people: two OEA Board members, and one non-Board member from each vice-presidential region of the State. These shall be appointed by the OEA President with the consent of the Board of Directors, following the consultation with the Vice-President and Board members from the region and receipt of their recommendation. The OEA Executive Director or designee shall advise.

2. The terms of office shall be three years staggered. No person shall hold more than two consecutive terms. The OEA Executive Director or designee shall be the secretary-treasurer.

C. Filling Vacancies

1. The vacancies shall be filled as provided above. A person appointed to a vacancy shall serve for the unexpired term.
2. In accordance with OEA Policy, an individual who misses two consecutive meetings without cause shall be removed from the Committee.

II. SITUATIONS FOR WHICH EXPENDITURES MAY BE AUTHORIZED

A. Strike Action and Build-up

1. Requests for assistance needed as a result of a sanctioned strike or strike build-up shall be reviewed by the OEA Executive Committee and the OEA Relief Fund Committee. The OEA Executive Committee holds the authority to authorize such assistance. However, on a case-by-case basis, the OEA Executive Committee may delegate to the OEA Relief Fund Committee the authority to authorize assistance.

2. A financial assistance committee shall be established by the local association president. It shall monitor and authorize the disbursement of benefits according to the eligibility requirements of the policy. Its membership shall be the local association president or designee, the local association treasurer, one other member appointed by the president, the OEA Executive Director or designee, and a UniServ Consultant who shall act as adviser. The local association president shall designate the chairperson who shall also serve on the Crisis Coordinating Committee.

B. School Closure/Contract Lockout

1. Requests for assistance needed as a result of a school closure or contract lockout shall be reviewed by the OEA Executive Committee and the OEA Relief Fund Committee. The OEA Executive Committee holds the authority to authorize such assistance. The OEA Executive Committee shall direct implementation of the procedures. The OEA Executive Committee may, on a case-by-case basis, delegate to the OEA Relief Fund Committee the authority to authorize assistance and to direct implementation of the procedures. However, Relief Fund benefits, not including the interest-free loan benefits, are not authorized for payments to members subject to a reduction in the number of school days in their contract year.

2. A financial assistance committee shall be established by the local association president. It shall monitor and authorize the disbursement of benefits according to the eligibility requirements of the policy. Its membership shall be the local association president or designee, the local association treasurer, one other member appointed by the president, the OEA Executive Director or designee, and a UniServ Consultant who shall act as adviser. The local association president shall designate the chairperson who shall also serve on the Crisis Coordinating Committee.

C. Natural Disaster

1. In the event of a disaster, the OEA President may authorize implementation of the procedures.

2. The OEA President shall establish a financial assistance committee of local and state members to administer the relief program.

D. Emergency Transfer

The OEA Board of Directors may recommend emergency transfer or expenditure of money from the OEA Relief Fund. Such transfer or expenditure shall be subject to approval by the Representative Assembly.

E. Transfer for Strategic Action

The Board of Directors may authorize the transfer of funds from the OEA Relief Fund to the Strategic Action Fund for the purpose of implementing the strategic action plan adopted by the Board. Such transfers shall be limited so as not to allow the Relief Fund balance to fall below $17,000,000. Total spending in support of the Strategic Action Plan will not exceed $1,500,000 in the first year of implementation. Total spending from the Strategic Action Fund through August 31, 2017, will not exceed $7,000,000.
Accountability measures will be adopted by the Board to monitor the use of these funds and such use will be reviewed by the Board on an annual basis.

The Board will give an annual report to the Representative Assembly. This authorization shall sunset on September 1, 2017.

F. The 2015 RA authorizes the forgiveness of the unpaid balance (principal and interest) of the 1999 building/renovation loan from the OEA Relief Fund.

G. The 2017 Representative Assembly approves the interim policy established by the Board of Directors during the September 2016 Board meeting authorizing the one-time transfer of up to $750,000 from the Relief Fund to the Collective Bargaining Fund to support Ballot Measure 97.

H. In order to preserve services to members, the OEA Board of Directors may authorize transfer from the Relief Fund to the General Fund should the General Fund revenues fall below the 2015-16 budgeted amount. Such transfer of funds may occur only twice between September 1, 2019 and August 31, 2023. The first transfer may be no more than four percent (4%) of the Relief Fund balance as of December 31 of the previous budget year, not to exceed one million dollars ($1,000,000). The second transfer may be no more than three percent (3%) of the Relief Fund balance as of December 31 of the previous budget year, not to exceed seven hundred fifty thousand dollars ($750,000). Such transfer shall be limited so as not to allow the Relief Fund to fall below twenty million dollars ($20,000,000). This authorization shall sunset on August 31, 2023.

I. The 2019 Representative Assembly approves a one-time transfer of up to $250,000 from the Relief Fund to the Collective Bargaining Fund to support statewide organizing.

III. ELIGIBILITY FOR BENEFITS

A. For Receipt of Benefits in All Cases

1. In the event of a school closure other than a strike, money will be distributed only to OEA members.

2. Relief Fund benefits are integrated with unemployment compensation the second week of the school closure/lockout. OEA members will receive the full benefit for the first week of the closure. The OEA Relief Fund benefit plus the unemployment benefits shall not exceed the weekly take home salary of the employee unless or except for specific circumstances established by the Relief Fund Committee pursuant to OEA Policy 6000.

3. Bargaining unit members will be eligible for benefits beginning with the first day lost as a result of a sanctioned strike or because of a lockout.

4. Benefits will not be available for those who violate policy established by the local association to address the current situation.

5. Approval by the local financial assistance committee (LFAC) is required before assistance is granted.

B. For Strike Benefits

1. Participation by the applicant is required in strike activities approved by the Crisis Coordinating Committee, such as picket-line duty, cooking, typing, phoning, literature distribution, babysitting, bargaining, association committee work, house-to-house canvassing, or other assistance needed by the Crisis Committee. Bargaining unit members requesting assistance are responsible for seeking approved activities in which to participate.

2. For a request of assistance to be granted, the LFAC must approve the request upon certification by the Crisis Committee that the bargaining unit member has participated in some approved activity.

IV. BENEFITS

A. Schedule of Benefits

The Oregon Education Association Relief Fund Committee shall establish an equitable schedule of benefits to individuals and local associations consistent with relevant policies and with the amount of money available in the fund and anticipate statewide needs.
B. Types of Benefits

1. Direct subsistence grants are paid to all eligible bargaining unit members affected by the emergency.

2. Emergency grants from the fund should be preserved to meet the needs of individual members. Emergency individual grants are direct grants to individuals, for which no repayment is anticipated, to cover immediate living costs or unexpected personal costs arising out of the situation. Direct money grants may be made to those eligible for benefits for an amount that will be determined by the LFAC based on need and the availability of funds.
   a. Grants are intended for those with acute financial need such as food or medical treatment. Guidelines and limits for emergency grants shall be determined by the Relief Fund Committee.
   b. The local financial assistance committee must treat each situation separately and in a confidential manner. A primary consideration is the individual's capability to continue supporting the strike or exist without welfare in a closure situation.

3. However, in emergency situations when local association resources are exhausted and as much assistance as possible has been given from the OEA general fund allocation, then the Relief Fund may provide grants or interest free loans to local associations (not individuals) for financial assistance to help the local association meet unusual expenses resulting from the strike organizing or execution, school closure or disaster.

4. Subject to the authority of the OEA Board to manage and preserve the Relief Fund under Article XII, Section 4 of OEA Bylaws and, in addition to the grants otherwise authorized on a per diem (workday) basis, the OEA Relief Fund Committee will authorize payment of individual members' school district paid basic group health insurance package limited to: major medical, hospitalization, dental, vision and group life under the following conditions:
   a. The individual and the local must meet eligibility requirements.
   b. The school district must have refused to make a periodic premium payment.
   c. The amount of the grant or payment shall not exceed the dollar amount of premium payments which the school district has failed to pay on behalf of the individual making the loan application or the payment.
   d. If payments of health insurance premiums is approved for a strike, the Relief Fund will pay the full amount of the premium, subject to the discretion of the Board under Bylaw XII, even if employees in the local in question already pay a share of the premium because of a cap on insurance.
   e. If a health insurance premium is paid from the Relief Fund, then that payment will be made in addition to the weekly stipend that is paid during that week.

5. The OEA Relief Fund Committee may consider additional assistance or the provision of other benefits such as mass food purchase, special provisions for medical treatment, or other assistance.

6. Grants to local associations for strike build-up activities approved by the OEA Executive Committee.

V. APPEAL FROM A FINANCIAL ASSISTANCE COMMITTEE DECISION

In the event that a bargaining unit member disagrees with a decision relating to benefits, the bargaining unit member may appeal that decision to the Oregon Education Association Relief Fund Committee. Appeals will be handled according to the following guidelines.

A. Appeal to Local Assistance Committee for Reconsideration of Decision

A bargaining unit member(s) may appeal local assistance committee decisions to that committee for reconsideration and to the Oregon Education Association Relief Fund Committee. Appeals must be submitted in writing stating the basis for the appeal. Decision of the Oregon Education Association Relief Fund Committee will be final.
B. **Timelines for Hearings**

1. The bargaining unit member(s) must request a hearing before the local assistance committee within five days of notification of an adverse decision.

2. The local assistance committee will meet within five days of a request to hear appeals and respond.

3. If an appeal is rejected by the local assistance committee, or not heard within five days, the bargaining unit member(s) must appeal to the Oregon Education Association Relief Fund Committee within five days.

4. The Oregon Education Association Relief Fund Committee will hear the appeal within ten days of a request and respond in writing within five days of the hearing.

C. **Representation**

   The appellant may be represented by another member of the bargaining unit. The local assistance committee chairperson may have similar representation at the Oregon Education Association Relief Fund level.

7000 - **AFFILIATED ORGANIZATIONS**

I. **LOCAL ASSOCIATIONS**

A. **Affiliation**

   1. A request for affiliation shall be submitted to the OEA President by the potential local association in the form of a completed charter application form adopted by the OEA Board of Directors. The OEA President shall inform the local association of OEA's disposition of its application within 90 days of receipt of the application form.

   2. Associations may receive a status of affiliation by fulfilling requirements of the OEA Bylaws (see OEA Bylaws, Article XVI and XVII.)

   3. Each affiliated local association is required to have a realistic dues structure to assure adequate support for the organization.

   4. Each affiliated local association shall require its officers to support and belong to OEA.

   5. The affiliated local association shall maintain the standards as adopted by the OEA Board of Directors, in order to retain its charter.

B. **Disaffiliation**

   1. An affiliated local association may request disaffiliation from the OEA by submitting, to the OEA President, a written statement of assurance by the local association president that a majority of the local members wish to dissolve the local association's affiliation. The OEA shall investigate the request.

   2. The OEA President shall inform the local association of OEA's disposition of its disaffiliation request within 90 days of receipt of the statement of assurance.

II. **SPECIAL INTEREST CAUCUSES**

   (This Policy Does Not Apply to the OCESP Caucus)

   A. Any member of the Association may initiate the formation of a recognized caucus and invite support of other members. A request for recognition shall be submitted to the OEA President by the potential caucus in the form of a completed application. The OEA President shall inform the caucus of OEA's disposition of its application within 90 days of receipt of the application.

   B. OEA governing bodies and OEA management and administrative staff shall not be involved in the organization or operation of any caucus.

   C. The use of the acronym "OEA" in connection with a caucus only indicates that the group is made up of OEA members.

   D. OEA Board of Directors may regulate caucuses and take appropriate action to assure that no caucus brings discredit to OEA.

8000 - **NEW BUSINESS**

1. Matthew Reed, ASK ESP, moved and Doris Jared, ASK ESP, seconded that the OEA use the winners of the Kevin Forney ESP of the Year and the Willie Juhola ESP of the Year for Speaking Engagements throughout the year in which they are the winner. The Kevin Forney award winner should speak at the OEA
RA. Other examples of this would be the Summer Leadership Conference and OEA Symposium.

Motion to approve New Business Item 1 **CARRIED**.

2. Doris Jared, ASK ESP, moved and Matthew Reed, ASK ESP, seconded that OEA look into having an Oregon Support Education license plate.

Motion to approve New Business Item 2 **CARRIED**.

3. Kristen Fouts, Beaverton EA, moved and Hanna Vaandering, Beaverton EA, seconded that OEA promote Public Service Loan Forgiveness Program (and the related Temporary Expanded PSLF Program) by highlighting who is eligible, the fact that less than 1% of applications have been approved, and the tools and resources available to assist educators in successfully navigating the process in all appropriate print and existing digital-media formats.

Motion to approve New Business Item 3 **CARRIED**.

4. Elizabeth Thiel, Portland AT, moved and Sara Schmitt, Beaverton EA, seconded that OEA create a task force to make recommendations to the OEA Executive Director and the OEA Board on how to better support locals with communication needs. The task force will gather feedback from local leaders across the state to assess communication needs, and research and recommend solutions.

Debate ensued.

Carrie Brumbach, Redmond EA, moved and Mary Wellington, Bend EA, seconded to close debate. **CARRIED**.

Motion to approve New Business Item 4 **FAILED**.

Division called

Motion to approve New Business Item 4 **FAILED**.

5. Joyce Rosenau, Reynolds EA, moved and Regina Norris, Gresham-Barlow EA, seconded that OEA create a task force to examine the practices and processes in place when OEA bargains with ASO and PSO. Areas to be considered include:

- Processes to communicate with all councils prior to and during bargaining
- Processes to solicit input from all councils prior to and during bargaining
- Processes and practices concerning selecting OEA’s bargaining team
- Processes and practices used by other state affiliates around bargaining with staff.

The task force will create a report, that includes recommendations, to the OEA Board by January’s meeting.

Debate ensued.

Adrienne Mitchell, Lane CC EA, moved and Jeremy Taylor, Rogue CC EA, seconded to close debate. **CARRIED**.

Motion to approve New Business Item 5 **FAILED**.

6. Sean Brooks, Salem-Keizer EA, moved and Patricia Jolly, Northwest EA, seconded that the OEA investigate the allocation of funding for the number of newcomers (refugees) and refugees entering (or who have entered) our Oregon Public Schools, so the findings can be published in the OEA magazine so these confidential findings can be graphically represented on the OEA website, with an intention of promoting better wrap-around services for these families while protecting their anonymity.

Motion revised by the maker.

Debate ensued.

Katherine Paxton-Williams, Portland AT, moved and Julia Peattie, Portland AT, seconded to amend by deleting (refugees) and replacing it with and refugees. **CARRIED**.

Steve Anderson, Hermiston AT, moved and Delfino Osorio, Hermiston AT, seconded to close debate. **CARRIED**.

Motion to approve New Business Item 6 as amended **FAILED**. Division called. Motion to approve New Business Item 6 as amended. **FAILED**.

7. Ben Iverson, Bend EA, moved and Matthew Haney, Bend EA, seconded that OEA established a task force to study the pension fund and make recommendations on how to pay down the unfunded liability.

Motion amended by the maker.

Motion to approve New Business Item 7 as amended **FAILED**.

8. Tyler Bryan, Eugene EA, moved and Enrique Farrera, Clackamas Community College ACE, seconded that OEA create a task force to collect and share best practices for how school communities can respond to traumatic events on or near campuses for members and students with local EAs, COSA, OSBA, NEA, and other stakeholders.

Discussion ensued.

Motion to approve New Business Item 8 **CARRIED**.

9. Joe Rowe, Portland AT, moved and Greg Burrill, Portland AT, seconded that whenever OEA communicates support for legislation, and that legislation is incremental and falls short of the OEA Legislative objectives, all such communication should include both: a) praise for the lawmakers, praise for
what we support and why and, b) educational language as to why a gap remains and how we propose that gap be addressed.

Motion to approve New Business Item 9 CARRIED.

10. Suzanne Cohen, Portland AT, moved and Alejandra Barragan, Reynolds EA, seconded that OEA will assign appropriate staff from GPS & Public Affairs to research partner with existing organizations to support the professional development, training, and curriculum needs of educators related to sex education. OEA GPS and lobbying staff will work in line with legislative objectives regarding student health and safety, to advocate for the necessary resources for educators to support implementation of Oregon’s sex education standards.

Motion amended by the maker.

Discussion ensued.

Motion to approve New Business Item 10 as amended CARRIED.

11. James Moran, Dallas EA, moved and Rose Janusz, North Clackamas EA, seconded that OEA shall create a task force to examine the state of social studies instruction (K-12) in Oregon. The task force will write a report, including recommendations, that will be delivered to the 2020 Rep. Assembly. Some topics to be considered: 1) Equity of time compared with other core subjects 2) Help for S.S. teachers in teaching new standards and seeking approved resources that match state standards.

Motion amended by maker.

Debate ensued.

Anton Clifford, North Clackamas EA, moved and Michael Grubic, North Clackamas EA, seconded to close debate. CARRIED.

Voice vote unclear; cards were used. Vote still unclear; Cards counted.

Motion to approve New Business Item 11 as amended CARRIED (305 in favor, 156 against).

12. Greg Burrill, Portland AT, moved and Joe Rowe, Portland AT, seconded that OEA oppose Ed TPA, the Pearson Portfolio Assessment for new teachers, required by TSPC for licensure. OEA’s opposition should include, but not limited to, sponsoring legislation to prohibit TSPC’s use of Ed TPA, testifying and lobbying against the program, and publicize the reasons why Ed TPA is harmful to new educators.

New Business Item 12 WITHDRAWN.

13. Heather Rutkowski, Salem-Keizer EA, moved and Rebekah Engle, Salem-Keizer EA, seconded that the OEA Board or a committee will investigate and screen sex education standards and curriculum with a focus on LGBTQ+ students and students who have experienced trauma, to find a comprehensive curriculum that includes consent; body autonomy; physical, mental, and emotional healthy; safety, including disease prevention and transmission; pregnancy and family planning, and gender and sexuality. Next, the OEA should investigate funding opportunities to provide educator training (if not included w/ curriculum).

New Business Item 13 withdrawn by the maker.

14. Angela Adzima, Hillsboro EA, moved and Lindsay Ray, Beaverton EA, seconded that OEA study and make recommendations for action steps, trainings, and other avenues to resolve issues facing our transgender, non-binary and questioning students and members.

Motion to approve New Business Item 14 CARRIED.

15. Ashley Hawkins, Greater Albany EA, moved and Robin Troche, North Clackamas EA, seconded that the Center for Great Public Schools form a task force for the purpose of: Developing recommended standards for dual language immersion curriculum; evaluate district adopted curricula against recommended standards in order to make recommendations to the 2020 Representative Assembly of quality curricula; and create standards of performance evaluation for dual language immersion instructors. Identify best practice standards for dual language immersion curriculum and to identify standards of performance evaluation for dual language immersion educators in order to make recommendations to the Oregon Department of Education.

Motion amended by the maker.

Debate ensued.

Jeremy Taylor, Rogue CC EA, moved and Adrienne Mitchell, Lane CC EA, seconded to close debate. CARRIED.

Motion to approve New Business Item 15 as amended FAILED.

Division called.

Voice vote unclear; cards were used; vote still unclear; cards counted.

Motion to approve New Business Item 15 as amended CARRIED (218 in favor, 163 against).

16. Christa Schmeder, Corvallis EA, moved and Stephanie Villarreal, Corvallis EA, seconded that OEA encourages the practice of including a person’s gender pronouns on printed documents that identify members represent our core values of identity inclusivity by normalizing the recognition of gender pronouns on...
badges, name tags, office signage and other delegate documents. The OEA will encourage members to identify their gender pronouns when they are introducing themselves on the floor of RA, in recognition of our core values of identity inclusivity.

Motion amended by the maker.

Debate ensued.

Lindsey Roundy, Greater Albany EA, moved and Rachelle Bell, Greater Albany EA, seconded to close debate. CARRIED.

Motion to approve New Business Item 16 as amended by the maker CARRIED.

Division called; cards were used. Vote still unclear; cards counted.

Motion to approve New Business Item 16 as amended. CARRIED (243 in favor, 128 against).

17. Rachel Hanes, Portland AT, moved and Mary Watkins, Portland AT, seconded that OEA will partner with rank and file members and utilize the expertise of Oregon Center for Public Policy (OCPP) and Tax Fairness Oregon to educate members about corporations and top earners. An emphasis will be on tax evasions and loopholes, profits, income inequality, progressive versus regressive taxes, and the history of tax rates and how it affects funding for social services and the quality of life for Oregonians. Education will include written materials distributed to every local so all members have access to the information, online resources and holding support workshops at local UniServs and union halls at least three to four regional symposiums on the subject in different parts of the State.

Motion amended by the maker.

Debate ensued.

Motion to approve New Business Item 17 as amended. CARRIED.

18. Stephen Siegel, Reynolds EA, moved and Zachary Melzer, Parkrose FA, seconded that OEA will end the practice of partnering with corporations who engage in the following behaviors: that OEA will not explicitly promote, or partner on legislation and revenue policies, with corporations who engage in the following behaviors: 1) dodging taxes, hiding profits in overseas tax havens; 2) relying on “sweat shops” or factories in other countries that mistreat or abuse its workers; 3) union busting anti-worker practices; 4) spending large amounts of money lobbying for policies and laws that hurt our students and communities or funding media campaigns that support ballot initiative positions that hurt our students and communities.

Motion amended by the maker.

Debate ensued.

Kelsy Dunlap, SKEA, moved and Phillip Clark, SKEA, seconded to close debate. CARRIED.

Motion to approve New Business Item 18 as amended FAILED.

19. Jacque Dixon, Portland AT, moved and Evan Selby, Reynolds EA, seconded that OEA instruct the bylaws and policies committee working with Center for Great Public Schools explore options for engaging student voice by establishing a high school student program.

Motion to approve New Business Item 19 CARRIED.

20. Katie Lukins, Beaverton EA, moved and Jessica McBride, Beaverton EA, seconded that OEA investigate the TAG testing procedures across the state, specifically with ELD ELL students and students of color, across the state and report out and make recommendations, that are equitable for all students.

Motion amended by the maker.

Debate ensued.

Erika Breton, somewhere, moved and Erika Abraham, Woodburn EA seconded to amend by substitution to striking ELC and replace with ELL.

Motion to close debate. CARRIED.

Motion to amend CARRIED.

Mark Nevala, Klamath County EA, moved and Crystal Hanseth, Klamath County ACE, seconded to close debate. CARRIED.

Motion to approve New Business Item 20 as amended CARRIED.

21. Andrea Anderson, North Clackamas EA, moved and Doug Bridge, North Clackamas EA, seconded that OEA Special Education Committee explore and subsequently advocate for including class size data in the referral process for special education.

Motion amended by the maker.

Debate ensued.

Motion to approve New Business Item 21 as amended. CARRIED.

22. Imelda Cortez, Eugene EA, moved and Alejandra Barragan, Reynolds EA, seconded that OEA provide translations of OEA Reports, press releases, videos, social media posts, website and other documents that impact the communities we serve. OEA will reach out
to media that supports speakers of language other than English. OEA will provide these translations in a timely manner to be reviewed by the Racial Equity Committee and OEA Board.

Debate ensued.

Matthew Reed, ASK ESP, moved and DayLee Lathim, Hermiston AT, seconded to suspend the rules to have two speakers for and two speakers against on each NBI. **CARRIED.**

Division called.

Motion to suspend **CARRIED** (261 for, 115 against; 251 needed to pass).

Debate ensued.

Steve Anderston, Hermiston AT, moved and Delfino Osorio, Hermiston AT, seconded to suspend the rules to limit questions to two. **FAILED.**

Debate ensued.

Jeremy Taylor, Rogue CC EA, moved and Adrienne Mitchell, Lane CC EA, seconded to close debate. **CARRIED.**

Motion to approve New Business Item 22.

Voice vote unclear; cards were used.

Motion to approve New Business Item 22 **CARRIED** (179 in favor, 177 against).

Roll call vote requested.

Voice vote unclear; Chair asked for cards to be counted. Roll call vote **FAILED** (116 in favor, 233 against).

Debate ensued.

Credentials Committee confirmed quorum.

Stephanie Waritz, Bend EA, moved and Mary Wellington, Bend EA, seconded to suspend the rules and limit questions to four. **CARRIED** (252 in favor, 119 against).

Sara Schmitt, Beaverton EA, moved and Kristin Fouts, Beaverton EA, seconded to reconsider New Business Item 22.

Debate ensued.

Motion to reconsider **CARRIED.**

Jamie Zartler, Portland AT, moved and Susan Kaller, Portland AT, seconded to refer NBI 22 to a committee of the Board.

Debate ensued.

Motion to refer New Business Item 22 to a committee of the Board **CARRIED.**

23. Imelda Cortez, Eugene EA, moved and Jennifer Scurlock, Eugene EA, seconded that OEA support and endorse HB2015 which eliminates the requirement that person provide proof of legal presence before Department of Transportation issues non-commercial drivers licenses, non-commercial driver permit or identification cards and that we support and endorse the entire Fair Shot for All agenda.

Debate ensued.

Motion to approve New Business Item 23. **CARRIED.**

24. Kori Kunz, Eugene EA, moved and Imelda Cortez, Eugene EA, seconded that the Center for Great Public Schools launch a public information campaign to inform people of the loss of teacher librarians, the effect of their loss on our students, and the need for teacher librarians in our schools. OEA use existing communication channels including OEA magazine, social media, press releases, lobbying efforts, etc. to educate people on the loss of, importance of, and need to restore teacher librarians at our schools.

Motion amended by the maker.

Debate ensued.

Motion to approve New Business Item 24 **CARRIED.**

25. Wendy Miller, Oregon City EA, moved and Regina Norris, Gresham-Barlow EA, seconded the formation of a political strategy team for public education. This team would be made up of representatives from PreK, K-2, 3-5, 6-8, 9-12, CC, college/university, SpEd, ESP, etc.

We, in public education, continue to go on the defensive and are not strategic enough about understanding the intentional attack on Pub Ed that we engage in a public relations campaign using primarily social media, that focuses on preemptive and timely messaging to the general public about those attacking public education (such as the Koch Brothers), the corporate disinvestment in public education, and the overarching intention to privatize public education.

Motion amended by the maker.

Debate ensued.

Motion to approve New Business Item 25. **CARRIED.**

Voice vote unclear; cards were used. Vote still unclear; cards counted.

Motion to approve New Business Item 25 as amended **CARRIED** (178 in favor, 151 against).
26. Thuynga Thi Barr, Roseburg EA, moved and Zoë Diacou, Salem-Keizer EA, seconded that OEA update current language throughout all OEA documents to recognize institutional racism in education – the subtle but entrenched policies & practices within schools that have a disproportionately negative impact on students and staff of color. And I further move that OEA committees coordinate with the EMAC and HCRC to update current language.

Debate ensued.

Motion to approve New Business Item 26. **CARRIED.**

27. Alisha Chavez, Portland AT, moved and Luke Vieira, Wy’East EA, seconded that OEA will demand that the 2020 legislature add an additional $2 billion in revenue-raising measures above what is called for in the Student Success Act, to be used for pre-K through post-high school public education.

Debate ensued.

Motion to approve New Business Item 27. Voice vote unclear; Chair asked for a second voice vote. **FAILED.**

Division called.

Motion to approve New Business Item 27 **CARRIED** (180 in favor, 148 against).

28. Jeffrey Fuller, Reynolds EA, moved and Zachary Melzer, Parkrose FA, seconded that OEA will demand that the legislature remove any PERS cuts from the 2019 legislative agenda (proposed by Governor Brown) and seek concrete assurances before ending the walk out that the legislature will not be proposing cuts to PERS.

Motion amended by the maker.

Adolfo Garza, Portland AT, moved and Tammy Sykes, Reynolds EA, seconded to refer all remaining New Business Items to the appropriate committees.

Debate ensued.

Motion to refer all remaining New Business Items to the appropriate committees **FAILED.**

Debate ensued.

Motion to approve New Business Item 28 as amended **FAILED.**

Kenneth Roundy, Greater Albany ACE, moved and Apolo Curiel, Greater Albany EA, seconded to suspend the standing rules and refer all remaining NBIs to the appropriate committee if quorum is lost.

Motion to suspend the standing rules ruled out of order.

Bonnie Hamann, Hermiston AT, moved and Josh McGraw, Pendleton AT, seconded to reconsider New Business Item 27.

Debate ensued.

Delegates counted in order to ensure a quorum.

Motion to reconsider **FAILED** (125 in favor, 221 against).

Shawn Swanson, Portland AT, moved and Jacque Dixon, Portland AT, seconded that we keep a running count of delegates and move all remaining NBIs to committee when we are five members above quorum.

Voice vote unclear; votes counted.

Motion to keep a running count of delegates **FAILED** (189 in favor, 139 against; 219 needed to pass).

29. Hyung Nam, Portland AT, moved and Mary Watkins, Portland AT, seconded that OEA make it a priority to actively support the Mortgage Interest Deduction Reform, HB3340.

Debate ensued.

David Morrocco, Roseburg EA, moved and Beth Yarbrough, Sutherlin EA seconded to suspend the standing rules to reconsider all previously considered New Business Items that have not already been considered. **FAILED.**

Debate ensued.

Motion to approve New Business Item 29 **FAILED.**

Adolfo Garza, Portland AT, moved and Tammy Sykes, Reynolds EA, seconded to refer all New Business Items submitted by Adolfo Garza to the appropriate committee (New Business Items 37, 38, 47 and 48.) **CARRIED.**

30. Alisha Chaves, Portland AT, moved and Jeffrey Fuller, Reynolds EA, seconded that OEA will demand that the 2019 legislature add an additional $2 billion in revenue-raising measures above what is called for in the Students Success Act, to be used for pre-K through post-high school public education.

New Business Item 30 **WITHDRAWN.**

31. Chris Buehler, Portland AT, moved and Jeff Kipilman, Portland AT, seconded that OEA will demand that the 2020 legislature rely on progressive taxes for additional revenue raised for public education and other public services advocate for the most progressive
structure to raise additional revenue for public education and other public services.

Motion amended by the maker.

Debate ensued.

Motion to approve New Business Item 31 as amended.

Votes counted.

Motion to approve New Business Item 31 as amended **CARRIED** (201 in favor, 125 against).

32. Chris Buehler, Portland AT, moved and Jody Folkedahl Eppolito, Parkrose FA, seconded that OEA will demand that the 2019 legislature rely on progressive taxes to fund the Student Success Act and for additional raised for public education and other public services.

New Business Item 32 **withdrawn**.

Tom Kane, Portland AT, moved and Joe Rowe, Portland AT, seconded to refer New Business items 33 and 34 to the appropriate committee. **CARRIED.**

33. Tom Kane, Portland AT, moved and Elizabeth Thiel, Portland AT, seconded that OEA support a state constitutional amendment to limit campaign contributions.

New Business Item 33 **referred to committee.**

34. Tom Kane, Portland AT, moved and Joe Rowe, Portland AT, seconded that OEA lobby Oregon Legislature to pass a resolution supporting the “Green New Deal”.

New Business Item 34 **referred to committee.**

35. John Gorman, North Clackamas EA, moved and Lily Wagner, North Clackamas EA, seconded that OEA oppose any Oregon Department of Education requirement that students must pass a single high stakes assessment in order to exit English Language Development Services, without the option for an educational portfolio review as an alternative for exit. The OEA will investigate the cause for the sudden exclusion for the exit portfolio option and demand that the state work towards re-instituting alternative options for ELD program exit.

Debate ensued.

Motion to approve New Business Item 35 **CARRIED.**

36. Tammy Sykes, Reynolds EA, moved and Evan Morgan, Reynolds EA, seconded that OEA assign appropriate staff from the Center for Great Public Schools to reach out to organizations that have demonstrated expertise in eliminating disproportionate discipline in community organizations that represent those students most affected by the circumstances that create trauma in children. OEA will work with these organizations as we create action plans from the Disrupted Learning Report.

Debate ensued.

Motion to approve New Business Item 36.

Voice vote unclear; Chair asked votes to be counted.

Motion to approve New Business item 36 **CARRIED** (196 in favor, 111 against).


New Business Item 37 **referred to committee.**

38. Adolfo Garza, Portland AT, moved and Paula DePass Dennis, Portland AT, seconded that OEA advocate for and work with NEA to find funding to support and cover the B Aspiring Educators of Color currently in the Portland Teachers Program, who have suddenly lost half of their last year of graduate school funding of 15k each. This will be the last year they need to apply for a license and become teachers in Portland Public Schools or elsewhere in Oregon.

New Business Item 38 **referred to committee.**

39. Megan Christopher, Oregon City EA, moved and Brenda Roland, Oregon City EA, seconded that OEA continue to endorse and advocate on behalf of the Fair Shot Coalition Agenda.

New Business Item 39 **withdrawn.**

40. Robin Troche, North Clackamas EA, moved and Enrique Farrera, Clackamas CC ACE, seconded that the Union School gather, inventory, and review the bylaws and policies of the Oregon Education Association’s local affiliates for alignment with OEA’s including the elimination of outdated language, and ensure of sufficient fiduciary and ethical oversight of office holders; and prepare recommendations for the 2020 Representative Assembly to guide local affiliates seeking to better align with the mission, vision and core values of NEA and OEA from all local OEA affiliates’ bylaws and policies, and develop model language to improve alignment with OEA’s guiding documents, including elimination of outdated language and ensure of sufficient fiduciary and ethical oversight of local
office holders to better align with the mission, vision and core values of NEA and OEA.

Motion amended by the maker.

New Business Item 40 referred to committee.

41. Thuynga Thi Barr, Roseburg EA, moved and Alejandra Barragan, Reynolds EA, seconded that OEA compile a directory of OEA members with experience in translating documents who are native speakers and a directory of translation services who are fluent in languages other than English who could be available to translate OEA reports, press releases, articles and OEA activities on short notice.

Motion amended by the maker.

Alejandra Barragán, Reynolds EA, moved and Imelda Cortez, Eugene EA, seconded to refer New Business Item 41 to the OEA Board of Directors. CARRIED.

New Business Item 41 referred to the OEA Board of Directors.

42. Niels Pasternak, Lane County EA, moved and Tammie Snyder, McMinnville EA, seconded that OEA stop using single use plastic cups service at OEA RA.

Motion amended by the maker.

Stacey Barber, David Douglas EA, moved and John Gorman, North Clackamas EA, seconded to amend to strike through cups and replace with service.

CARRIED. Debate ensued.

Ben Gorman, Central EA, moved and Lindsay Jansen-Hostetler, Greater Albany EA, seconded to refer New Business Item 42 to the OEA Board of Directors.

Debate ensued.

New Business Item 42 referred to the OEA Board of Directors.

43. Niels Pasternak, Lane County EA, moved and Tammie Snyder, McMinnville EA, seconded that OEA will gather information from local leaders about district responses to the May 8th walkout and provide a report about the various responses to its members.

Motion amended by the maker.

Motion to approve New Business Item 43 as amended. Voice vote unclear; cards were used.

Motion to approve New Business Item 43 as amended CARRIED (268 in favor, 51 against).

44. Robin Troche, North Clackamas EA, moved and Melinda Ryan, North Clackamas EA, seconded that the Oregon Education Association commit to purchasing ethically and sustainably produced products and services whenever the costs of doing so are within 15% of the alternative options. By intentionally establishing purchasing guidelines reflective of our organizational values, we will support jobs that pay fairly, provide good benefits and respect the right of workers to join a union. The procurement and use of ethical and sustainable products will also ensure that Oregon Education Association minimizes our carbon and waste footprints.

Debate ensued.

Kelvin Calkins, Hood River EA, moved and Charlene Ames, Hood River EA, seconded to refer New Business Item 44 to committee. CARRIED.

New Business Item 44 referred to committee.

45. John Robinson, Salem-Keizer EA, moved and Jeremy Everitt, Salem-Keizer EA, seconded to work toward re-establishing the State Superintendent of Public Instruction as an elected office in Oregon, that our organization begin the process of abolishing the Teacher Standards and Practices Commission and reorganizing the Oregon Department of Education under the auspices of an elected State Superintendent of Public Instruction. Teacher certification would move to the office of the superintendent of public instruction.

Motion amended by the maker.

John Robinson, Salem-Keizer EA, moved and Gwen Sullivan, Portland AT, seconded to refer New Business Item 45 to committee. CARRIED.

New Business Item 45 referred to committee.

46. Evan Selby, Reynolds EA, moved and Marlin Nasser-Marsh, Reynolds EA, seconded that OEA work with Reynolds EA and Pueblo Unido to identify Equity Corps Navigators and/or supporters outside of the Portland Metro area to assist in connecting with and providing legal support to immigrant Oregonians in removal proceedings in immigration court.

Evan Selby, Reynolds EA, moved and Evan Morgan, Reynolds EA, seconded to refer New Business Item 46 to the OEA Board. CARRIED.

New Business Item 46 referred to the OEA Board of Directors.

47. Adolfo Garza, Portland AT, moved and Matt Reed, Portland AT, seconded that OEA write an article and provide resources to help endorse and support the concept of HB3409 which outlines that schools and organizations must implement policies that address the use of derogatory names, profanities or ridicule that occur during extra-curricular activities - including spectators.

Motion amended by the maker.
New Business Item 47 referred to committee.

48. Adolfo Garza, Portland AT, moved and Jacque Dixon, Portland AT, seconded that OEA endorse and support the campaign which is led by Mandy Manning (TOY) to address the issue of children in detention and family separation & prisons for profit here at a local level by writing articles and providing resources to local organizations working on addressing this issue.

New Business Item 48 referred to committee.  

End of New Business Items.
Judicial Panel Complaint Form
(OEA Policy 2700 II.C.6.)

I. Statement of Complaint, including date event occurred:

_________________________________________________________________
_________________________________________________________________
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II. If the Complaint is based upon an alleged violation of the OEA Bylaws or Policies, the Code of Ethics of the Education Profession, or other written policy of the OEA please cite the policy or code you believe is violated:

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

III. What are the facts supporting this Complaint?

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
IV. If there are witnesses to the action about this Complaint, please identify them.

_________________________________________________________________
_________________________________________________________________

V. What is the remedy you are seeking?
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

VI. Party or parties initiating the Complaint under OEA Policy 2700 II. Complaint may be initiated by one of the following:

A. Signature by or on behalf of governing body of the affiliate making the Complaint; (must be affiliate of which the person charged is a member)

_________________________________________________________________

---OR---

B. Signatures of ten or more OEA members; or, (At least ten (10) of the individuals signing must be members for complaint to be valid)

<table>
<thead>
<tr>
<th>Name of Member</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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<td>8.</td>
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<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Continued Next Page…
C. Signature of OEA Executive Director:

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# RESOLUTIONS TABLE OF CONTENTS

**I.** **THE TOP PRIORITY OF THE OREGON EDUCATION ASSOCIATION IS TO ENSURE THAT ALL STUDENTS IN OREGON RECEIVE A QUALITY EDUCATION. TO MEET THIS GOAL, OEA WILL PURSUE FULL AND STABLE FUNDING FOR PUBLIC EDUCATION.**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.1</td>
<td>Funding Accountability</td>
<td>1</td>
</tr>
<tr>
<td>I.2</td>
<td>School Funding</td>
<td>1</td>
</tr>
<tr>
<td>I.3</td>
<td>School Funding Legislation</td>
<td>1</td>
</tr>
<tr>
<td>I.4</td>
<td>School Funding Must Be Adequate</td>
<td>1</td>
</tr>
<tr>
<td>I.5</td>
<td>Funding of Mandated Programs</td>
<td>1</td>
</tr>
<tr>
<td>I.6</td>
<td>OEA on Parental Option Plans</td>
<td>1</td>
</tr>
<tr>
<td>I.7</td>
<td>Oppositions to Tax Credits and Vouchers</td>
<td>1</td>
</tr>
<tr>
<td>I.8</td>
<td>Education Employees Should Not Fund Schools</td>
<td>1</td>
</tr>
<tr>
<td>I.9</td>
<td>Political Action for School Funding</td>
<td>1</td>
</tr>
<tr>
<td>I.10</td>
<td>School Funding and Outside Organizations</td>
<td>2</td>
</tr>
<tr>
<td>I.11</td>
<td>Systemic Inequity</td>
<td>2</td>
</tr>
</tbody>
</table>

**II.** **PROMOTE EDUCATIONAL EXCELLENCE FOR ALL STUDENTS, AND BE A LEADER IN ESTABLISHING AND EVALUATING DECISIONS ON EDUCATION ISSUE.**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>II.1</td>
<td>Public Education Excellence</td>
<td>2</td>
</tr>
<tr>
<td>II.2</td>
<td>High Education Standards</td>
<td>2</td>
</tr>
<tr>
<td>II.3</td>
<td>Accelerated and Concurrent Credit Programs</td>
<td>2</td>
</tr>
<tr>
<td>II.4</td>
<td>Human and Civil Rights</td>
<td>2</td>
</tr>
<tr>
<td>II.5</td>
<td>Academic Freedom</td>
<td>2</td>
</tr>
<tr>
<td>II.6</td>
<td>Racial Desegregation and Integration</td>
<td>3</td>
</tr>
<tr>
<td>II.7</td>
<td>Bullying</td>
<td>3</td>
</tr>
<tr>
<td>II.8</td>
<td>Sex Discrimination</td>
<td>3</td>
</tr>
<tr>
<td>II.9</td>
<td>Sexual Harassment</td>
<td>3</td>
</tr>
<tr>
<td>II.10</td>
<td>Student Access to School Counselors</td>
<td>3</td>
</tr>
<tr>
<td>II.11</td>
<td>Student Access to Healthcare</td>
<td>4</td>
</tr>
<tr>
<td>II.12</td>
<td>Community Based After-School Programs</td>
<td>4</td>
</tr>
<tr>
<td>II.13</td>
<td>Commercial Exploitation of Students</td>
<td>4</td>
</tr>
<tr>
<td>II.14</td>
<td>Youth Gangs</td>
<td>4</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>---</td>
</tr>
<tr>
<td>II.15</td>
<td>Emergency/Contingency Plans</td>
<td>4</td>
</tr>
<tr>
<td>II.16</td>
<td>Weapons In School</td>
<td>4</td>
</tr>
<tr>
<td>II.17</td>
<td>Non-Violence in Schools</td>
<td>4</td>
</tr>
<tr>
<td>II.18</td>
<td>School Building Sites</td>
<td>4</td>
</tr>
<tr>
<td>II.19</td>
<td>Healthy Schools</td>
<td>4</td>
</tr>
<tr>
<td>II.20</td>
<td>Sustainable Schools</td>
<td>5</td>
</tr>
<tr>
<td>II.21</td>
<td>Toxic Substances</td>
<td>5</td>
</tr>
<tr>
<td>II.22</td>
<td>Special Education</td>
<td>5</td>
</tr>
<tr>
<td>II.23</td>
<td>Inclusion</td>
<td>5</td>
</tr>
<tr>
<td>II.24</td>
<td>Educational Programs for English Language Learners (ELL)</td>
<td>6</td>
</tr>
<tr>
<td>II.25</td>
<td>Alternative Programs</td>
<td>6</td>
</tr>
<tr>
<td>II.26</td>
<td>Students with Visual and Hearing Impairments</td>
<td>6</td>
</tr>
<tr>
<td>II.27</td>
<td>Closed Caption Video Programming</td>
<td>6</td>
</tr>
<tr>
<td>II.28</td>
<td>Students with HIV</td>
<td>6</td>
</tr>
<tr>
<td>II.29</td>
<td>Developmentally Appropriate Intervention for Students</td>
<td>6</td>
</tr>
<tr>
<td>II.30</td>
<td>Children and Youth who are Neglected, Delinquent, or At-Risk</td>
<td>6</td>
</tr>
<tr>
<td>II.31</td>
<td>Gifted, Talented, and Creative Students</td>
<td>6</td>
</tr>
<tr>
<td>II.32</td>
<td>Early Childhood Education</td>
<td>7</td>
</tr>
<tr>
<td>II.33</td>
<td>Children Affected by Poverty</td>
<td>7</td>
</tr>
<tr>
<td>II.34</td>
<td>Equal Opportunities for Students of Color</td>
<td>7</td>
</tr>
<tr>
<td>II.35</td>
<td>School Age Parents</td>
<td>7</td>
</tr>
<tr>
<td>II.36</td>
<td>Adult and Lifelong Learners</td>
<td>7</td>
</tr>
<tr>
<td>II.37</td>
<td>Ethnic Studies</td>
<td>7</td>
</tr>
<tr>
<td>II.38</td>
<td>Civil Rights Education</td>
<td>7</td>
</tr>
<tr>
<td>II.39</td>
<td>Life Roles and Career Education</td>
<td>8</td>
</tr>
<tr>
<td>II.40</td>
<td>Fine Arts Education</td>
<td>8</td>
</tr>
<tr>
<td>II.41</td>
<td>Independent Reading Skill</td>
<td>8</td>
</tr>
<tr>
<td>II.42</td>
<td>Physical Education</td>
<td>8</td>
</tr>
<tr>
<td>II.43</td>
<td>Recess</td>
<td>8</td>
</tr>
<tr>
<td>Section Number</td>
<td>Title</td>
<td>Page</td>
</tr>
<tr>
<td>----------------</td>
<td>----------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>II.44</td>
<td>Career and Technical Education</td>
<td>8</td>
</tr>
<tr>
<td>II.45</td>
<td>Sex Education</td>
<td>8</td>
</tr>
<tr>
<td>II.46</td>
<td>HIV/AIDS Education</td>
<td>8</td>
</tr>
<tr>
<td>II.47</td>
<td>Metric System</td>
<td>9</td>
</tr>
<tr>
<td>II.48</td>
<td>Substance Abuse Education</td>
<td>9</td>
</tr>
<tr>
<td>II.49</td>
<td>Democracy and Citizenship Education</td>
<td>9</td>
</tr>
<tr>
<td>II.50</td>
<td>Non-Graded Primaries/Multi-Age Primaries</td>
<td>9</td>
</tr>
<tr>
<td>II.51</td>
<td>Instructional Time</td>
<td>9</td>
</tr>
<tr>
<td>II.52</td>
<td>Student Retention</td>
<td>9</td>
</tr>
<tr>
<td>II.53</td>
<td>New Technology</td>
<td>9</td>
</tr>
<tr>
<td>II.54</td>
<td>School Libraries/Media Centers</td>
<td>9</td>
</tr>
<tr>
<td>II.55</td>
<td>Conservation of Natural Resources and Recycling</td>
<td>10</td>
</tr>
<tr>
<td>II.56</td>
<td>Testing and Assessment</td>
<td>10</td>
</tr>
<tr>
<td>II.57</td>
<td>Common Core State Standards</td>
<td>10</td>
</tr>
<tr>
<td>II.58</td>
<td>Unification</td>
<td>11</td>
</tr>
<tr>
<td>II.59</td>
<td>Parental Leave Release Time</td>
<td>11</td>
</tr>
<tr>
<td>II.60</td>
<td>Educational Research</td>
<td>11</td>
</tr>
<tr>
<td>II.61</td>
<td>Site Committees/Decision-Making in Instructional Programs</td>
<td>11</td>
</tr>
<tr>
<td>II.62</td>
<td>Higher Education/Decision-Making in Instructional Programs and Governance</td>
<td>11</td>
</tr>
<tr>
<td>II.63</td>
<td>School Discipline</td>
<td>11</td>
</tr>
<tr>
<td>II.64</td>
<td>School Employees Involved in Interviewing</td>
<td>11</td>
</tr>
<tr>
<td>II.65</td>
<td>Charter and Nontraditional Public School Options</td>
<td>11</td>
</tr>
<tr>
<td>II.66</td>
<td>School Climate</td>
<td>12</td>
</tr>
<tr>
<td>II.67</td>
<td>Accountability</td>
<td>12</td>
</tr>
<tr>
<td>II.68</td>
<td>Optimizing Student’s Time to Learn</td>
<td>12</td>
</tr>
<tr>
<td>II.69</td>
<td>Virtual Schools and Online Education</td>
<td>12</td>
</tr>
</tbody>
</table>

III. **BUILD SUPPORT FOR PUBLIC EDUCATION AND EDUCATION EMPLOYEES** ........ 13

<table>
<thead>
<tr>
<th>Section Number</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>III.1</td>
<td>Public Education</td>
<td>13</td>
</tr>
<tr>
<td>III.2</td>
<td>Higher Education</td>
<td>13</td>
</tr>
<tr>
<td>III.3</td>
<td>Leadership Role</td>
<td>13</td>
</tr>
</tbody>
</table>
III.4 Home Schooling ........................................................................................................... 13
III.5 Partnership with Agencies .......................................................................................... 13
III.6 Attacks on Education ................................................................................................. 13
III.7 Accessibility of Facilities .......................................................................................... 13
III.8 Education Service District ....................................................................................... 13
III.9 State School Leadership ........................................................................................... 13
III.10 School Board Members ......................................................................................... 13
III.11 Build Community Coalitions .................................................................................. 14
III.12 School Restructuring ............................................................................................. 14

IV. SECURE AND EXPAND PERSONAL, PROFESSIONAL, LEGAL AND HUMAN RIGHTS FOR
ALL SCHOOL EMPLOYEES ........................................................................................................ 14

IV.1 Civil Rights ................................................................................................................ 14
IV.2 Equal Rights for Women ............................................................................................ 14
IV.3 Equal Rights Amendment .......................................................................................... 14
IV.4 Marital and Partnership Rights ................................................................................... 14
IV.5 Cultural Diversity ....................................................................................................... 14
IV.6 Professional Freedom of Speech ............................................................................... 14
IV.7 Academic Freedom .................................................................................................... 15
IV.8 Educator Collaboration ............................................................................................ 15
IV.9 Development of the Curriculum ............................................................................... 15
IV.10 Employees with HIV/AIDS ...................................................................................... 15
IV.11 Decision Making in School Budgeting ....................................................................... 15
IV.12 Collective Bargaining ............................................................................................. 15
IV.13 Oregon Employee Benefits Board ........................................................................... 15
IV.14 Professional Compensation ...................................................................................... 16
IV.15 Extra Duty Compensation ........................................................................................ 16
IV.16 Education Support Professionals Assignment and Salary ......................................... 16
IV.17 Early Retirement Bargaining Incentives .................................................................. 16
IV.18 Site Committees/Contract Exceptions (Waivers) ...................................................... 16
IV.19 Just Compensation Formula/Supervising Teachers ................................................... 16
IV.20 Credit for Professional Conferences ......................................................................... 16

2019-2020 OEA Resolutions, Table of Contents (R) iv
<p>| IV.21 | Consulting Fees | ................................................................. | 16 |
| IV.22 | Protection of Education Employees | ................................................................. | 16 |
| IV.23 | Rest Breaks | ................................................................. | 16 |
| IV.24 | Hiring and Staffing Policies | ................................................................. | 16 |
| IV.25 | Innovative Programs | ................................................................. | 17 |
| IV.26 | Complaint Procedure | ................................................................. | 17 |
| IV.27 | Grievance Procedure | ................................................................. | 17 |
| IV.28 | Employee Rights Pending Court Action | ................................................................. | 17 |
| IV.29 | Support of Members Dismissed Unfairly | ................................................................. | 17 |
| IV.30 | Staff Reduction and Recall | ................................................................. | 17 |
| IV.31 | Fair Dismissal Amendments | ................................................................. | 17 |
| IV.32 | Fair Dismissals | ................................................................. | 17 |
| IV.33 | Employing Part-Time Employees | ................................................................. | 17 |
| IV.34 | Part-Time Faculty in Community Colleges | ................................................................. | 18 |
| IV.35 | Community College Pay Equity | ................................................................. | 18 |
| IV.36 | Educators Employed by State of Oregon | ................................................................. | 18 |
| IV.37 | Temporary Teachers | ................................................................. | 18 |
| IV.38 | Substitute Teachers | ................................................................. | 18 |
| IV.39 | Volunteers in Public Schools | ................................................................. | 18 |
| IV.40 | School Employee Disability Benefits | ................................................................. | 18 |
| IV.41 | Sick Leave Bank | ................................................................. | 18 |
| IV.42 | Transfer of Sick Leave from Other States | ................................................................. | 19 |
| IV.43 | Dismissal Due to Illness | ................................................................. | 19 |
| IV.44 | Employee Parental/Family Medical Leave With Pay | ................................................................. | 19 |
| IV.45 | Child Rearing Leave | ................................................................. | 19 |
| IV.46 | Religious Leave | ................................................................. | 19 |
| IV.47 | State Educational Leave | ................................................................. | 19 |
| IV.48 | Active Military Duty | ................................................................. | 19 |
| IV.49 | Retirement | ................................................................. | 19 |
| IV.50 | Retirement Planning | ................................................................. | 19 |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV.51</td>
<td>Parity in Retirement</td>
</tr>
<tr>
<td>IV.52</td>
<td>Public Employees Retirement Pension System</td>
</tr>
<tr>
<td>IV.53</td>
<td>Social Security</td>
</tr>
<tr>
<td>IV.54</td>
<td>Medicare</td>
</tr>
<tr>
<td>IV.55</td>
<td>State Health Care Policy</td>
</tr>
<tr>
<td>IV.56</td>
<td>Retirement Investment Board</td>
</tr>
<tr>
<td>IV.57</td>
<td>Economic Relief</td>
</tr>
<tr>
<td>V.1</td>
<td>Code of Ethics</td>
</tr>
<tr>
<td>V.2</td>
<td>Professional Excellence</td>
</tr>
<tr>
<td>V.3</td>
<td>Council for Accreditation of Educator Programs</td>
</tr>
<tr>
<td>V.4</td>
<td>Licensed Educator in Every Professional Position</td>
</tr>
<tr>
<td>V.5</td>
<td>Teacher Standards and Practices Commission</td>
</tr>
<tr>
<td>V.6</td>
<td>School Employee Participation in Hearing Process of Government Agencies</td>
</tr>
<tr>
<td>V.7</td>
<td>Licensed Educator Training</td>
</tr>
<tr>
<td>V.8</td>
<td>Education Professors Teaching in Their Field</td>
</tr>
<tr>
<td>V.9</td>
<td>Education Support Professionals Training</td>
</tr>
<tr>
<td>V.10</td>
<td>Student Teachers/Interns</td>
</tr>
<tr>
<td>V.11</td>
<td>National Certification</td>
</tr>
<tr>
<td>V.12</td>
<td>Professional Licenses</td>
</tr>
<tr>
<td>V.13</td>
<td>Post Licensing Requirements</td>
</tr>
<tr>
<td>V.14</td>
<td>Professional Development</td>
</tr>
<tr>
<td>V.15</td>
<td>Teacher Testing</td>
</tr>
<tr>
<td>V.16</td>
<td>Mentoring Programs</td>
</tr>
<tr>
<td>V.17</td>
<td>Peer Support &amp; Peer Assistance Programs</td>
</tr>
<tr>
<td>V.18</td>
<td>Statewide In-Service Day</td>
</tr>
<tr>
<td>V.19</td>
<td>Time to Teach/Educator Workload</td>
</tr>
<tr>
<td>V.20</td>
<td>Class Size/Case Load</td>
</tr>
<tr>
<td>V.21</td>
<td>Instructional and Non-Instructional Personnel</td>
</tr>
<tr>
<td>V.22</td>
<td>Teacher Exchange Program</td>
</tr>
</tbody>
</table>

V. HELP MEMBERS ACHIEVE PROFESSIONAL EXCELLENCE AND MEET THE DEMANDS AND STRESSES OF THEIR JOBS
V.23 School Employee Evaluation.................................................................24
V.24 Competency and Evaluation of Administrators...........................................24
V.25 Plan of Assistance..................................................................................24
V.26 Substitute Assignments..........................................................................24
V.27 School Counselors.................................................................................24
V.28 School Librarian/Media Specialists.............................................................25
V.29 School Nurses.........................................................................................25
V.30 School Psychologists...............................................................................25
V.31 School Social Workers............................................................................25
V.32 V.33 Education Support Professionals in Education Process.......................25
V.33 V.34 High School Completion Programs......................................................25

VI. PURSUE ORGANIZATIONAL EXCELLENCE INCLUDING SYSTEMATIC
COMMUNICATIONS WITH MEMBERS AND INVOLVEMENT OF MEMBERS IN DECISION-
MAKING ..........................................................................................................25

VI.1 Association Involvement ..........................................................................25
VI.2 Organization of Higher Education.............................................................25
VI.3 Organization of Substitute Teachers...........................................................25
VI.4 Organization of Student OEA...................................................................26
VI.5 Special Services/Member Benefits...............................................................26
VI.6 Political Involvement...............................................................................26
VI.7 Political Action Funds...............................................................................26
VI.8 Implementing Affirmative Action...............................................................26
VI.9 Institutional Denial of Civil Rights..............................................................26
VI.10 Relationships With Other Organizations.................................................26
VI.11 Right to Strike........................................................................................26
VI.12 Recruitment or Hiring for Strikebreaking..................................................26
VI.13 Organization of Retired Education Employees............................................26
VI.14 Development and Reduction of Nuclear Arms.........................................26

VIII.
**Definition**: A formal expression of opinion, intent, belief, or position of the Association adopted by the OEA Representative Assembly to provide the direction in which the Association should be moving. The date in parenthesis indicates the year when the resolution was adopted. Subsequent dates indicate revision.

**II. THE TOP PRIORITY OF THE OREGON EDUCATION ASSOCIATION IS TO ENSURE THAT ALL STUDENTS IN OREGON RECEIVE A QUALITY EDUCATION. TO MEET THIS GOAL, OEA WILL PURSUE FULL AND STABLE FUNDING FOR PUBLIC EDUCATION.**

**II.1 Funding Accountability**

The Oregon Education Association believes the achievement of a high-quality educational system for all students is contingent upon necessary funding, resources, and support. (2004, 08)

**II.2 School Funding**

The Oregon Education Association believes the State of Oregon is responsible for providing stable and adequate funding for public schools. The Association believes that local districts, in partnership with state and federal governments, must provide a free, equitable and quality education for every student by securing sufficient funding to maintain and to enhance excellence in each public school within every public school and community college district.

OEA further believes that state reliance upon competitive grants to fund schools undermines the collaborative nature of education. (1990, 97, 2004, 08, 11)

**II.3 School Funding Legislation**

The Oregon Education Association believes that the Oregon Legislature fully fund the quality education model. (2006, 08)

**II.4 School Funding Must Be Adequate**

The Oregon Education Association believes a statewide public school funding system must include funds for a complete educational program and facilities for all students and that discretionary funding beyond the basic program level be available to all districts and community colleges. The Oregon Education Association believes the Quality Education Model must be fully funded before school reform measures are put in place that could lead to the dismissal of educators and education any school reform measures are put in place that could lead to the dismissal of educators and education support professionals without just cause and due process. (2008, 10, 17)

**II.5 Funding of Mandated Programs**

OEA believes that all mandated educational programs be fully funded before they are implemented. (2007)

**II.6 OEA on Parental Option Plans**

The Oregon Education Association supports school choice programs within school districts; however, the OEA believes that federal or state-mandated parental option plans compromise the Association's commitment to free, equitable, universal, and quality public education for every student. (1990, 97, 2004, 08)

**II.7 Oppositions to Tax Credits and Vouchers**

The Oregon Education Association believes public funds for education must be used only for public schools, and therefore, opposes any legislation designed to provide tax credits or vouchers for tuition paid to any private elementary or secondary institution or any charter public school. (1982, 89, 91, 93, 94, 96, 97, 99, 2002, 03, 04, 05, 06, 08)

**II.8 Education Employees Should Not Fund Schools**

The Oregon Education Association believes that education employees must not be expected or forced to compensate the state for budget shortfalls through wage and/or benefit reductions/freeses. Education employees should not be responsible for providing materials and supplies to be used at school.

The Oregon Education Association believes, when education employees have out-of-pocket expenses, they should be provided a tax credit. (2008)

**II.9 Political Action for School Funding**

The Oregon Education Association believes in member participation in the political process, including pursuit of appropriate ballot measures, to obtain necessary funding for public education. (2006, 08)
**II.10 School Funding and Outside Organizations**

In order to secure adequate, stable school funding, the Oregon Education Association believes that the Oregon Education Association should work with other organizations, parent and civic groups, students, unions, and the business community. (2006, 08)

**II.11 Systemic Inequity**

The Oregon Education Association believes that many of the educational problems are at root social problems related to rising poverty levels, systemic racism, and generational inequity. Schools are where society’s problems become evident, not where they arise. The Association believes that our legislative agenda should be proactive with regards to issues around economic inequalities, healthcare for all, loss of living wage jobs, corporate tax giveaways, and a more progressive tax system. (2013)

**III. PROMOTE EDUCATIONAL EXCELLENCE FOR ALL STUDENTS, AND BE A LEADER IN ESTABLISHING AND EVALUATING DECISIONS ON EDUCATION ISSUE**

**GROUP A: EXCELLENCE**

**III.1 Public Education Excellence**

The Oregon Education Association believes that it is an Association responsibility to promote educational excellence for all students. Excellence in public education is achieved when all students have equitable access to a comprehensive support system that fosters their development for full academic, physical, social and emotional potential, a well-designed culturally responsive and sustaining curriculum, makes connections across subject areas and relates learning to real-life situations.

All stakeholders should work in cooperation to ensure high academic standards, a commitment to students reaching their full potential, regular student attendance, and collaborative educational problem solving. Public education excellence requires full funding. (1974, 77, 89, 93, 94, 97, 99, 2004, 11, 17)

**III.2 High Education Standards**

The Oregon Education Association supports high educational standards for every student in all schools in Oregon.

Assessment for graduation should be grounded in knowledge of how students learn; connected to clear statements of what is important for students to learn; flexible enough to allow students to explore fields of interest and meet the needs of a diverse student body; and be able to provide students with the opportunity to actively produce work demonstrating their learning.

The OEA recognizes the limitations of standardized assessments and believes that multiple and varied assessments should be used to determine student learning and growth in a particular subject area.

The OEA believes it is the responsibility of the legislature to allocate resources necessary for students to attain high standards including the time for teachers to prepare, provide, and evaluate student work samples. Additional funding and opportunities should be available for students having difficulties meeting standards.

The OEA further believes that curriculum should be set by local school districts in partnership with education professionals. (2000, 08, 10, 11, 12)

**GROUP B: STUDENT RIGHTS**

**III.3 Accelerated and Dual Credit Programs**

The Oregon Education Association believes accelerated and dual credit programs designed to give high school students an authentic and quality college experience should be made available in Oregon schools. The Association also believes these programs should adhere to the OEA Gold Standard for accelerated and dual credit programs in Oregon, which sets forth standards regarding program access, faculty and educator collaboration, class size, student supports and resources, measuring program success, workload, and credentialing. (2015, 19)

**III.4 Human and Civil Rights**

The Oregon Education Association believes that the governments of all nations, states and localities must respect and protect the basic human and civil rights of every individual. The OEA deplores the use of any action that limits or prohibits the free and responsible exercise of these rights. The OEA believes the community of educators should lead in the effort to prevent any encroachment on basic civil and human rights.

Further, the OEA deplores any policy that separates the children of immigrants or asylum seekers from their parents/legal guardians or places these children or unaccompanied minor children seeking asylum or to immigrate into detention facilities. (1982, 89, 97, 2008, 19)

**III.5 Academic Freedom**

The Oregon Education Association that academic freedom is essential to learning. Academic freedom is the right of the learner and the educator to explore, present and discuss divergent points of view in the quest for knowledge and truth. Controversial issues should be a part of the instructional program when the judgment of the professional staff deems the issues appropriate to the curriculum and to the maturity level of the student. Students should have
the right to speak and write without restriction and censorship provided their actions are appropriate to the curriculum and do not disrupt the educational environment.  (1989, 97, 2008)

III.6 Racial Desegregation and Integration
The Oregon Education Association believes schools should be free of racial segregation. The responsibility for school desegregation and integration must be mutually shared by all members of the community. (1979, 89, 97, 2008)

III.7 Bullying
The Oregon Education Association believes that school, work, and social environments must be free from all forms of bullying. Bullying is the systematic and chronic infliction of physical hurt and/or psychological distress on one or more individuals. The Association recognizes that bullying is not limited to students but can include members of the Association and community.

The Association recognizes that bullying can happen in a face to face setting, hand-delivered mail and electronic forms of communication such as computer-generated mail, websites, and cell phones. The Association also believes that cyber-bullying can be harmful to people, especially children and teens.

The Association encourages its affiliates to work with local school districts, institutions of higher education, the Association, and the community to develop comprehensive programs which include all stakeholders to address bullying. Such programs should:

- Establish strong policies prohibiting all kinds of bullying that include the definition, consequences, and procedures for reporting, investigating and appeals.
- Provide professional development materials and resources to education and association staff.
- Develop and implement educational programs designed to help students, members, and the community to recognize, understand, prevent, oppose and eliminate bullying in all its forms.
- Provide training for all school and Association employees in bullying prevention and intervention.

These programs and materials should be reviewed, revised and updated as needed to reflect changing needs. (2008)

III.8 Sex Discrimination
The Oregon Education Association believes that sexism and sex discrimination must be eliminated from public schools.  (1974, 89, 97, 2004, 08)

III.9 Sexual Harassment
The Oregon Education Association believes sexual harassment is illegal, harmful, and inappropriate to both employees and students. There are two forms of sexual harassment: 1) quid pro quo, in which a person of authority uses that authority to obtain sexual favors, and 2) hostile environment, in which a person or persons makes another person feel threatened, demeaned, embarrassed, uncomfortable or bullied. Hostile environment may be created by any person –adult or child and may occur in any work or school environment. In school settings the Association believes that when school staff is aware, it is their responsibility to prevent and/or stop student to student sexual harassment as it pertains to sexual identity, gender identity and/or sexual innuendos.

The Association encourages its affiliates to work with local school districts, institutions of higher education, the Association, and the community to develop comprehensive programs to address sexual harassment which include all stakeholders. Such programs should:

- Establish strong policies prohibiting sexual harassment that include the definition, consequences, and procedures for reporting, investigating and appeals.
- Provide professional development materials and resources to education and association staff.
- Develop and implement educational programs designed to help students, members, and the community to recognize, understand, prevent, oppose and eliminate sexual harassment in all its forms.
- Provide training for all school and Association employees in sexual harassment prevention and intervention.

These programs and materials should be reviewed, revised and updated as needed to reflect changing needs. (2008, 13)

III.10 Student Access to School Counselors
The Oregon Education Association believes that students pre K-12 through higher education should have access to licensed, competent and confidential school counselors.

The OEA further believes that school counseling programs should be integrated into the entire education system, pre-K through higher education. Such programs should be provided through a maximum counselor/student ratio of 1:250 in K-12 by appropriately certified and/or licensed school counselors who have been trained to support students in realizing their full potential in all areas of growth and achievement. School counselors should spend at least 80 percent of their time providing direct services to students. (1989, 94, 97, 2008, 11, 17Inclu)
III.11 Student Access to Healthcare
The Oregon Education Association believes that students who do not have access to healthcare are likely to bring illness to schools. They may suffer from stress, days lost and general malaise which impedes their learning and that of others. The Association further believes that affordable, quality, comprehensive healthcare should be provided to all students.

III.12 Community Based After-School Programs
The Oregon Education Association recognizes the need for quality after-school programs for school age children and that school facilities are the logical site for such programs. After-school programs should not be dependent on school personnel for their operations. Participation by school personnel should be by choice, not by assignment. Public funds should not be allocated or redirected to private after school programs. (1985, 89, 97, 2001, 05, 08, 10)

III.13 Commercial Exploitation of Students
The Oregon Education Association believes that basic students' rights include freedom from commercial exploitations. Public schools should continue to accept private sector support for school enrichment programs and projects, provided that support does not require student participation in marketing and/or product promotion; however, sponsors deserve appropriate recognition - such as credit lines - for their contributions to education. (1990, 97, 2008)

GROUP C: SAFETY

III.14 Youth Gangs
The Oregon Education Association believes that families, schools, communities, businesses, and law enforcement agencies have critical roles in reducing gang-related crime. The Association supports collaboration among these groups in an effort to thwart gang recruitment and to reduce gang membership.

The Association supports education programs that promote positive self-image and academic success -- such as dropout prevention/intervention, before-and-after school programs, and job training -- particularly for at-risk students in areas where there is a high degree of gang activity.

The Association also believes that the business community has an important role in reducing illegal activities by gangs. The Association supports programs that lead to meaningful job opportunities for youths.

The Association believes that law enforcement agencies should be active participants in education and employment programs to reduce gang involvement. (1996, 97, 2008)

III.15 Emergency/Contingency Plans
The Oregon Education Association believes in the safety of all students and staff. The Association also believes that schools, school districts, and school transportation systems must have written plans that delineate procedures that include, but are not limited to, emergencies, lockdowns, violence, evacuations, and weather-related conditions. Plans must include rapid reaction criteria and procedures coordinated with on-campus, community and other appropriate first responders. Emergency plans for each school site must be developed by school personnel, including Association members, and parents/guardians in partnership with the community. The Association further believes that for these plans to be effective they must be practiced and updated on a regular and consistent basis. Plans must include stress management/counseling strategies as follow-up care for students and staff when appropriate. (2011)

III.16 Weapons In School
The Oregon Education Association believes anyone with unauthorized weapons or any object that could reasonably be considered a weapon should be treated with zero tolerance and immediately reported to civil authorities. In the case of minors, parents/guardians will be notified, and the minors will be disciplined up to the fullest extent possible. (1995, 97, 2003, 08, 10)

III.17 Non-Violence in Schools
The Oregon Education Association believes that both education employees and students have the right to work and learn in an environment free from violence, threats or harassment as outlined in other Resolutions. The Association believes that education employees shall be kept informed in an expedient and timely fashion about students or other individuals who have made threats, or who have a potential for violence. (1989, 94, 97, 99, 2005, 08, 13)

III.18 School Building Sites
The Oregon Education Association believes that schools should be located within their district boundaries. When it is necessary to site a school within the boundaries of another district it should be by mutual agreement of both districts. (2000, 08)

III.19 Healthy Schools
The Oregon Education Association believes that schools should be sited on land that has been tested and determined to be free of contamination. The Association further believes that adequate land should be provided to insure that children have a place to play and/or pursue athletic activities away from traffic and other dangers and that adequate parking for staff, students and parents be provided.

The Associations further believes that schools should be comfortable, attractive, safe and conducive to learning. Clean air and water must be provided.
Schools and school property must be kept clean, well-maintained, well-ventilated, free of molds, toxic substances, and harmful chemicals.

The Association further believes that school districts must conduct periodic testing for harmful water, airborne particulates/agents and other hazards. Such tests should be reported to the public and measures taken to remedy any problems immediately. (2000, 08)

III.20 Sustainable Schools

The Oregon Education Association supports the use of sustainable school practices. Sustainability means using, developing and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs, from the joint perspective of environmental, economic and community objectives. We believe sustainability is about understanding the connections between, and achieving balance among, the economic, social and environmental aspects of a community. We believe sustainability requires assessing entire systems and recognizes how they must operate in order to preserve the natural systems that support our life on Earth. Furthermore, sustainability is related to the quality of life in a community — whether the economic, social and environmental systems that make up the community are providing the healthy, productive, meaningful life for all community residents, present and future. We believe establishing, tracking and managing sustainability goals will help ensure continuous progress toward sustainability. We believe sustainable practices save money, protect student and staff health, support academic success, protect our ecosystems, build stronger communities, provide a workforce that understands sustainability, and prepare today’s students to be wise leaders tomorrow. (2007, 08)

III.21 Toxic Substances

The Oregon Education Association believes that school districts should minimize the use of toxic substances and implement proper use and disposal of toxic substances wherever feasible. The Association further believes that school personnel, students, and members of the public have the right to know what toxic substances are being used in all public school facilities. (1985, 97)

GROUP D: PROGRAMS SUPPORTING ALL STUDENT NEEDS

III.22 Special Education

The Oregon Education Association supports full funding and implementation of The Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act pertaining to the rights of students with special needs. OEA believes that each child is entitled to an appropriate education in an accessible and least restrictive environment with a full range of support services.

The Association believes that all children with disabilities should be educated in compliance with The Individuals with Disabilities Education Act, and also believes that appropriate programs for students with special needs and who are not covered under IDEA should be established. The Association believes this can best be accomplished in coordinated efforts with state social service agencies. (1983, 89, 91, 96, 97, 98, 2003, 04, 06, 08, 16)

III.23 Inclusion

The Oregon Education Association believes that placing students with disabilities in the most appropriate, least restrictive environment is beneficial for all students. OEA further believes that

1. There should be a full continuum of placement options and services available to all students with disabilities.
2. Placement should be based on individual needs rather than on space availability or on funding. Student placement must be examined on a regular basis to ensure appropriateness whereby all needed services and support are available and should not be made disproportionately by ethnicity or gender. Necessary building staff modifications must be provided to facilitate such placement. If additional space or funds are necessary, they are provided.
3. Adequate time should be provided for all regular and special education teachers/specialists to work cooperatively in the development of the Individual Family Service Plan (IFSP) and Individual Educational Plan (IEP), prior to placement.
4. Students with physical disabilities or medical needs requiring nursing procedures should have their medical needs met by professional nurses or trained medical personnel as approved by the student's physician.
5. All affected staff members should have an appeal procedure regarding the implementation of the Individual Family Service Plan/Individual Education Plan (IFSP/IEP), especially in terms of placement.
6. Adjustments should be made in class size using weighted formulas to accommodate the demands of the Individual Family Service Plan/Individual Education Plan (IFSP/IEP), other documentation and the needs of the student.
7. All staff, parents, and community should be adequately prepared for their roles through fully funded appropriate training.
8. If the IFSP/IEP team determines that inclusion is the appropriate placement, sufficient support must be available for the students, teacher(s), instructional assistant(s), and all related student instructional support personnel (SISP). The educational environment must match the learning needs of all students.

9. The success of inclusion should be evaluated considering the effect on all students. If placement revision is required, even if temporary, then it will happen in a timely manner.

10. All affected staff members should have the right to disagree with any provision of the Individual Family Service Plan/Individual Education Plan (IFSP/IEP) without recrimination. (1994, 97, 2005, 08, 10, 16, 17)

III.24 Educational Programs for English Language Learners (ELL)

The Oregon Education Association believes that students should become proficient in English. English Language Learners (ELL) must have available to them programs that address their unique needs and provide equal opportunity, regardless of their primary language.

Programs for ELL students should offer instruction in English as a Second or Other Language (ESOL) while also providing core-content instruction in the student’s native language or sheltered English. ELL students should receive specialized instruction and should be taught in classes that are limited in size, receive additional staffing and support, meet state standards, and use curriculum and materials designed to accommodate the needs of ELL students.

The Association also believes that ELL students in bilingual, ESOL and sheltered content classes should receive instruction from teachers who are qualified to teach the subject matter and hold ESOL and/or bilingual endorsements.

The Association supports additional state funding to school districts for ELL students, sufficient to maintain a program of high quality. School districts should provide release time or compensation for the training of teachers who instruct ELL students. Association members must be fully involved in the development and implementation of programs serving ELL students, including the assignment of teachers and the terms and conditions of their employment. (2003, 06, 08, 10)

III.25 Alternative Programs

The Oregon Education Association believes all school districts in the State of Oregon should provide alternative programs with guidelines and trained personnel to assist students who best respond to non-traditional procedures and techniques. Programs that are preventative or prescriptive as well as innovative or experimental are to be included as alternative programs, classrooms or schools. (1975, 89, 97, 2008)

III.26 Students with Visual and Hearing Impairments

The Oregon Education Association believes a continuum of programs and services should be available to all students with visual and hearing impairments assuring that their educational needs are met. This continuum should include a residential program as a supplement to local and regional programs. Therefore, the Oregon Education Association believes such programs and facilities should be provided by the state of Oregon.

The Oregon Education Association further supports programs for students with hearing impairments at their current site: Oregon State School for the Deaf, and for students with visual impairments. (1987, 89, 94, 97, 2008, 13, 19)

III.27 Closed Caption Video Programming

The Oregon Education Association believes all video programming should be closed captioned to make programs available to people with hearing impairments. (1974, 97, 2005, 08, 10, 19)

III.28 Students with HIV

The Oregon Education Association supports local school policy that ensures a free, appropriate public education for all students with HIV in a least restrictive environment. (1989, 90, 97, 2003, 08, 16, 19)

III.29 Developmentally Appropriate Interventions for Students

The Oregon Education Association believes that all students deserve high quality and developmentally appropriate intervention programs that have the intent of helping students be successful. OEA further believes sufficient state resources must be available to fully fund these programs. (1992, 97, 2008, 16, 19)

III.30 Children and Youth who are Neglected, Delinquent, or At-Risk

The Oregon Education Association believes that specialized treatment programs and secure facilities with adequate safeguards are essential to meet the needs of children and youth who are neglected, delinquent, or at-risk. A continuum of programs should include residential facilities that supplement local and regional programs. Such facilities should be provided by the State of Oregon.

The Association also supports the continued operation of MacLaren at its current site. (1989, 97, 2008, 13, 16, 19)
III.31 Gifted, Talented, and Creative Students
The Oregon Education Association believes there should be effective educational programs for gifted, talented, and creative students.

The Association also believes that training programs in gifted and talented education must be provided for teachers. (1985, 89, 97, 2008)

III.32 Early Childhood Education
The Oregon Education Association believes that quality early childhood education creates the foundation for future school success. The Association supports early childhood programs that encourage the development of social skills, strengthen emotional growth, and provide a strong foundation in basic academic skills.

The Association believes that a full day kindergarten has proven to boost student achievement especially for students of underrepresented communities, improve student’s social and emotional skills, and lower grade retention and dropout rates.

The Association also believes that early childhood education programs should include developmentally appropriate and diversity-based curricula, special education, and appropriate unbiased screening devices. These programs should be staffed by teachers and support staff who are prepared and/or endorsed in early childhood education and child development.

The Association believes that investing in quality early childhood education is a sound investment for the children of Oregon. (2008, 10, 16, 19)

III.33 Children Affected by Poverty
The Oregon Education Association believes there should be effective educational strategies for children affected by poverty.

The Association also believes that educational personnel should be aware and offered training to deal with the effects of poverty. (2005, 08, 19)

III.34 Equal Opportunities for Students of Color
The Oregon Education Association believes there should be equal educational opportunities for students of color. These opportunities should include the means to enhance the appreciation of their own history and culture while developing skills that will allow them to fully engage in society. (1974, 89, 94, 96, 97, 2008, 19)

III.35 School Age Parents
The Oregon Education Association believes school districts should provide programs and services that encourage teenage parents to continue their education including post-secondary opportunities. The

Association recommends that these programs emphasize training toward gainful employment, self-esteem, childcare and child development, family planning, financial planning including budgeting, and healthy relationships. (1979, 89, 97, 2008, 16, 17)

III.36 Adult and Lifelong Learners
The Oregon Education Association believes that the learning process continues throughout life and that adults of all ages and socio-economic backgrounds should have equal access to educational opportunities through community colleges, 4-year, and other institutions of higher education. Adult learners attain excellence in education when they are engaged with quality learning experiences that help them achieve their goals in life, learning experiences which they can take responsibility for designing themselves, and which may not be dependent on time or place. (1999, 2003, 08)

GROUP E: GENERAL EDUCATION
PROGRAMS/CLASSES

III.37 Multicultural Education Ethnic Studies
The Oregon Education Association believes that respect for the varied cultures in the United States enriches our society. Students should be taught to appreciate all cultures and to treat all people with dignity and respect through a rich ethnic studies curriculum. These programs should be fully funded for all pre-K through higher education students.

OEA believes in efforts that provide for the creation and protection of ethnic studies programs, courses and curriculum at the post-secondary and pre-K through 12 level that represent American Indian/Alaska Native/Native Hawaiian or Americans of African, Asian, Pacific Island, Chicano, Latinx or Middle Eastern descent; individuals from all backgrounds; and individuals from traditionally underrepresented groups (women, people with disabilities, immigrants, refugees and individuals who are LGBTQ+).

OEA believes that the time for this instruction needs to be preserved, protected, and prioritized.

Therefore, the Association believes that curricular materials, activities and school symbols should treat all cultures with dignity and respect. The Association supports the elimination of the use of Native American and other ethnic group references as school mascots or symbols. (1989, 94, 96, 97, 2004, 07, 08, 16, 19)

III.38 Civil Rights Education
The Oregon Education Association believes students should be taught their rights and responsibilities at a personal and community level under state and federal law and have an understanding of issues in the areas
of privilege and discrimination or denial of equal protection because of race, color, national origin, religion, age, size, gender, sexual orientation/gender identification or disabilities.  (1983, 94, 97, 2003, 06, 08, 09, 13)

III.39 Life Roles and Career Education

The Oregon Education Association believes that preparation of children for multiple life roles should be a basic policy of education. Educational programs should be developed for all children which will assure equal opportunity for career and occupational development as well as life skills.  (1974, 89, 94, 97, 2008)

III.40 Fine Arts Education

The Oregon Education Association believes that artistic expression and appreciation are basic to an individual's intellectual, emotional, cultural and creative development and therefore must be included as a component of all education.

The Association supports the requirement of a fine arts curriculum in the program of school districts and encourages its local affiliates to promote the fine arts at all levels of the school program. Arts curriculum should not be reduced or sacrificed because of the need to focus on standardized-test preparation. (1984, 89, 97, 2007, 08)

III.41 Independent Reading Skill

The Oregon Education Association believes that it is critical that students become independent readers to succeed in school and life. Reading instruction with appropriate intervention, especially in the early grades, is essential for learning in all content areas and for achieving high standards. Teachers at all levels should be provided adequate resources, including a fully funded and staffed library/media center, and encouraged to use their expertise to address the diverse needs of students.

The Association also believes that teachers’ efforts to value and promote reading should be supported by parents/guardians, librarians, media specialists, other education employees, and communities. (2006, 08)

III.42 Physical Education

The Oregon Education Association believes that physical activity and exercise are essential for good physical, mental, social and emotional health and must be encouraged during the developmental years of students. The Association also believes that a comprehensive program of physical education should be provided daily in grades pre-k through 12 in or on facilities designed for that purpose. Physical education programs and curricula should follow national standards as set forth by the appropriate professional organizations; should be developmentally appropriate, sequential, cooperative in nature, and culturally sensitive; and should:

Emphasize physical activity, fitness, exercise, and good health; skills of sports, games, dance, and basic movement; and related concepts and knowledge

Assess students, including physical fitness testing, as a culmination of preparatory activities

Provide for the special needs of students with low fitness, physical disabilities, or learning disabilities

Be taught by teachers licensed in physical education

Be taught with the same student/teacher ratio as other grade-level class sizes.  (2006, 08, 17)

III.43 Recess

The Oregon Education Association believes that supervised recess is a valuable educational tool, an active form of learning that promotes a healthy lifestyle physically, mentally, socially and emotionally. The Association further believes students learn better when the whole self is involved in the process and that recess additionally allows a student to develop skills for seeing another person’s point of view, teambuilding, cooperating, helping, sharing, and solving problems. (2010)

The Oregon Education Association believes that all children require unstructured playtime as a condition of normal development. All school programs should recognize this need and ensure that the time is built into every day.

III.44 Career and Technical Education

The Oregon Education Association supports career and technical education as a major component of education and advocates that every student have the opportunity to enroll in such classes without restrictions. (2006, 07, 08)

III.45 Sex Education

The Oregon Education Association believes sex education, including information about HIV/AIDS, provides children and youth with information, basic to healthy, well-adjusted mental attitudes. Such instruction must be age appropriate and developed by qualified educational and/or health care professionals. The Association believes sex education is one of many responsibilities of the home; however, the public school must assume a role in providing this instruction. The Association urges that formal sex education should include parent/guardian education and be planned and implemented with careful attention to developmental needs, appropriateness to community needs, and respect for individual differences. Information should be provided to parents/guardians about the content of the sex education curriculum.

Sex education programs should include information on issues concerning consent, sexual abstinence, birth control and family planning, diversity of culture, diversity of sexual orientations, gender identification,
parenting skills, prenatal care, sexually transmitted infections, incest, sexual abuse, sexual harassment, other legal issues, homophobia, the effects of substance abuse during pregnancy, and problems associated with and resulting from pre-teen and teenage pregnancies. Curriculum resources and training must be kept current. (1976, 1989, 94, 96, 97, 2003, 08, 19)

III.46 HIV/AIDS Education

The Oregon Education Association believes that educational institutions should establish age appropriate comprehensive human immunodeficiency virus (HIV), acquired immunodeficiency syndrome (AIDS), and sexually transmitted infections (STI) education programs as an integral part of the school curriculum. HIV/AIDS and STI education must emphasize education about all means of transmission, including unprotected sex and unsanitary methods of tattooing, body piercing, and intravenous drug use. Information on prevention options must emphasize medically reliable protective devices, medicines, and abstinence. Instructions in decision-making skills to assist students in correlating health information and personal behavior is essential.

The Association also believes that proper implementation of these programs requires education employee training and input. These programs should be presented by properly licensed/trained personnel and should be planned with the input of parents/guardians and other community representatives. (2003, 08, 16)

III.47 Metric System

The Oregon Education Association believes in the instruction of the metric system as an important system of measure. (1975, 89, 97, 2008)

III.48 Substance Abuse Education

The Oregon Education Association believes that substance abuse does have an extreme negative impact on students. The Association believes that substance abuse education, intervention and support should be an integral part of the educational program at every level in order to promote healthy lifestyles. The Association recommends that these programs be developed in cooperation with the appropriate community agencies. (1989, 97, 2008)

III.49 Democracy and Citizenship Education

The Oregon Education Association believes that education about democracy, the workings of the government and the rights and responsibilities of citizens is essential for the survival of American democracy. The Association also believes that democratic ideals should be taught and practiced as part of the total education process. (2007, 08)

III.50 Non-Graded Primaries/Multi-Age Primaries

The Oregon Education Association recognizes that non graded/multi-age primaries can be an appropriate instructional approach providing that a school district has trained personnel and provides the necessary financial resources. OEA believes non graded/multi-age primaries should be optional. The State Department of Education should facilitate their effective implementation. (1993, 97, 2008)

III.51 Instructional Time

The Oregon Education Association believes the instruction time of students in primary grades should be limited to no more than five hours per school day with the added recommendation that no consecutive two-hour period shall pass without a break from classroom instruction for those children. (1980, 89, 97, 2008)

III.52 Student Retention

The Oregon Education Association believes that constructive and effective interventions should be provided to remediate the skills and knowledge of students who are not meeting grade level expectations.

Retention should not be based solely on a student’s performance on high stakes assessments. (1978, 89, 97, 2001, 08)

III.53 New Technology

The Oregon Education Association, recognizing the expansion and application of technology in our society, believes that students and staff of school districts and higher education institutions should be provided instruction in computers and the basic utilization of new technology. However, the Oregon Education Association further believes that new technologies should not be used to replace staff, interfere with the traditional exchange of ideas and reduce interpersonal contact that characterize sound education. (1983, 89, 97, 99, 2008)

III.54 School Libraries/Media Centers

The Oregon Education Association believes that all libraries are forums for information and ideas. Books, electronic media information and other library resources should be provided for the interest, information, and enlightenment of all, with materials and information presenting all points of view on current and historical issues. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
Library/media curricula should follow national standards as set forth by the appropriate professional organizations and should be developmentally appropriate, sequential, cooperative in nature and culturally sensitive. Classes should be taught with the same student/teacher ratio as other grade-level class sizes. Provisions should be made for students with physical disabilities and/or learning disabilities. (1974, 89, 94, 95, 97, 2007, 08)

III.55 Conservation of Natural Resources and Recycling
The Oregon Education Association supports conservation of natural resources and believes that efforts should be made to use natural resources efficiently by reusing and recycling.

The Oregon Education Association believes that all schools should implement a recycling program. (1980, 89, 97, 2005, 08)

III.56 Testing and Assessment
The Oregon Education Association believes that student assessment practices should be grounded in the “Guiding Principles of Quality Assessment” and reflect a balanced system of assessment that includes formative, interim and summative assessments. Those guiding principles state:

1. All assessments must arise from and serve a clear and specific purpose.
2. They must be designed and developed to reflect developmentally and academically appropriate learning targets and be culturally responsive.
3. Each assessment must accurately reflect each student’s mastery of the learning target(s) assessed.
4. Results must be effectively communicated in a way that provides clear meaning for the intended user(s).
5. All assessment users must attend to assessment practices that encourage students to keep striving for learning success.

Assessment results should be used for their intended purpose and not for purposes for which the assessment was not designed. Inappropriate uses include among other uses, using statewide summative assessment results to evaluate educators, to place students into accelerated or intervention programs, or to compare individual students to each other. The state should only use assessment information for accountability purposes as one of multiple indicators within a holistic system that also takes into account indicators of school quality and student success.

OEA believes all assessment should directly align with what students have learned and what educators have taught. Assessments should allow for students to express their understanding of the content in a variety of ways.

Students have an important place in the assessment process and hold certain rights related to the collection and use of achievement information. These align with our guiding principles of quality assessment and also include:

1. Students are entitled to know the purpose of each assessment in which they participate; that is, they have a right to know specifically how the results will be used.
2. Students are entitled to know and understand the learning target(s) to be reflected in the exercised and scoring methods of the assessment.
3. Students are entitled to understand how they will be assessed and learn how to self-assess and track their progress toward mastery.
4. Students are entitled to dependable assessment of their learning using quality assessments.
5. Students are entitled to effective communication of their assessment results, whether to themselves, their families or others concerned with their academic success.

6. Students are entitled to equal access to learning opportunities, and to feel a sense of optimism about success being within their reach if they keep striving.

(Students Assessment Bill of Rights, “A New Path for Oregon: System of Assessment for Meaningful Student Learning”)

OEA further believes educators should be given clear guidelines for and have access to the process for notifying test authorities about the validity, reliability, accuracy, and fairness of assessments, especially assessments mandated by the school, school district, or state to make authorities aware of errors in the test or materials, accessibility issues for students, technical issues, and other problems that compromise the validity of the test results.

Students should be given the opportunity to be tested in the language in which they are instructed.

Oregon students deserve an assessment system whose costs in time, energy, and resources are in balance with the real benefits to students and educators: timely, usable feedback on learning. OEA believes all mandatory assessment should meet these criteria and provide these benefits.

Furthermore, the Association believes that high stakes test results should not be used to close schools, fail students, or measure educator effectiveness. (1974, 91, 92, 93, 96, 97, 2000, 02, 07, 08, 10, 14, 15, 17)

III.57 Common Core State Standards
The Oregon Education Association believes the purpose of education is to educate a populace of critical thinkers who are capable of shaping a just State and equitable society in order to lead good and purpose-filled lives. Curricular decision should be in
the hands of classroom professionals who understand the context and interests of their students. Top down imposition of Common Core State Standards adversely impacts students of color, impoverished students, emerging multilingual students and students with disabilities. The education of children should be grounded in developmentally appropriate practices.

Assessment outcomes that accompany the Common Core State Standards (such as the Smarter Balanced Assessment) disrupt student learning. Tremendous amounts of time and resources are dedicated to test preparation and administration, and the decisions regarding assessment content are held in secrecy. We believe assessment practices that accompany Common Core State Standards are being used as justification to close schools, fail students, and evaluate educators. (2014, 15)

III.58 Unification

The Oregon Education Association believes that vertical unification of school districts provides coordinated comprehensive instructional programs for grades K-12. (1975, 89, 97, 2008)

GROUP G: DECISION-MAKING AND PARTICIPATION

III.59 Parental Leave Release Time

The OEA believes that working custodial parents/guardians should be allowed paid release time to participate in school-related activities. (1995, 97, 2008)

III.60 Educational Research

The Oregon Education Association believes research of education-related issues provides a valuable foundation for sound decision making. The collection of reliable data is a function of all levels of government; however, the major responsibility for the collection, analysis, evaluation and dissemination of data resides with the Oregon Department of Education and the United States Department of Education. (1976, 89, 94, 97, 2004, 08)

III.61 Site Committees/Decision-Making in Instructional Programs

The Oregon Education Association supports site-based decision-making committees. The OEA believes that a single site committee should be established in each building and given shared responsibilities for decision-making and planning within the existing school structure. Site committees should be fully funded and provided time and training to function. Building site committees should include a majority of teachers, representation from the educational support personnel and the community, each elected by their peers. Any site committee proposals that require a waiver from state law, administrative rules or the local collective bargaining contract must be approved by both the local bargaining representative and the district.

OEA believes a district site committee should be required for every district. The purpose of the committee should be to provide communication among the site committees in the district; to monitor the activities of the various committees and provide assistance where necessary; and to coordinate the activities of the various committees. (1984, 88, 89, 93, 94, 97, 2004, 08)

III.62 Higher Education/Decision-Making in Instructional Programs and Governance

The Oregon Education Association believes that community college and other higher education faculty are well positioned and well qualified to participate in institutional governance, and must have significant control over their academic programs, in order to ensure that institutions of higher education can serve the wide range of adult and lifelong learners. (1999, 2008)

III.63 School Discipline

1. The Oregon Education Association believes that education employees must have the right to formulate and implement reasonable disciplinary procedures to create an environment conducive to learning. School boards in conjunction with local affiliates should develop policies and standards that provide the necessary support to education employees for the maintenance of a positive school environment. Such policies should include the right of an education employee to remove a student exhibiting disruptive behavior from the classroom. The OEA further believes that disruptive students should be provided an alternate environment with a licensed staff member for the purpose of de-escalation and problem solving.

2. Education employees should be trained in safely supporting students exhibiting disruptive behaviors. An education employee has the right to protect self and others from physical harm and sexual assault or harassment.

3. The Association believes that corporal punishment should not be used as a means of disciplining students. (1976, 89, 95, 97, 2003, 06, 08, 17, 19)

III.64 School Employees Involved in Interviewing

The Oregon Education Association believes that appropriate school employees should be involved in the interviewing and selection of all school personnel. (1974, 89, 91, 97, 2008)

III.65 Charter and Nontraditional Public School Options

The Oregon Education Association supports innovation in public education. The Association
believes that proposals for public charter schools and other non-traditional public school options should satisfy the following requirements:

1. A positive impact on the overall public school program;
2. No diversion of current resources from public schools;
3. Voluntary staff and student assignment;
4. Direct involvement of all affected school employees in the design, implementation, and governance of the school;
5. Representation of charter school employees by the district(s)’s local bargaining units.
6. Instruction delivered by licensed education professionals;
7. Health and safety standards for students and employees;
8. Adequate and equitable funding, including start-up resources;
9. Equitable procedures on student admission and retention;
10. Appropriate safeguards to ensure against racial and ethnic segregation;
11. Nondiscrimination and equal educational opportunities;
12. Appropriate procedures for assessment and evaluation at pre-established periods;
13. Charter approval by local school boards, and
14. An organizational structure and processes that comply with state and federal requirements for classifying the school as a “public school; and

III.66 School Climate
The Oregon Education Association believes that a safe and effective school climate is necessary for promoting educational excellence in public schools. The Association believes that all education employees, parents/guardians, students, school governing boards, and community members and agencies must work cooperatively to establish and maintain safe and orderly school communities.

The Association also believes that it is in the best interest and safety of all students if education employees are immediately informed of students with known serious behavior problems or violence-related potential. Students and education employees must be safe from physical, verbal, and psychological violence, the threat thereof, and all forms of harassment. There must be procedures to prevent and eliminate all types of harassment that might occur.

Plans and procedures regarding discipline and/or harassment must include due process.

The Association further believes that both schools and school districts must have written discipline plans and procedures that are fair, equitable, and consistently enforced as well as procedures for the safe and orderly conduct of school activities and events. The Association believes that school security personnel must be properly trained to interact with students exhibiting violent behavior. (2013)

III.67 Accountability
The Oregon Education Association believes schools and ESD’s should be accountable to the public; parents and communities have a right to know that their children are learning. True accountability must be based on an accurate assessment of what a student has learned and achieved. This assessment cannot be accomplished through state-mandated standardized testing. Furthermore, school-related data, such as attendance rates and test-completion percentages, should not be used or packaged to compare one school or district to another. The OEA believes that parents and students are accountable for student attendance which affects student learning.

The Association believes that school employees can be accountable only to the degree that they share responsibility in educational decision-making and to the degree that other parties share this responsibility - legislators, other governmental officials, school boards, administrators, parents, students, and taxpayers. (1993, 97, 2000, 04, 08, 17)

III.68 Optimizing Student’s Time to Learn
The Oregon Education Association believes regular attendance of students is vital to a quality education. School districts should make every effort to ensure the protection of instructional time.

The Oregon Education Association further believes school boards should not be required to allow non-school-related programs to remove students during classroom time. When these “pullout” programs are allowed, districts should have policies to ensure they happen during the least disruptive time of the school day; do not detract from the educational opportunities for students remaining in the classroom, and do not create additional work for members in terms of providing instructions for the lessons missed. (2010)

III.69 Virtual Schools and Online Education
The Oregon Education Association believes online education can play an important role in the lives of students and educators. The Association supports virtual schools and online education sponsored by state public school entities.

Such virtual schools and online courses must meet the educational standards, staffing ratios, educator licensure and certification requirements, and
professional staff criteria of traditional public schools. The proliferation of online programs should not:
1. impair public school district finances;
2. promote or fund private vendor 'education management' operations;
3. disrupt the local collective bargaining agreement.

(2013)

IV. BUILD SUPPORT FOR PUBLIC EDUCATION AND EDUCATION EMPLOYEES

IV.1 Public Education
The Oregon Education Association believes in free public early childhood, kindergarten, elementary and secondary education for all students and believes that post-secondary education through community college programs and institutions of higher education should be affordable and accessible to all students. It is the responsibility of state and local governments, and the community to provide for the education of its children. (1974, 77, 89, 93, 94, 97, 2005, 06)

IV.2 Higher Education
The Oregon Education Association supports higher education as an essential part of the education process. The Association believes that post-secondary education serves an invaluable function for intellectual development, research and scholarship, career preparation, and preparation for life. (2010)

IV.3 Leadership Role
The Oregon Education Association believes the Association and its local affiliates must take a leadership role in advancing the quality of education and the standards of the profession – by promoting a positive, constructive, and accurate presentation of public education. (1989, 97, 2004, 11)

IV.4 Home Schooling
The Oregon Education Association believes the developmental needs of children are best served by the public schools. However, if parents exercise their right to instruct their children at home, the OEA believes the educational program must meet or exceed the minimum state and local district standards. (87, 97)

IV.5 Partnership with Agencies
The Oregon Education Association can and should play a crucial role in helping articulate effective programs and directing resources for all youth in our state. The Association encourages collaboration efforts with youth service agencies; at the state, county, and local level; and involving teachers in defining the needs for our children and strategies to meet those needs. (1989, 97)

IV.6 Attacks on Education
The Oregon Education Association condemns the tactics of lies, half-truths, and other forms of fallacious reasoning. When these actions are used to attack public education and educators, the Association will continue to respond in a positive manner with truth, integrity and rationality and urges the National Education Association and OEA locals and school employees to do so also. (1981, 89, 97, 17)

IV.7 Accessibility of Facilities
The Oregon Education Association believes in the implementation of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

The Association believes that education should be provided to remove attitudinal, sensory, and architectural barriers that exist so that all Oregon residents can access local public school facilities and programs. (1996, 97)

IV.8 Education Service District
The Oregon Education Association believes that Education Service Districts provide essential services, programs, and support personnel to schools.

The Oregon Education Association further believes that adequate support and equitable funding should be provided to Education Service Districts to maintain and expand these services. (1991, 97, 99)

IV.9 State School Leadership
The Oregon Education Association believes that the State Superintendent of Public Instruction should be elected. (1975, 91, 97, 2001)

The Oregon Education Association believes that the Chief Education Officer of Oregon should possess a background in the field of public education including classroom experience, extensive knowledge of evidence and research-based practices, and has demonstrated success in developing and implementing such practices collaboratively with school employees and their respective associations.

The Association further believes that those individuals appointed to leadership positions within state educational entities should also possess backgrounds in the field of public education, including classroom experience, extensive knowledge of evidence and research-based practices, and have demonstrated success in developing and implementing such practices collaboratively with school employees and their respective associations. (2013)

IV.10 School Board Members
The Oregon Education Association believes it is essential to have competent school board members
committed to quality public education in Oregon districts.

The Oregon Education Association believes local associations should actively participate in the recruitment and election of competent persons to serve as school board members. (1977, 89, 97)

IV.11 Build Community Coalitions

The Oregon Education Association believes that public education benefits from involvement in community organizing. We believe that ongoing alliances with local community groups and coalitions strengthen our influence, image, and support in the communities we serve and is integral to ensuring every student has access to great public schools. We believe that meaningful communication between educators, parents, guardians, and caregivers who speak languages other than English is necessary to assist in their children’s development and the family’s integration into Oregon’s society. (2002, 19)

IV.12 School Restructuring

The Oregon Education Association believes school restructuring efforts must employ a democratic process that meaningfully involves associations and other stakeholders in all decision making. Such efforts must:

- Adhere to collectively bargained labor agreements
- Comply with all appropriate school board policies
- Provide the funding necessary to implement and sustain the restructuring
- Weigh the consequences of restructuring on all students, education employees, the entire school system, and the community. (2006)

V. Secure and Expand Personal, Professional, Legal and Human Rights for All School Employees

V.1 Civil Rights

The Oregon Education Association is committed to the achievement of an integrated society. The Association believes that personnel policies and practices must guarantee that no person be employed, retained, paid, dismissed, suspended, demoted, transferred, retired, denied housing, education or harassed because of race, color, national origin, cultural diversity, religious beliefs, residence, disability, political activities, professional association activities, age, marital status, number of dependents, family relationship, size, or sexual orientation/gender identification. The Association also believes that affirmative action plans and procedures encourage active solutions for equity in accordance with association policy. (1974, 89, 94, 96, 97, 2003, 06, 09, 17)

V.2 Equal Rights for Women

The Oregon Education Association believes governing boards and local associations should eliminate discriminatory practices against women in employment, promotion and compensation. The Association further encourages women to participate in professional growth experience and to prepare for administrative and executive positions.

The Association further urges professional associations at all levels to adopt policies that ensure women equal access to elective, appointive and staff positions. (1974, 89, 97)

V.3 Equal Rights Amendment

The Oregon Education Association supports an Equal Rights Amendment to the U.S. Constitution that guarantees that equality of rights under the law shall not be denied or abridged by the United States or by any state based upon gender. (1974, 89, 94, 97, 2006)

V.4 Marital and Partnership Rights

The Oregon Education Association believes that all individuals, regardless of sexual orientation or gender identification, have equal legal rights and responsibilities with regard to marriage, civil unions and domestic partnerships, including medical decisions, taxes, inheritance, adoption and legal immigration. (1974, 89, 94, 96, 97, 2003, 06, 09, 11, 16)

V.5 Cultural Diversity

The Oregon Education Association believes that a diverse society enriches all individuals. Similarities and differences of race, ethnicity, color, national origin, sexual orientation, gender identity, language, geographic location, religion, ability, size, occupation, and marital, parental, or economic status form the fabric of society and should be reflected in the staffs of our schools and workplaces.

The Association further believes in the importance of recognizing the roles, contributions, cultures, and history of these diverse groups and individuals. The Association believes that its affiliates and members should support programs and observances that include cultural and heritage celebrations and/or history months. (2006, 09, 16, 19)

V.6 Professional Freedom of Speech

The Oregon Education Association believes professional freedom includes the educator’s rights to evaluate, to criticize and to advocate personal points of view concerning policies and programs of the school without unlawful recrimination. The educator also has the right to assist colleagues when their academic or professional freedom is violated. (2008)
V.7 Academic Freedom
The Oregon Education Association believes that academic freedom is essential to the teaching profession. Controversial issues may be a part of instructional programs when the educator believes the issues are appropriate to the curriculum and to the maturity level of the student. Academic freedom is the right of the learner and the educator to explore, present and discuss divergent points of view in the quest for knowledge and truth. Challenged material should be addressed at a local level through due process and fair hearing procedures.

The Association further believes teaching about religions within the curriculum is appropriate. However, the Association believes promoting religious doctrines violates both student and educator rights. (1974, 97, 2005, 08, 16)

V.8 Educator Collaboration
The Oregon Education Association believes that in order to provide the highest quality education to all students, educators must collaborate with colleagues to determine and implement best practices for their students. This collegial collaboration should not be tied to evaluation. (2011)

V.9 Development of the Curriculum
The Oregon Education Association believes that the state and national standards should provide the basis for curriculum development. Educators at the local level must be the primary voice in the planning, development, implementation, monitoring, and refinement of curricula.

The Association also believes careful consideration must be given to the curriculum in regard to –

   a. Student academic standards
   b. Alignment of curriculum with state and national standards
   c. Unwarranted duplication of content
   d. Prevention of content gaps
   e. Content overload
   f. Developmentally appropriate content
   g. Appropriate accommodations and modifications for students with special needs.

The Association further believes that educators must have an active role in the establishment of procedures for the planning, development, implementation, monitoring and refinement of curricula. To that end, professional time and training must be provided. (2008, 11)

V.10 Employees with HIV/AIDS
The Oregon Education Association opposes mandatory/involuntary testing of school employees for AIDS. (1988, 97)

The Association further believes that education employees shall not be fired, non-renewed, suspended (with or without pay), transferred, or subjected to any other adverse employment action solely because they have tested positive for the AIDS antibody or have been diagnosed as having AIDS, HIV or AIDS-related complex (ARC). (1988, 94, 97, 2009)

V.11 Decision Making in School Budgeting
The Oregon Education Association believes all school employees should be represented in the school budget process in establishing priorities, determining of funds and ensuring that adequate funding be available to finance collective bargaining agreements. (1988, 89, 91, 97)

V.12 Collective Bargaining
The Oregon Education Association believes in Collective Bargaining and that professional salaries, benefits, duty compensation, non-discrimination policies, grievance procedures, working conditions, and lay-off/recall procedures are necessary components of a comprehensive local contract. The Association also believes that local contracts be established through effective and good faith collective bargaining. Binding arbitration and the right to strike must be an integral part of any collective bargaining process.

The Association believes that all members should be united in support of the Association and/or its affiliates when the situation demands a strong show of solidarity.

The Association further believes all school employees should be represented in the school budget process in establishing priorities, determining of funds and ensuring adequate funding be available to finance collective bargaining agreements.

The Oregon Education Association endorses single agent bargaining – a plan whereby a cluster of locals formally join together for the purpose of bargaining. The Oregon Education Association believes all local affiliates should work toward participation in single agent bargaining. (1974, 75, 79, 88, 89, 91, 97, 2009, 11)

V.13 Oregon Employee Benefits Board
The Oregon Education Association believes OEA representatives should continue to serve as official board members to the Oregon Employee Benefits Board. (2009)
V.14 Professional Compensation  
The Oregon Education Association believes that school employee salaries and other compensation need to be competitive with other professions. Salaries need to reflect the amount of time worked per day, days worked per year and the experience of the school employee. Compensation is not to be based on performance pay schedules, such as merit pay/pay for performance. (1987, 89, 93, 97, 2009)

V.15 Extra Duty Compensation  
The Oregon Education Association believes that all educational employee duties that extend beyond contracted work should be negotiated as part of the collective bargaining agreement. Compensation for extra duty should be equitable, nondiscriminatory, fairly applied, and open to all members of the bargaining unit and not less than the employee's rate for regular pay. No employee should be required to assume extra duties as a condition of employment. (1980, 89, 94, 97, 2005)

V.16 Education Support Professionals Assignment and Salary  
The Association condemns the practice of assigning education support professionals to professional licensed assignments and other new and additional assignments without changing their status on the salary schedule commensurate with the new assignment. The Association believes its local affiliates should negotiate for the payment of the appropriate professional salary to education support professionals during the time they may be assigned additional duties. (2009)

V.17 Early Retirement Bargaining Incentives  
The Oregon Education Association believes its affiliates should bargain early retirement incentive provisions into collective bargaining agreements. During subsequent bargaining agreements, affiliates are encouraged to confer with retirees regarding proposed changes to health care coverage and other aspects that could adversely impact retirees. (2000, 08, 2009)

V.18 Site Committees/Contract Exceptions (Waivers)  
The Oregon Education Association believes its affiliates should negotiate site-based decision-making procedures into collective bargaining agreements including a procedure for employee-initiated contract exceptions with definite timelines. Employees serving on site committees shall be guaranteed full maintenance of bargaining unit rights. (1994, 97)

V.19 Just Compensation Formula/Supervising Teachers  
The Oregon Education Association endorses uniform and just compensation for student teacher supervisors and mentors. (1974, 89, 97)

V.20 Credit for Professional Conferences  
The Oregon Education Association believes school districts should provide for professional development funds and credit for attendance at professional conferences, including those sponsored by the Association. (1976, 89, 97)

V.21 Consulting Fees  
The Oregon Education Association believes a school employee's expertise has value and should be paid an appropriate stipend and expense reimbursement when giving professional consultation or testimony. (1979, 89, 91, 97)

V.22 Protection of Education Employees  
The Oregon Education Association believes that education employees must be safe in schools. The Oregon Education Association believes there should be support and protection for school employees whose charge is to carry out appropriate and specialized education services. The Association believes that when education employees are the victims of physical attack, verbal abuse, theft, identity theft, vandalism, discrimination or harassment in the work place they should receive the full support of their employer in pursuing legal and other remedies, as well as receiving reimbursement for their personal and property loss. Time lost due to injuries from attacks should not be deducted from accumulated sick leave. (2005, 06, 13)

V.23 Rest Breaks  
The Oregon Education Association believes that each school employee should be given a rest break of at least ten minutes for each two continuous hours of work exclusive of the thirty-minute duty free lunch period. (1977, 89, 97)

V.24 Hiring and Staffing Policies  
The Oregon Education Association believes school districts should incorporate in their hiring policies those procedures which will ensure acquiring experienced professionals as well as those who are new to the profession. Further, the hiring procedures should provide an equal opportunity to applicants with advanced degrees or specialized credentials. As positions become available, existing employees and substitutes should receive notice and priority consideration in the hiring process provided it is consistent with any applicable collective bargaining agreement. (1976, 89, 97, 2007, 09)
V.25  Innovative Programs
The Oregon Education Association believes that local affiliates should negotiate in their contract provisions for a sum in the school district or college’s yearly budget to fund new and/or innovative programs by the school employees. This fund should be open to applications by staffs at the college or department level, the building level or to individual school employees. (1976, 89, 91, 97, 99)

V.26  Complaint Procedure
The Oregon Education Association believes local affiliates should negotiate complaint procedures that provide for non-recrimination against school employees to cover those areas not specifically covered in the contract. (1979, 89, 91, 97)

V.27  Grievance Procedure
The Oregon Education Association believes grievance procedures are a valuable tool for the purpose of contract interpretation, clarification, and maintenance. Local affiliates should negotiate contracts which provide a grievance procedure which includes the right of the Association to carry grievances, a non-recrimination clause, and binding arbitration as the final step.

The Oregon Education Association believes that members should be familiar with the language of their contract and use the grievance process. Faculty representatives should receive training which will enable them to interpret, clarify and maintain the contract. (1974, 89, 97)

V.28  Employee Rights Pending Court Action
The Oregon Education Association believes that when criminal charges or civil lawsuits are filed against a school employee, the right of due process must be guaranteed.

If an employee is removed from student contact or suspended from a position due to pending court action, all employment rights of the employee shall remain in force, including full compensation, benefits and job security.

The Association believes local affiliates should negotiate contract provisions covering procedures to be followed until final disposition of the case. (1984, 89, 97, 2009)

V.29  Support of Members Dismissed Unfairly
The Oregon Education Association endorses financial and moral support by OEA members for all members fired due to capricious actions of school boards. (1975, 89, 92, 97)

V.30  Staff Reduction and Recall
The Oregon Education Association believes its affiliates should negotiate reduction in force (RIF) and recall procedures. Criteria should include seniority, licensure, nondiscrimination, and uniformity of application of criteria. Contracts should establish recall procedures in reverse order of reduction in force and maintain fringe benefits. Neighboring districts are encouraged to establish jointly such procedures on a regional basis that would provide priority hiring of laid-off school employees. The Association believes local affiliates should negotiate in contract language provisions requiring school staff and school administration to jointly re-evaluate programs and re-prioritize budget allocations whenever staff reduction is considered. It must be recognized that reduction of school employees and non-replacement of retiring and other resigning school employees are forms of reduction in force. (1979, 89, 91, 97, 2008, 09)

V.31  Fair Dismissal Amendments
The Oregon Education Association recognizes the need for the following amendments to be added to the Fair Dismissal Law: establishment of hearing procedures for probationary licensed educators to cover just cause and due process; the probationary period for licensed educators should be reduced to two years of satisfactory performance; and the probationary status should be reduced to only one year for a licensed educator who has reached contract status from previous experience in the state of Oregon and who has moved to another school district. (1975, 89, 97, 2005, 09)

V.32  Fair Dismissals
The Oregon Education Association believes the Fair Dismissals Appeals Board should be retained as an independent and unbiased avenue for dismissal hearings. The Association shall also encourage its affiliates to bargain binding arbitration for use at the option of the employee who is faced with dismissal.

The Oregon Education Association believes education employees should be entitled to just cause and due process before they can be dismissed. This includes building-wide dismissals such as “reconstitution,” “transformation,” “turn around” or other terms that would eliminate just cause or due process. (1980, 94, 97, 2010)

V.33  Employing Part-Time Employees
The Oregon Education Association believes that employees should be compensated and provided benefits at the rate of full-time employees commensurate with their workload. Part-time employees should be employed part-time only in special circumstances: when a staff member voluntarily chooses job sharing, part-time employment; when a special program requires only part-time staffing; or when programs require special expertise not available among the full-time staff. Employees should not be employed part-time for
purposes of reducing district budgets or for purposes of reducing the numbers of full-time staff. (1978, 89, 97, 2009)

V.34 Part-Time Faculty in Community Colleges
The Oregon Education Association believes that the overuse of part-time faculty at Oregon’s community colleges should be curtailed through innovative approaches that balance program integrity and student learning needs with equitable compensation, job security and professional rights and responsibilities of part-time faculty. (2001, 08)

V.35 Community College Pay Equity
The Oregon Education Association supports pay equity for full-time and part-time faculty and full-time and part-time staff in community colleges. Equal work should result in equal pay and benefits.

V.36 Educators Employed by State of Oregon
The Oregon Education Association believes that all educators who are employed by the State of Oregon and are required to be licensed by the Teacher Standards and Practices Commission, are entitled to the same rights and benefits under Oregon Revised Statutes. (1980, 89, 97, 2005, 09)

V.37 Temporary Teachers
The Oregon Education Association believes that a temporary teacher who is rehired for a second year by a district shall be contracted as a second-year probationary teacher. (1980, 97)

V.38 Substitute Teachers
The Oregon Education Association believes in the importance of employing professional educators to fulfill the critical role of substitute teachers. The Association also believes that substitute teachers perform a vital function in the maintenance and continuity of daily education.

In order to achieve and maintain the highest standards of student learning and professional practice, and to ensure quality instruction in every classroom every day, the Association further believes that substitute teachers must –

a. Meet the same standards as other licensed teachers within the state
b. Receive equitable and professional compensation and benefits
c. Receive ongoing professional development
d. Be provided with materials and information appropriate to the position in which they are substituting, including any special needs of the students
e. Be entitled to representation and/or support by state and national affiliates in collective bargaining.

The Association condemns the practice of assigning substitute teachers to regular positions for an extended duration of time without contract status. Positions created by extended absence should be filled by available licensed substitute teachers who are placed on contractual status by the school district. Where there is contract language which speaks to extended absence replacement the contract language should be followed.

The Association opposes the practice of replacing absent teachers by dispersing students to other classrooms. The Association also opposes the use of education support professionals, part-time employees, unpaid volunteers, student teachers or employees hired through private agencies to cover classes.

The Associations believes that school districts must provide equitable compensation consistent with current licensed contracted teachers for licensed teachers who substitute for personnel on extended leave. (1989, 97, 2006, 07, 08)

V.39 Volunteers in Public Schools
The Oregon Education Association believes that parents/guardians and other community volunteers have a valuable role to play within the public schools. The proper use of volunteers is essential for the preservation of quality education programs for children. Volunteers should be appropriately screened and trained, as determined by the needs of the local school system and by the state statutes.

The Association believes volunteers should be used in addition to, not replacement of education employees. The Association deplores the practice of using volunteer workers for the purposes of reducing instructional budgets or the number of full- or part-time education employee positions within a local school system.

The Association also believes that education employees should be involved in the decision-making process regarding the appropriate utilization of volunteers within local school systems. (2008)

V.40 School Employee Disability Benefits
The Oregon Education Association believes a school employee with disability that impairs job performance who is eligible, should be given disability benefits under Social Security, Workers Compensation, and/or Public Employees Disability Retirement Benefits. (1975, 91, 97, 2009, 17)

V.41 Sick Leave Bank
The Oregon Education Association believes there should be a sick leave bank from which school employees can draw when personal sick leave benefits have been exhausted. (1991, 97)
V.42 Transfer of Sick Leave from Other States
The Oregon Education Association believes school employees coming from out of state should be credited with all sick leave they have accumulated. (1975, 89, 91, 97, 2008, 09)

V.43 Dismissal Due to Illness
The Oregon Education Association supports legislation which guarantees the security of a school employee's position in the event of extended illness. (1975, 91, 97)

V.44 Employee Parental/Family Medical Leave With Pay
The Oregon Education Association believes all employees should be granted leaves of absence without loss of rights or benefits for the purpose of childbearing or adoption, serious illness for self, spouse, domestic partner or dependent family member. (1974, 89, 97, 2003, 2009)

V.45 Child Rearing Leave
The Oregon Education Association believes all employees should be granted unpaid leaves of absence for specific periods of time, with right of retention, and without loss of conditions of employment for the purpose of child rearing. (1976, 89, 97, 2009)

V.46 Religious Leave
The Oregon Education Association believes in provisions to allow for school employees to observe, without loss of pay, mandatory holy days prescribed by their religious affiliation on contracted days. (1974, 89, 97, 2008, 09, 16)

V.47 State Educational Leave
The Oregon Education Association believes that a school district should provide release time without loss of compensation to any school employee serving on a state education agency, committee, task force, or team. (1983, 91, 97)

V.48 Active Military Duty
The Oregon Education Association believes that any school employee called to active military duty, upon completion of that duty, be reinstated to his/her pre-duty position with no loss of seniority or benefits. The OEA further believes that time spent in active military duty count toward the school employee's salary placement. Furthermore, OEA believes that qualifying family members of any school employee called to active military duty receive continued health care benefits. (1991, 97)

V.49 Retirement
The Oregon Education Association endorses the concept of a fully funded retirement system for school employees after 25 years of service without actuarial reduction regardless of age. Employees may elect to retire and receive full retirement benefits accrued. The Association further supports a formula that increases benefits for those who retire after the age of 55. (1975, 94, 97, 2000, 05)

V.50 Retirement Planning
The Oregon Education Association believes its members should seek ongoing financial benefit counseling in the early years of service for retirement. The Association believes its affiliates should bargain contract provisions which would provide paid leave opportunities for such counseling during the year prior to the retirement.

The Association further believes that members would benefit from pre-retirement non-financial counseling that deals with the transition from active work and association membership to retired status and retired membership. (1986, 89, 97, 2008, 17, 19)

V.51 Parity in Retirement
The Oregon Education Association believes the percentage of yearly basis of retirement for school employees should be brought into parity with fire fighters and police officers. (1975, 89, 97)

V.52 Public Employees Retirement Pension System
The Oregon Education Association believes that the financial integrity of the Public Employees Retirement System must be maintained, and that the system must remain fully funded.

The Oregon Education Association believes that retirement compensation should keep up with the cost of living increases.

The Oregon Education Association supports the Public Employees Retirement System in offering medical insurance for retirees and eligible dependents. The Association further believes that medical insurance subsidies provided by the PERS are a significant benefit to retirees and should be continued and expanded.

The Oregon Education Association opposes a "tiered" retirement system and supports equal access to retirement benefits for all of its members.

The Oregon Education Association supports legislative revision of the Public Employees Retirement System so that the Public Employees Retirement System Board is made up of a proportionate percentage of representatives of employees contributing to the Public Employees Retirement System. (1978, 94, 97, 2009)

V.53 Social Security
The Oregon Education Association believes Social Security benefits should be guaranteed. The benefits should continue to guarantee inflation adjusted
VI.  HELP MEMBERS ACHIEVE PROFESSIONAL EXCELLENCE AND MEET THE DEMANDS AND STRESSES OF THEIR JOBS

VI.1  Code of Ethics

The Oregon Education Association believes that the Code of Ethics as adopted by the National Education Association provides appropriate principles for the education profession. (2011)

VI.2  Professional Excellence

The Oregon Education Association believes all education employees must be professionally trained and maintain high standards of excellence.

The Association recognizes its responsibility to promote public understanding and support of education and educators.  (1984, 89, 97, 2009)

VI.3  Council for Accreditation of Educator Programs

The Oregon Education Association supports the Council for Accreditation of Educator Programs (CAEP) in its program of accrediting teacher education institutions throughout the state and nation.

All teacher education institutions should continue their work toward upgrading their programs of teacher education so that the goal of all institutions which prepare teachers receiving CAEP accreditation would be reached.  (1974, 97, 17)

VI.4  Licensed Educator in Every Professional Position

The Oregon Education Association believes all professional positions must be filled by a licensed educator; and that special areas and/or specialized positions must be filled by personnel explicitly licensed in those areas.

The Association also believes that an administrator who knowingly employs non-licensed staff for a teaching position should be penalized by losing administrative credentials.

The Association further believes in resisting any attempt to diminish the quality of learning or service through elimination of teaching positions or through revision of school staff management under the guise of improving educational opportunity when the effect diminishes the quality of learning.  (1974, 89, 97, 2009)

VI.5  Teacher Standards and Practices Commission

The Oregon Education Association believes that the Teacher Standards and Practices Commission should be of a workable size and should be representative of all areas of education with the largest, single representation being teachers. Teachers appointed shall be selected from a list of nominees submitted by the OEA and be accountable to the Association.

The Oregon Education Association firmly believes that in as much as the actions of the executive secretary of the Teacher Standards and Practices Commission affect all teachers, the TSPC must establish the job description and evaluation procedures for its executive secretary and adopt its own budget.

The Association believes the Teacher Standards and Practices Commission should critically assess current
college and university programs of teacher education and make specific recommendations for changes, including standards for remaining in the program, to meet the approval of Oregon standards for certification. The Association believes that alternatives to current college and university licensing programs of teacher preparation are counter-productive to effective education. (1982, 89, 95, 97, 2005, 09, 11)

VI.6 School Employee Participation in Hearing Process of Government Agencies

The Oregon Education Association believes that the State Board of Education, the Teacher Standards and Practices Commission, and the Educational Coordinating Commission must hold hearings at times and places convenient for school employees to attend. Timely notice to all school employees shall be provided.

The Association further believes that changes made in mandated education programs from government agencies must have school employee input during planning and drafting stages. When changes have been mandated, a three-year review and hearing process should be established to allow school employees to report directly to the appropriate agency as to the impact of these changes. (1978, 89, 92, 97, 2009)

VI.7 Licensed Educator Training

The Oregon Education Association believes that teacher preparation programs must:

a. involve teachers and students in design, implementation, changes, evaluation and improvement of the standards for teacher preparation and licensure.

b. include pre-professional practicum experience as an essential phase of teacher preparation. The responsibility for the practicum experience must be shared by the public schools, the institutions that prepare teachers, and professional associations.

c. include an actual work experience in public schools prior to completion of their education program including exposure to or experience with special education programs, individual education plans (IEPs), individual family support plans (IFSPs), 504 plans, accommodations, and modification of curriculum. (2017, 19)

d. include training in the dynamics of inter-group communication and human relations as a requirement for licensure and in professional development workshops in these areas for experienced teachers and administrators.

e. use teachers currently employed in elementary and secondary schools to augment the instruction of methods courses by the college or university staff.

f. take steps to improve the selection of persons entering teacher preparation programs through more effective screening of applicants and conduct outreach to underrepresented groups.

g. offer guidance to teacher preparation institutions to prepare teachers in numbers consistent with projected need for teacher positions

h. require for first licensure that all students pass a course or workshop instructing them in their legal rights and responsibilities as teachers and in interpreting teacher contracts. United Education Profession (UEP) approved personnel should instruct these courses/workshops. (1974, 89, 97, 2006, 09)

i. include sensitivity and awareness training for school employees in the area of child abuse.

This training should be provided by local school districts and be current with state and federal laws regarding the rights and responsibilities of school employees, children, and adults/parents.

School employees are encouraged to increase student awareness and understanding of child abuse. (1982, 89, 91, 97, 2004, 09, 17)

j. include personal interaction and involvement and not be exclusively replaced with on-line and long-distance training. (2009)

k. include a broad range of diversity, equity and inclusion training for school employees that includes awareness of implicit bias and institutional racism. (2013, 19)

l. include training around differentiated, culturally responsive and trauma informed strategies for supporting students. (2017, 19)

m. include a basic knowledge of a Functional Behavioral Assessment (FBA) and a Behavior Support Plan (BSP) (2017)

VI.8 Education Professors Teaching in Their Field

The Oregon Education Association believes that education professors should be required to teach in their field in a public elementary, middle, or secondary school one semester of every five years. (1974, 89, 97)
VI.9 Education Support Professionals Training
The Oregon Education Association believes that education support professionals must:

a. have appropriate training, experience and, where appropriate, a license/certificate in order to obtain employment in Oregon public schools;

b. as a part of on-the-job training provided by the school district have training in:

1) the dynamics of inter-group communication and human relations;
2) the treatment of children in a nurturing and positive way;
3) sensitivity and awareness in the area of child abuse and what to do when child abuse/neglect is suspected;
4) legal rights and responsibilities as a school employee;
5) the appropriate role of the contract, grievance procedures, and the Association in representing employees. (2009)
6) differentiated, culturally responsive and trauma informed strategies for supporting students. (2019)

VI.10 Student Teachers/Interns
The Oregon Education Association believes student teachers and interns should be placed under the tutelage of a supervising teacher with no fewer than three years' experience.
The Association believes paid, voluntary internship programs may be one of many options for entering the profession. (1974, 97, 2011)

VI.11 National Certification
The Oregon Education Association supports voluntary national certification. The Association recognizes the National Board for Professional Teaching Standards, composed of a majority of public school teachers, as the sole authority for granting such certification. The Association further encourages the TSPC to honor NBPTS certification with reciprocity. (1999, 2005)

VI.12 Professional Licenses
The Oregon Education Association believes that the profession must govern licensing of teachers, counselors, specialists, and administrators through the Teacher Standards and Practices Commission. The TSPC must set and enforce standards of licensure in conjunction with the college teacher training programs. The Association further believes that out-of-state applicants meet Oregon licensing requirements.
The Association believes it is not the role of the TSPC to test teachers or applicants for licensure. The Association also believes that licensing should not be based on student outcomes.
The Association further believes that the TSPC should not be a judicial body. The Association opposes any action by the TSPC that would discredit or cause loss of credential to any teacher accused in an ethics or morals case but who has been acquitted by a court of law.
The Oregon Education Association believes that haste in making license rule changes is detrimental to the profession. The Association believes that the timeline for license rule changes should not be less than two years and that at least two separate hearings be held with adequate notification to the entire education community so interested members can attend. Teacher Standards and Practices Commission staff proposals must reflect the testimony and findings of the hearings. The Association further believes that all TSPC rule changes must go through three readings and publication before final adoption. (1982, 89, 95, 97, 2009, 11, 19)

VI.13 Post Licensing Requirements
The Oregon Education Association opposes any efforts to legislate or mandate statewide post licensing requirements. New licenses/endorsements must hold harmless teachers who are already practicing in these areas. (1987, 89, 96, 97)

VI.14 Professional Development
The Oregon Education Association believes in professional development. Employees of school districts and higher education institutions and OEA affiliates must have a decisive voice at every stage of planning, implementation, and evaluation to assure that programs will provide opportunities to gain knowledge and skills they believe are important to their positions and to improve school programs.
The Oregon Education Association believes school systems and institutions of higher education have a responsibility to provide funds and release time for professional development programs. The Association believes education employees should govern the funded programs. (1974, 87, 89, 91, 97, 99)

VI.15 Teacher Testing
The Oregon Education Association believes the testing of experienced teachers who are already practicing in the classroom is unnecessary. The Association advocates the active assessment of all teachers through regular and comprehensive evaluation procedures. Testing of applicants to the teaching profession by university and college preparatory programs is appropriate as long as instruments are bias free and performance oriented. (1985, 89, 95, 96, 97)
VI.16 Mentoring Programs

The Oregon Education Association believes that mentor programs as a means of enhancing the professional expertise of education employees should be funded by the district and jointly developed and delivered by the district and the Association.

The Oregon Education Association encourages affiliates to formulate and support mentoring programs for education students and new employees with the goals of recruiting new members into Association activity, retaining successful employees and developing Association leaders. (2005, 06, 08, 09)

VI.17 Peer Support & Peer Assistance Programs

The Oregon Education Association believes that peer teachers provide support by sharing constructive ideas in order to improve instruction and believes that high standards within the teaching profession and continuous improvement in professional practices are cornerstones of the profession. Some local associations may conclude that a peer assistance program is an appropriate mechanism for achieving these objectives.

The primary purpose of any such program should be to provide “assistance” — to improve professional practice, retain promising teachers, and build professional knowledge to improve student success. The program should:

a. Be developed through collective bargaining;
b. Be governed by a board composed of an equal number or a majority of representatives appointed by the local association;
c. Ensure that only teachers who are deemed by their peers to be highly skilled practitioners are selected for the role of consulting teacher, that the consulting teacher’s areas of expertise is the same as or closely related to that of the participating teacher, and that the consulting teacher is chosen by the program governing bodies with the approval of the participating teacher involved;
d. Seek consulting teachers who reflect the diverse population of the teaching staff;
e. Provide that consulting teachers are properly compensated and provided adequate time to fulfill their responsibilities;
f. Provide that consulting teachers receive extensive and ongoing training in mentoring/coaching skills, district initiatives and resources, and current education instructional methods;
g. Establish guidelines for the referral of teachers as well as safeguards to prevent unwarranted referrals;
h. Establish and convey to all consulting and participating teachers clear rules on allowable uses of documents, products, and communications arising from the program.

However, the OEA objects to the formalization of peer assistance as a part of the regular teacher evaluation procedure. (1986, 97, 98)

VI.18 Statewide In-Service Day

The Oregon Education Association urges local affiliates to negotiate contracts which provide for Statewide Inservice Day as a regular paid contract day in the school year and that district funds be provided to defray the cost of attendance at these meetings. The Association further urges school employees to participate in Statewide Inservice Day. (1974, 91, 97, 2009)

VI.19 Time to Teach/Educator Workload

The Oregon Education Association believes educators must have a defined workload that fits within the contractual workday and it must include:

a. adequate time to teach that is free of interruptions
b. time to develop student-educator relationships
c. time for collaboration with colleagues
d. an unencumbered planning time
e. a prioritized workload
f. a limitation of required committee work
g. sufficient time to implement federal, state and local requirements
h. the elimination of the non-instructional tasks required of a teacher
i. easy access to appropriate supplies and equipment
j. a duty-free lunch period.

(1974, 89, 97)

VI.20 Class Size/Case Load

The Oregon Education Association believes class size/case load and daily student-educator contacts must allow for individual attention to each pupil. The Association believes class size/case load maximums must be established based upon the type of students, subject area content, physical facilities, best practices and other criteria. When exceptional children are included in a class, a weighted formula should be applied. (1974, 89, 97, 2007)

VI.21 Instructional and Non-Instructional Personnel

The Oregon Education Association believes local school systems should provide classroom teachers with support staff to free the teachers from non-
teaching duties. Employment of instructional and non-instructional personnel should not serve as rationale to increase class size. The Association believes teachers should become involved in orientation and training of instructional and non-instructional personnel. The Association believes volunteers should be used to supplement, not replace, school personnel. (1974, 89, 97, 2009)

VI.22 Teacher Exchange Program
The Oregon Education Association believes local school districts should participate in a teacher and administrator exchange program that would allow for exchanges in or out of state, and in other countries. Local associations should be an equal partner in the development of the program. Educators who participate in exchange programs should not suffer undue economic hardships. (1975, 89, 97, 2009)

VI.23 School Employee Evaluation
The Oregon Education Association believes the purpose of evaluation is to improve the quality of instruction. The Association further believes that evaluations should be fair and objective for all school employees. Evaluations must be fair, conducted by highly trained and objective supervisors or other evaluators as agreed to by the local affiliate. The evaluators’ work should be regularly reviewed to ensure the validity and reliability of evaluation results. Evaluations should be based upon written criteria, and following procedures mutually developed by, and acceptable to, the association and the governing board in compliance with state law. Standardized tests should not be used to support employment action against an educator and may be used only to provide non-evaluative formative feedback. Local associations should secure contract language covering aspects of evaluation. School employees should be informed in writing of the evaluation procedure prior to employment and re-informed prior to each evaluation.

Comprehensive assessment, evaluation and professional development systems should be designed in tandem with the goal of improving the knowledge, skills, and effectiveness of the educator workforce. This requires a sustained social, political and financial commitment. (1974, 89, 92, 97, 2004, 11, 12, 14)

VI.24 Competency and Evaluation of Administrators
The Oregon Education Association believes that quality school administrators perform an essential role in our schools. The Association believes the Teacher Standards and Practices Commission should:

a. take steps to improve the selection of persons entering administrative and supervisory programs through more effective screening of applicants;

b. take steps to evaluate and improve standards for entrance into administrative and supervisory positions;

c. require administrators to have at least five years of licensed teaching experience at the level(s) of administrative licensure;

d. be skilled in educational leadership, school management, inter-group communications, human relations and collective bargaining.

The Association believes administrators should be regularly evaluated and that school employee input should be part of the evaluation process. The Association believes that administrators should return periodically to teach in their field. Any teacher displaced by an administrator as indicated should be placed in a meaningful, appropriate and paid position (1976, 89, 95, 97, 2004, 09)

VI.25 Plan of Assistance
The Oregon Education Association believes that if a member is charged with deficiencies after established procedures of evaluation have been followed, a plan of assistance needs to be established. The plan should be mutually agreed upon by the member, a representative of the Association and the evaluator. The plan of assistance should:

a. focus on a limited range of reasonable improvements

b. be specific and in measurable terms

c. include sufficient time for successful completion

d. provide strategies and support to correct stated deficiencies.

The UniServ Consultant should receive notification of each plan of assistance prior to implementation. (1985, 90, 97, 2011)

VI.26 Substitute Assignments
The Oregon Education Association believes that substitutes should be assigned in the areas and levels of licensure required of the assignment. (1977, 89, 97, 2007)

Substitute teachers should be requested and assigned in the areas for which they are licensed. Education Support Professional substitutes should be requested and assigned in the areas they are qualified or trained. (2007)

VI.27 School Counselors
The Oregon Education Association believes school counseling is a necessary part of the educational process at all levels. School counseling positions must be filled by licensed counselors with licensed teaching experience. Further, the Association endorses a student-to-school counselor ratio of no greater than 250:1 as recommended by the National

VI.28 School Librarian/Media Specialists
The Oregon Education Association believes that literacy and media skills are an integral part of the learning process. Personnel instructing and/or managing the media center/library shall be licensed school librarians. Licensed library/media educators are essential at all levels of instruction, they provide unique literacy and media education.

The Association further believes when Education Support Professionals are used in media centers, they should be provided the appropriate staff development and be under the supervision of licensed/certified media specialist/teacher librarian in the building. (1984, 89, 97, 2003, 04, 08, 09, 11)

VI.29 School Nurses
The Oregon Education Association supports mandatory school nurse services for students from birth through age 21. Nurses should only perform medical procedures for which they are trained.

Further, the Association endorses a student-to-nurse ratio of no greater than 750:1 (in a healthy student population; higher for more complex needs) as recommended by the National Association of School Nurses. (1991, 92, 97, 2008, 11, 19)

VI.30 School Psychologists
The Oregon Education Association believes that school psychological services are an integral part of the educational process. The full range of school psychological services should be available to all students and provided by licensed school psychologists. Further, the Association endorses a student-to-school psychologist ratio of no greater than 500-700:1 as recommended by the National Association of School Psychologists. (1992, 97, 2019)

VI.31 School Social Workers
The Oregon Education Association believes that social work services in schools are an integral part of the total school program and the educational process. The full range of social work services in schools should be available to all students and provided by professional social workers. Further, the Association endorses a student-to-school social worker ratio of no greater than 400:1 as recommended by the National Association of School Psychologists. (1993, 97, 2019)

V.32 Speech Language Pathologists
The Oregon Education Association believes that special language pathology services are an integral part of the educational process. The full range of speech language services should be available to all students, provided by state licensed speech language pathologists. Further, the association endorses a speech language pathologist ratio of no greater than 40-55:1 in all educational settings, in accordance with average caseloads as referenced by the American Speech Language Hearing Association.

VI.33 Education Support Professionals in Education Process
The Oregon Education Association believes that Education Support Professional (ESP) employees are essential to the learning environment. The Association recognizes that ESPs promote positive role models that enhance the education process.

The Association also believes that the retention of ESPs must be encouraged and is vital to keeping strong and effective public schools. (2011)

VI.34 High School Completion Programs
The Oregon Education Association believes a program for regular communication and program review should exist between high school completion programs in community colleges and local secondary schools. The Association recognizes that all instructors used in high school completion programs are vetted by the local community college. (1977, 89, 97, 2011)

VII. PURSUE ORGANIZATIONAL EXCELLENCE INCLUDING SYSTEMATIC COMMUNICATIONS WITH MEMBERS AND INVOLVEMENT OF MEMBERS IN DECISION-MAKING

VII.1 Association Involvement
The Oregon Education Association believes that involvement in professional association activities is a responsibility as well as a right. The Association further believes all members should be treated equitably, communicated with, and encouraged to participate in association boards, committees, conferences and activities in accordance with Resolution IV.I. Civil Rights. (1976, 89, 97, 2013, 17)

VII.2 Organization of Higher Education
The Oregon Education Association supports the organization of post-secondary school personnel in Oregon as a part of the United Education Profession. (1978, 91, 97, 2003)

VII.3 Organization of Substitute Teachers
The Oregon Education Association believes that substitute teachers are professionals and should be entitled to all personal, professional, legal and human rights. The Association believes all OEA Bylaws, Policies, and programs shall apply equally to substitute teachers. (1982, 89, 97)
VII.4 Organization of Student OEA
The Oregon Education Association believes that students preparing for a career in education should be members of Student OEA. The Association should provide assistance to establish and maintain student OEA chapters. (1982, 89, 97, 98)

VII.5 Special Services/Member Benefits
The Oregon Education Association believes that special services/member benefits should be provided for its members. (1977, 95, 97)

VII.6 Political Involvement
The Oregon Education Association believes that every school employee has the right and obligation to be an informed and politically active citizen. The Association supports voter education to alert new voters of voting laws and procedures and key political issues. The Association urges local affiliates to seek written governing board policies to guarantee educators their political rights, including registering and voting, participating in party organizations, performing jury duty, discussing political issues publicly, including advocating and promoting collective bargaining rights, campaigning for candidates, contributing to campaigns of candidates, lobbying, organizing political action groups and running for and serving in public office. Provisions should be made to encourage school employees to serve in public office without personal loss and without curtailment of annual increments, permanent status, retirement, or seniority rights.

The Association believes it is the duty and responsibility of Association members to involve themselves in the selection, election and reelection of qualified, committed candidates for public office who support the established goals of the Association. (1974, 91, 97, 2005, 08)

VII.7 Political Action Funds
The Oregon Education Association endorses NEA FCAPE, (the NEA Fund for Children and Public Education,) OEA-PAC (Political Action Committee) and Local PACs (where applicable) and believes school employees and friends of education should support them through individual involvement and contributions. (1974, 89, 91, 97, 2019)

VII.8 Implementing Affirmative Action
The Oregon Education Association supports special leadership training open to all members for the purpose of implementing affirmative action. (1979, 97)

VII.9 Institutional Denial of Civil Rights
The Oregon Education Association believes its affiliates and members should not participate in programs sponsored by organizations which deny membership to certain segments of our society on the basis of race, color, national origin, religious beliefs, residence, disability, political activities, professional association activities, age, marital status, number of dependents, family relationship, size or sexual orientation/gender identification. The Association believes its affiliates and members should not utilize the facilities of such organizations. (1974, 89, 96, 97, 2003)

VII.10 Relationships With Other Organizations
The Oregon Education Association acknowledges and concurs with the National Education Association's desire to unite all school employees in a single national organization. (1976, 91, 97)

VII.11 Right to Strike
The Oregon Education Association believes in the right to strike by employee groups and believes picket lines must be respected and the strike should encompass all school related activities. (1989, 97, 2005)

VII.12 Recruitment or Hiring for Strikebreaking
The Oregon Education Association opposes Oregon school districts recruiting or hiring for the purpose of breaking an Association sanctioned strike. (1976, 89, 97)

VII.13 Organization of Retired Education Employees
The Oregon Education Association believes education retirees are a valuable resource for the Association and should be encouraged to maintain their involvement through membership in NEA-Retired and OEA-Retired. Local associations also are encouraged to support such membership. (1998)

VII.14 Development and Reduction of Nuclear Arms
The Oregon Education Association believes in a universal freeze on nuclear arms development and in universal efforts to reduce nuclear arms. The Association further believes that funds designated for nuclear arms be transferred into social service programs. (1982, 89, 96, 97, 2008)
<table>
<thead>
<tr>
<th>SUPPLEMENTARY DOCUMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TABLE OF CONTENTS</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>AFFIRMATIVE ACTION POLICY, PLAN AND GOALS</td>
</tr>
<tr>
<td>ARTICLES OF INCORPORATION</td>
</tr>
<tr>
<td>CODE OF ETHICS</td>
</tr>
<tr>
<td>LEGISLATIVE OBJECTIVES</td>
</tr>
<tr>
<td>OEA-PAC BYLAWS</td>
</tr>
<tr>
<td>OEA-PAC CONSTITUTION</td>
</tr>
<tr>
<td>STANDING RULES</td>
</tr>
</tbody>
</table>
ARTICLES OF INCORPORATION

(The first three articles as filed with the Oregon Corporation Commission originally in 1927 and subsequently successively amended.)

I.

The name assumed by the corporation and by which it shall be known is the OREGON EDUCATION ASSOCIATION and the duration of said corporation shall be unlimited.

II.

The object, business or pursuit of the corporation is to promote the interests of public education; to advance the standards of the teaching profession; to publish educational magazines and other papers; to secure the conditions necessary for the greatest efficiency of members and schools; and to represent its members in their employment relations with their public employers. No part of the net earnings of the corporation shall inure to the benefit of any member of the corporation.

III.

The estimated value of the property and money possessed by the Association is the sum of $413,000.00, and the source of revenue or income shall be from the dues from the members thereof, from advertising carried in the educational publications of the Association, and from placement fees.
Rule 1. The President of the Association or the President's designee shall preside at the meetings of the Representative Assembly (RA).

Rule 2. The Assembly shall have an official Parliamentarian to advise the presiding officer and to help delegates who wish to submit motions. Parliamentary questions raised on the floor must be directed to the presiding officer. The presiding officer rules on all procedural questions. Delegates wishing to challenge a ruling may do so. The decision will then be made by a majority of the delegates.

Rule 3. The Credentials Committee shall report the number of delegates and alternates registered.

Rule 4. A member registered as an alternate can, upon clearance by the Credentials Committee, be transferred from alternate to delegate at any time during business meetings. An alternate once seated as a delegate cannot be replaced by the original delegate until the next scheduled meeting break (lunch - recess of the session).

Late registrants shall be seated during the first and second session of the OEA RA.

For initial and runoff elections, the delegate registered 15 minutes before the polls open shall be the official voting delegate for that election.

Rule 5. Members shall be required to wear the badge issued by the Credentials Committee for admission to the assembly hall.

Rule 6.

a. All amendments to OEA Bylaws, Policies, Standing Rules, Resolutions and Legislative Objectives as well as proposed new business items shall be accompanied by a 175-word or less statement of rationale and shall include the name of the sponsoring delegate or group. In addition, each of the proposed amendments and new business items shall be accompanied by the name and UniServ Council of a contact person.

a. All motions which encumber the Association with expenditures shall include an estimate of the expenditures which shall be provided by the Executive Director or his/her designee and presented to the delegates. If adopted, RA actions which encumber the Association with expenses shall be implemented by the OEA Program/Budget Committee and the Board of Directors.

Rule 7. Bylaws/Policies:

a. Proposed amendments to the Bylaws will be considered only if they are submitted sixty days prior to the RA and in accordance with the Bylaws. Amendments to proposed amendments may be made from the floor only if they do not go beyond the scope of the amendment as it was submitted sixty days in advance and published.

Proposed amendments to Policies must be submitted sixty days in advance.

b. The Bylaws committee collects and edits proposed Bylaws and Policy changes but may not make any substantive alterations. It also presents proposed amendments to the Assembly for voting. A two-thirds affirmative vote is required to adopt any proposed Bylaw’s amendment.
Policy changes are enacted by majority vote. Goals are part of Policy.

Rule 8. Resolutions:

a. Each year, the Resolutions Committee shall review OEA’s Resolutions and propose any changes that would more clearly state OEA’s positions on critical issues facing education employees. The proposed changes will be provided to delegates in advance of RA.

b. Delegates who wish to make changes or additions to the Resolutions must submit their ideas, in writing, to the Committee. This may be done in advance of the RA or at any time before the end of the Resolutions Committee hearing(s). After the hearing(s), the Committee shall meet to consider proposals they have received. If the Committee decides to make any further changes, it will provide copies of the changes to the delegates.

c. The Resolutions Committee shall present the Resolutions (as changed by the Committee) to the RA and make a motion for approval. Delegates may request to pull individual Resolutions, to which changes have been proposed, to be considered separately. Resolutions not pulled will be voted on as a block.

d. Debate, and secondary amendments will be allowed only on the Resolutions for which changes are proposed by the Committee or by delegates in a timely manner. Any delegate who proposes an amendment to a Resolution, in a timely manner, to the Resolutions Committee will be allowed to make a motion on that Resolution on the RA floor.

e. After all debate, a vote will be taken to approve the entire list of Resolutions, including any changes.

Rule 9. New Business:

A New Business Item submitted by any delegate in writing prior to Friday at 10:00 p.m. will be distributed by the start of the Saturday morning Caucuses. All New Business Items must be submitted prior to Saturday morning at 10:00 a.m. The New Business item shall also include a statement of rationale and will be printed with the name and board district number of mover included.

A minimum of 90 minutes will be scheduled Saturday morning for discussion and action on New Business Items that have been distributed to the delegation. The Chair may set aside any NBI that would be impacted by a Bylaws or Policy Amendment that has been duly submitted and not acted on by the RA prior to this time.

Process:

• Any member who has an idea for a New Business Item (NBI) may submit it for action at the RA.
• Only a delegate, however, may move it on the floor of the RA.
• Before submitting an NBI, the author should check to ensure it is not in conflict with OEA’s guiding documents (Bylaws, Policies, Resolutions)
• Each NBI must be written on a motion form, signed by the maker and the second, and include both the action to be accomplished through the NBI and a rationale. Additionally, the author must also provide an estimate of the cost of the action.
• The language of the NBI should be clear and focused. It should include the action, the timeline, and specify who will be responsible for completing it.
• Once the NBI is written on the motion form, it should be turned into the New Business Item Table.
• All NBIs will be reviewed by leaders and/or staff at the NBI table; the author should wait at the table until the review is
completed to clarify any points in the NBI.

- The NBI table will inform the maker if they believe the NBI may be ruled out of order. The maker has the opportunity to rewrite the item or withdraw it prior to the final submission.
- All NBIs must be submitted by Friday evening at 11:00 p.m. or two hours after hearings begin, whichever is later in order to appear in print for caucuses on Saturday morning.
- These NBIs will be printed and distributed to delegates during morning caucus on Saturday.

Rule 10. Legislative Objectives:

a. The proposed Legislative Objectives will be provided to delegates and a hearing will be held.

b. Delegates may propose additions or changes to the Proposed Legislative Objectives by submitting their changes, in writing, to the chairperson of the Legislative Advisory Council no later than the conclusion of the hearing(s).

c. After the chairperson of the Legislative Advisory Council makes a motion to approve the proposed Legislative Objectives, motions to amend will be accepted only if they have been properly submitted by the close of the hearing(s).

Rule 11. The following rules shall govern all floor debate:

a. Each speaker shall be limited to 2 minutes for discussion on any topic and may not speak again until all others who wish to speak on the same motion have been heard. A delegate wishing to speak shall not proceed until he/she goes to a microphone, is recognized by the chair, gives his/her name and name of local, and is directed to proceed.

b. A delegate who has been granted the privilege of the floor may not yield any part of his/her time to another delegate.

c. A delegate speaking to a motion before the house may not move to close debate. A motion to close debate shall apply only to the motion currently before the house.

d. Votes on motions shall be by voice. On the request of any delegate, however, a standing division of the Assembly shall be taken. On the request from a delegate there shall be a roll call, provided that when this request is put to the Assembly, the request is supported by one-third of the delegates present. The roll call shall be by Board District, with the individual delegate votes counted and reported by the Board Director or designee.

e. Amendments to motions shall be presented in writing to the Recording Secretary prior to or simultaneously with presentation of the amendment.

f. Any delegate may call for a caucus; a majority vote of the delegates present shall determine if the Assembly will be recessed for caucus.

g. OEA Board Directors shall be Ex-Officio members of the RA without voting rights unless they are also duly elected delegates; Directors have all other privileges of the Assembly including the rights to make motions, second motions, and take part in floor debate.

h. On any motion, debate shall alternate between pro and con as follows:

In the event no speaker wishes to be recognized in opposition to the first speaker, debate shall be closed except as follows.

If after the maker of the motion has been allowed to speak in favor of the
motion, no speaker wishes to speak in opposition to the motion, one additional speaker in favor will be allowed.

After this, if there are still no speakers wishing to speak in opposition, debate will be closed.

If, however, after two delegates speak in favor, there is a speaker in opposition, debate will then continue, alternating between pro and con.

i. a delegate who is unable to speak to the assembly due to a disability may have someone speak for them.

Rule 12. Candidate election procedures:

a. A member is considered nominated upon receipt of completed nomination forms, or upon nomination from the floor. Courtesies extended to candidates, such as display space, will not be extended to anyone prior to their being nominated.

b. For each office the president or her/his designee will announce the names of members who have been duly nominated as candidates and will allow additional candidates to be nominated from the floor. No nominating speeches or statements will be allowed. (Nominations do not require a second.)

c. Each candidate for President is allowed 5 minutes to address the delegates. Delegates shall have 20 minutes to ask questions of Presidential candidates. Each question shall be answered by all candidates and candidates shall rotate the order in which they answer questions. Questions will be limited to 1 minute, answers will be limited to 3 minutes. In the event there is only one candidate, question time will be limited to 10 minutes. If a recognized delegate begins a question, and the time allotted for questions expires during the question or answer(s), time will be extended accordingly so that both the question and answer(s) may be completed as prescribed above.

d. Each candidate for State Vice President is allowed 5 minutes to address the delegates. Delegates shall have 20 minutes to ask questions of State Vice Presidential candidates. Each question shall be answered by all candidates and candidates shall rotate the order in which they answer questions. Questions will be limited to 1 minute, answers will be limited to 3 minutes. In the event there is only one candidate, question time will be limited to 10 minutes. If a recognized delegate begins a question, and the time allotted for questions expires during the question or answer(s), time will be extended accordingly so that both the question and answer(s) may be completed as prescribed above.

e. Each candidate for Regional Vice President will be allowed 5 minutes to address the delegates. Question and answer time will not be provided for Regional Vice Presidential candidates as a part of the regular session agenda.

f. Each candidate for NEA Director will be allowed 5 minutes to address the delegates. Question and answer time will not be provided for NEA Director candidates as a part of the regular session agenda.

g. Each candidate for Racial Equity Board Director, ESP Director and ESP Proportional At-Large Director will be allowed 3 minutes to address the delegates. Question and answer time will not be provided.

Rule 13. Candidate Campaigning

a. Candidates may place material only on the delegate tables in the Assem-
bly room. Distribution of the material may not take place while the RA is in session and may not disrupt any RA business including hearings.

b. Campaign material placed on delegate tables may not be larger than 11” x 17” and may not be more than 9” tall.

c. No campaign material may be distributed or posted in any hearing rooms.

d. Regional caucuses may establish their own rules about campaigning during their caucus but must treat all candidates equally.

e. Campaigns may not cause disruption to the business of the RA.

Rule 14. Notices for announcement to the Assembly shall be in writing, signed by the person under whose authority the announcement is issued and shall be submitted to the President.

Rule 15. Delegate expense vouchers shall be submitted to the OEA within 30 days. Vouchers not received within 30 days may not be paid.

Rule 16. Items that have already been adopted for action by the Assembly, if resubmitted, shall be listed as "previously adopted items" and shall be readopted, unless amended or deleted.

Rule 17. The rules governing the Assembly which are not stated explicitly above shall be the rules contained in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED.

Rule 18. There shall be no smoking in the display areas, or on any of the hotel floors in which OEA meetings or other OEA official functions are scheduled; except in OEA designated areas.

Rule 19. When a chairperson is not a delegate, he or she may not make motions on behalf of his/her committee or council and shall appoint another delegate to do so.

Rule 20. Meetings in conflict with the RA, hearings or regional caucuses, may not be scheduled without the approval of the OEA president because delegates are expected to attend all RA business sessions and to attend hearings and their regional caucus.

Rule 21. Display space or meeting rooms may be allocated to candidates or groups. Since space is limited, requests should be made as soon as possible, but no later than three weeks before the RA. Allocation will be made or refused based on these priorities:

a. Official OEA committees, projects, groups.

b. Candidates for OEA elected office - if they have been nominated.

c. Groups endorsed by OEA - Trusts, California Casualty, etc.

d. NEA

e. Oregon local EAs and Councils

f. Special Interest Caucuses

g. Individual members wishing to promote activities that advance or are compatible with OEA/NEA goals or projects.

Any requests received within three weeks of the OEA RA will be considered on a space available basis only.

Rule 22. Minutes of the OEA RA will be posted on the OEA member web site within 30 days of the adjournment of the RA.

Rule 23. The OEA Board of Directors is empowered to approve proposed changes to these OEA RA Rules. The (changed) Rules will be available at Mini RAs and will be subject to approval by the RA.
Rule 24. Materials distributed on the floor of RA will be clearly marked with delegate contact.

Rule 25. No non-member educator of the year will speak at the RA.
OEA-PAC CONSTITUTION

CONSTITUTION

ARTICLE I. NAME AND DEFINITION

The name of this association is Oregon Education Association-Political Action Committee (hereinafter referred to as OEA-PAC). It is a voluntary, nonprofit, unincorporated association of individual OEA members and others, and is not affiliated with any political party.

ARTICLE II. OBJECTIVES OF OEA-PAC

OEA-PAC shall have as its primary purpose the improvement of public education and educational standards in the state of Oregon.

OEA-PAC's purpose shall be to encourage all OEA members to participate in political activities necessary to recommend candidates and to elect to office persons who are interested in the development of a better public education system in the state of Oregon.

ARTICLE III. POWERS

OEA-PAC may take no action which is inconsistent with the policies of OEA as established by the Representative Assembly or by the OEA Board of Directors, but may otherwise take such action as required to fulfill its purpose.

ARTICLE IV. MEMBERSHIP AND CONTRIBUTIONS

Membership shall not be limited in number. The OEA-PAC Bylaws provide for one or more classes of members, the designation of such class or classes, the qualifications and rights of the members of each class, provisions for termination or forfeiture of membership, and the contributions such members may make for its financial support.

ARTICLE V. GOVERNING BOARD

The affairs of OEA-PAC shall be managed by a Board of Directors who shall be members of the Oregon Education Association or OEA-Retired; NEA; and OEA-PAC during their terms of office.

A. The governing board shall be comprised of:

1. The president of OEA or the president's designee;
2. The OEA Board of Directors member elected by the OEA Board of Directors;
3. The chairperson of the Legislative Advisory Council or the chairperson's designee from that council;
4. A representative from each UniServ council;
5. A representative from the Oregon Council of Education Support Professionals (OCESP);
6. A representative from OEA-Retired; and

7. A secretary-treasurer who shall be a staff member of the OEA designated by the OEA Executive Director. Such person shall be a nonvoting member of the board.

B. Members of the Board of Directors shall be reimbursed at the OEA Governance rate for expenses incurred in performance of their official duties; however, they shall receive no salary or other compensation.

C. The NEA Fund for Children and Public Education Director shall be a member of the OEA-PAC Board of Directors with all rights and responsibilities.

D. The position of any member of the OEA-PAC Board of Directors who files for any political office which OEA-PAC has traditionally provided support shall be declared vacant on the day of filing.

ARTICLE VI. AMENDMENT OF THE CONSTITUTION

This constitution may be amended by a two-thirds vote of the members of the OEA-PAC Board of Directors subject to a concurring two-thirds vote of the OEA Board of Directors. Amendments to the constitution may be initiated by either board.
ARTICLE I. FORM AND METHOD OF OPERATION
OEA-PAC shall be an independent autonomous body, not a branch of any other political action committee. It exists under the authority of the Representative Assembly of the OEA and shall operate according to guidelines developed by OEA-PAC. OEA-PAC shall fulfill its duties and responsibilities as set forth in Article II of the Constitution of OEA-PAC in accordance with state and federal statutes. OEA-PAC shall not affiliate with any political party or any political faction.

ARTICLE II. MEMBERSHIP

Section 1. Classification of Members
(a) OEA members who are affiliated with a local and contribute to OEA-PAC.
(b) OEA members who are not affiliated with a local and contribute to OEA-PAC.
(c) Fair share fee-payers who contribute to OEA-PAC.
(d) OEA-Retired members who contribute to OEA-PAC.

Section 2. Rejection of Membership Application
The OEA-PAC Board of Directors reserves the right to reject any person or organization from membership.

Section 3. Non-Member Contributions
Members of the public and staff of the Oregon Education Association may make contributions to OEA-PAC, but are not considered members of OEA-PAC and their contributions do not count for purposes of voting.

Section 4. Contributions
The term of membership in OEA-PAC shall be for one year commencing July 1 of any year and shall continue to the 30th day of June of the following year. Members shall contribute a minimum of $5 per year.

ARTICLE III. MEETINGS

Section 1. Meetings
Meetings of the members may be called by the chairperson at the direction of the OEA-PAC Board of Directors designating the time and place of the meeting.

Section 2. Membership Participation
Any OEA-PAC member in good standing shall have the right to meet with and make recommendations to the OEA-PAC Board of Directors at any meeting.

Section 3. Board of Directors
The OEA-PAC Board of Directors shall meet at least once every six months at a time and place agreeable to a majority of the board. Meetings may be called by the chairperson or at the request of five members of the board.
Section 4. Visitors
Visitors who wish to speak at meetings will be allotted five minutes by the chair, who is authorized to extend the limit to ten minutes for those who have asked in advance for time to speak.

ARTICLE IV. QUORUM AND VOTING

Section 1. Quorum for the OEA-PAC Board of Directors
A majority of those members serving shall be a quorum for the OEA-PAC Board of Directors.

Section 2. Weighted Voting
At the request of three members of the OEA-PAC Board of Directors, a weighted vote shall be taken on any issue. In such event, each UniServ council representative and OEA-Retired representative shall cast the number of votes equal to the actual OEA-PAC participation in that UniServ council and OEA-Retired as of January 1 or June 30 most immediately preceding. The OCESP representative shall cast a weighted vote figure derived from a total of all ACE local OEA-PAC contributions (excluding ASK ESP). Those members not representing UniServ councils, OCESP or OEA-Retired (LAC representative, OEA president, and OEA Board representative) shall cast votes equal to the average of the sum of the total votes of UniServ councils, OCESP and OEA-Retired.

ARTICLE V. RIGHTS OF MEMBERS

Section 1. Candidate Contribution
Upon demonstration that a majority of OEA-PAC members in an electoral district oppose contributions to a particular candidate, the OEA-PAC Board shall be prohibited from making such a contribution.

Section 2. Meeting Participation
Any OEA-PAC member in good standing shall have the right to meet with and make recommendations to the OEA-PAC Board of Directors at any meeting.

ARTICLE VI. BOARD OF DIRECTORS

Section 1. Number of Board Members
The number of directors constituting the OEA-PAC Board of Directors shall be as enumerated in the constitution.

Section 2. Notification of Election
At least 90 days prior to a scheduled election, the OEA president shall notify the president of each local association in the UniServ council in which an OEA-PAC position is open for election, the OCESP chair, and the Executive Board of OEA-Retired. Notification shall be through an official publication of OEA and/or official communication of the OEA president.

Section 3. Qualifications of Nominees
A nominee for election to the OEA-PAC Board of Directors shall have been an active member of OEA and OEA-PAC for one year prior to nomination, and shall be employed in the UniServ council for which there is a position open for election.

Nominees for election to the OEA-PAC Board of Directors for the OCESP OEA-PAC Board seat shall have been active members of OCESP and OEA-PAC for one year prior to nomination.
Nominees for election to the OEA-PAC Board of Directors for the OEA-Retired OEA-PAC Board seat shall have been members of OEA-Retired and OEA-PAC for one year prior to nomination.

The above shall be sensitive to minority input.

This section shall not apply to any nominee to the OEA-PAC Board who was not represented by an OEA UniServ council during the previous fiscal year.

Section 4. Nominations and Elections
Any OEA-PAC member or local association shall have the right to nominate individuals to the OEA-PAC Board. Nomination shall be made by a petition of 50 OEA-PAC members in a UniServ council or 20 percent of the OEA-PAC members in a local association, whichever is less. The OEA-Retired OEA-PAC director shall be nominated by OEA-Retired. The OCESP OEA-PAC Director shall be nominated by the Oregon Council of Education Support Professionals. A resume of the nominee’s qualifications shall be sent to the UniServ council, the OEA-Retired Executive Board or the OCESP for each nominee submitted. The UniServ council, OEA-Retired Executive Board, or the OCESP shall select its nominee from the candidates qualified in this manner and submit the candidate’s petition and resume to the OEA Board of Directors consistent with the time requirements as determined by the OEA Board.

Election of the nominee shall be done by weighted voting with each local association casting a number of votes which is equal to the number of OEA-PAC contributors as determined by the last membership report of the fiscal year or the membership report closest to January 1. Each local shall be credited with one member for every $5 contributed by members of the local.

Section 5. Approvals
Final approval of directors to the OEA-PAC Board will be by the OEA Board of Directors consistent with rules as established by the OEA Board of Directors. Should the OEA Board not confirm the nominee, the UniServ council involved, the OEA-Retired Executive Board or the OCESP shall be notified of such action and an additional nominee requested.

Section 6. Term of Office
The term of office of each director elected from a UniServ council, OEA-Retired and OCESP shall be three years. The term will begin on July 1. Directors will be limited to serving two consecutive terms in office.

The term of office of the president of OEA or the president’s designee on the OEA-PAC Board of Directors shall coincide with his/her term of office as president of OEA.

The term of office of the OEA Board of Directors member on the OEA-PAC Board of Directors shall coincide with his/her term of office on the OEA Board of Directors.

The term of appointment of the chairperson of the Legislative Advisory Council or the chairperson’s designee on the OEA-PAC Board of Directors shall coincide with his/her term of office on the Legislative Advisory Council of OEA.

Any OEA-PAC Board member who is elected and seated to fill a vacancy shall not have that remaining term counted as part of his/her two consecutive three-year terms.

Section 7. Vacancies
If a director is absent from a meeting of the OEA-PAC Board of Directors without proper excuse more than two times during any term of office, or if a board member ceases to be employed in the UniServ area, or becomes an OEA-NEA staff member,
the chairperson shall declare a vacancy to exist. Any vacancy on the OEA-PAC Board of Directors shall be filled in the same manner described in this Article and the person elected to fill the vacancy shall serve for the remainder of the term of his/her predecessor.

Section 8. Interim Appointments
In the event an OEA-PAC director position for a UniServ council, OCESP or OEA-Retired becomes vacant, the respective UniServ council, the OEA-Retired Executive Board, or the OCESP shall be empowered to appoint an interim director in accordance with the procedures of the UniServ council, the OEA-Retired Executive Board or the OCESP until the procedures outlined in this Article can be followed.

Section 9. Recall
An OEA-PAC Board of Directors member can be recalled by a two-thirds vote of the OEA-PAC Board of Directors subject to a concurring two-thirds vote of the OEA Board of Directors. A recall may be initiated by either board. In the event of a recall, that position will be declared vacant.

ARTICLE VII. OFFICERS

Section 1. Officers
The officers of OEA-PAC shall elect a chairperson and a vice-chairperson, each of whom shall be elected annually by the OEA-PAC Board of Directors from among members of the board at the first board meeting following July 1st. Officers will be limited to serving three consecutive terms in office.

Section 2. Chairperson
The chairperson shall be the executive officer of the OEA-PAC Board of Directors and subject to the direction of the board, and shall supervise the business and affairs of OEA-PAC. The chairperson shall have the authority to delegate responsibilities in order to properly perform the function of the office. The chairperson shall be the presiding officer at all meetings of the members and of the OEA-PAC Board of Directors.

Section 3. Vice-chairperson
In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson, and when so acting, shall have the powers of and be subject to all the restrictions upon the chairperson. This person shall perform such other duties as may from time to time be assigned him/her by the chairperson or by the OEA-PAC Board of Directors.

Section 4. Secretary-Treasurer
The Secretary-Treasurer, appointed by the OEA Executive Director, shall be bonded and shall have the following duties:

a. Be responsible for all funds and securities of OEA-PAC;
b. Maintain financial records for OEA-PAC;
c. Keep the minutes of the meetings of members and of the OEA-PAC Board of Directors;
d. See that all notices are duly given in accordance with the provisions of these bylaws or as required by law;
e. Be custodian of OEA-PAC records;
f. Keep a register of the address of each member; and
Perform all duties incident to the office of secretary-treasurer and such other duties as may be assigned by the OEA-PAC Board chairperson or the OEA-PAC Board of Directors.

ARTICLE VIII. GENERAL PROCEDURES

Section 1. Operations
OEA-PAC contributions from local associations shall be collected by OEA and transmitted to OEA-PAC at the earliest possible date. OEA-PAC shall maintain independent accounts and follow fiscal policies consistent with those developed by the Secretary of State. The secretary-treasurer shall administer the funds consistent with the policies of the OEA-PAC Board.

The OEA-PAC Board shall prepare an annual budget for approval at its first board meeting following July 1st. The budget will be provided to the OEA Board of Directors at its next scheduled meeting following adoption by the OEA-PAC Board.

OEA-PAC may raise funds in any manner consistent with law and shall disburse funds to candidates or other projects approved by OEA-PAC in a manner consistent with the regulations and policies adopted by the OEA-PAC Board.

Section 2. Accountability
The OEA-PAC Board of Directors shall make an annual written report to the meeting of the OEA Representative Assembly and shall, upon request, make reports to the OEA Board of Directors.

The OEA Board of Directors will make an annual certified audit of the financial condition of the OEA-PAC fund.

Section 3. Minority Representation
a. An agenda and minutes will be distributed directly to the OEA Minority Affairs Committee chairperson for distribution where necessary.
b. On each meeting agenda there will be a separate time set aside for minority input.

ARTICLE IX. RULES OF PROCEDURES

Section 1. Amendment of Bylaws
a. These OEA-PAC bylaws may be amended at a meeting of the OEA-PAC Board of Directors.
b. Revisions to the bylaws may not in any instance be in conflict with the OEA-PAC constitution.

Section 2. Parliamentary Procedure
Except where otherwise provided by the OEA-PAC constitution and bylaws, OEA-PAC will function under the current edition of Robert’s Rules of Order, Newly Revised.
LEGISLATIVE OBJECTIVES

PREAMBLE

The Oregon Education Association supports public policy decisions that protect students and public education. Because OEA represents all categories of school district, ESD, and community college employees, the interests of the membership are varied. OEA focuses its legislative objectives on areas of common interest to its members, ever mindful of the need to protect and advocate for students and education.

OEA’s public policy positions are based on five criteria:

- ensuring children’s health and safety by support of safe schools and healthy learning environments;
- strengthening public education through support of adequate and stable school funding;
- maximizing student learning by providing for professional development, classroom technology, and support of Oregon’s community college system;
- respecting school employees, including collective bargaining rights, ensuring an adequate retirement system, and involving educators in decision-making processes;
- maintaining a strong educator voice in public policy.

All legislative and electoral proposals must “measure up” to these criteria in order to be supported by the Association. On the following pages are the primary policy concerns of OEA as they relate to these criteria.

1. PROTECTING CHILDREN’S HEALTH & SAFETY

SPECIAL PROGRAMS:

BACKGROUND:

Many special education programs have become victims of the cost-cutting process or have been included in the regular school curriculum. The federal program requirement for students with disabilities is funded through IDEA funds at approximately 17% of total cost, despite original promises to underwrite 40% of this mandated service. The fastest-growing population of students in Oregon schools is the so-called “low-incidence, high-cost” students. Several recent legislative responses have been the creation of a high-cost disability fund for students whose educational expenses top $30,000 per child per year and the 2009 move to close the School for the Blind and return students to their home districts, with extra educational resources to aid districts with that transition.

English-language learners are another fast-growing segment of Oregon schools. In some districts, more than 80 different native languages are spoken in student homes. Oregon is one of the top 12 U.S. states for its percentage of public school students in ELL programs – more than 65,000 as of 2008.

OEA believes that maintenance of, and, in some situations, extension of programs serving students’ special needs is a top priority of the Association.

RECOMMENDATIONS:

1. Fully recognize special programs in the funding formula for distribution of funds in K-12 districts.

2. Fund early childhood education and Head Start to reflect the actual number of students eligible for the programs.

3. Ensure that the special needs of teachers, educational support personnel, and students at special institutions – including MacLaren, and Oregon State School for the Deaf be a continuing priority of the OEA.

4. Advocate for sufficient funding for all programs and service providers mandated at either the state or federal level.
5. Advocate for licensed medical professionals to be hired by districts to provide all regularly scheduled medical procedures.

COMBATING INSTITUTIONALIZED RACISM, DISCRIMINATION, AND OPPRESSION

BACKGROUND:

Racism, sexism, homophobia, ableism, heterosexism, and all other forms of oppression and discrimination are harmful to the health and safety of children. OEA is committed to dismantling these harms to our students, staff, and communities. Advancing social justice and equity in Oregon schools is one of OEA’s highest priorities.

Means to end these practices are varied and include coalescing with allies, pursuing legislative remedies, carefully monitoring executive agencies, using the collective bargaining process, engaging in litigation, and ensuring that our education system features high quality, culturally competent, and inclusive, intersectional representation. Recent legislative efforts have worked to curb and respond to bullying of students by their peers. Additionally, OEA has supported efforts to enhance the educational opportunities of Oregon’s increasingly diverse student populations with the successful push to add Ethnic Studies to the Social Studies Standards and to create and implement a Native American curriculum.

RECOMMENDATIONS:

1. Support development of non-discriminatory curriculum—curriculum offerings that present fair, accurate, and unbiased information about the characteristics and accomplishments of all underrepresented communities including the seven federally recognized classes, which are race, color, religion, differing ability, sexual orientation, gender identity, national origin, and age.

Additionally, curriculum should recognize the presence and influence of women throughout history and correct the marginalization of women and girls in the curriculum. Educate all students in full equality and opportunity, embracing underrepresented communities.

2. Support Oregon’s guidelines for eliminating discriminatory materials in textbooks. Also advocate for replacing textbooks or other teaching materials not consistent with such guidelines.

3. Support programs and services that will eliminate the opportunity gap for students of color.

4. Support policy that seeks to create a safe, affirming, and welcoming environment for LGBTQ+ students, staff, faculty and community members in our schools and in our communities.

5. Support efforts to ensure safe, fair, and free access to legal representation and proper state identification for all our immigrant students, families, and their community.

ENSURING SAFE AND PRODUCTIVE LEARNING ENVIRONMENTS

BACKGROUND:

Effective teaching and student learning can take place only in an environment free of physical danger and fear. Schools should be safe havens for both students and employees. The presence of chronically disruptive students, weapons, drugs, and gangs jeopardizes the quality of learning environments. OEA’s school safety legislation of 2008 and 2009 were enacted to ensure that staff are made aware of the presence of students who have been charged or adjudicated for commission of violent crimes. This confidential notice requirement is designed to enable staff to ensure the safety of the subject student, his or her peers, and the general school community.

RECOMMENDATIONS:

1. Increase the alternatives available to judges and probation officers who are responsible for supervising juvenile offenders.

2. Review the required steps prior to adjudication with an emphasis on taking into account the public’s need to be protected, as well as the due process rights of the juvenile.

3. Increase state financial support for providing a greater range of post-
4. Ensure that schools and school personnel who have responsibility for a minor involved in the juvenile justice system or other social service agency have access to court/agency records for official use.

5. Support a comprehensive approach to gun safety legislation that includes such proposals as a ban on the sale and interstate transportation of automatic and semi-automatic paramilitary assault weapons and high capacity magazines, as well as universal background checks on all firearm purchases.

6. Support legislation with the intent of protecting staff and students from classroom, campus/extracurricular, and duty assignment violence.

7. Support efforts to maintain safe and productive learning environments through improved behavioral management with additional mental health support, additional staffing, improved reporting, training, and clear rules. Pursue state laws and rules that ensure safe working conditions for all school personnel and give educators the tools they need to protect students and staff from bodily injury, bullying, and other threats to physical and mental well-being.

8. Support legislation to address classroom and student safety that requires speedy notification of all school district staff and subcontractors who interact with any given student who has been convicted of any violent or sexual crime. Notification should be by means of a confidential note of caution that includes the nature of the offense, followed by a list of observable behaviors that should be reported to the employees’ immediate supervisor.

9. Support school safety legislation directing districts to consider student behavioral interventions that balance the rights of the subject student with the rights of other students and staff when such incidents disrupt the educational process for all, when students present a clear danger of harm to themselves or others, or when students cause significant destruction of school and/or personal property.

**MISCELLANEOUS**

**RECOMMENDATIONS:**

1. Support funding for public assistance programs that aid low-income families.

2. Oppose any initiative petition or legislation that attempts to institute an English-only law in Oregon.

3. Support coalition efforts to eliminate exploitation of individuals under 21 years of age.

4. Oppose any legislation restricting services to undocumented residents. (OEA supports providing high-quality public educational opportunities for all students in Oregon.)

5. Advocate for other safety-related efforts to protect the school community from such phenomena as indoor air quality, schoolzone traffic dangers, and other health and safety concerns.

6. Advocate for legislation that would require employers to allow employees to use sick leave, vacation time, compensatory time, or other time for parent/guardian school involvement activities or caregiver responsibilities.

7. Support legislation that provides all employees paid leave for all family-leave purposes.

8. Advocate for state policies that positively impact students living in poverty, as well as for those whose lives have been touched by dysfunctions caused by drugs, alcohol, neglect, abuse, or housing and food insecurity. This includes programs that directly support students with educational barriers tied to economic status, such as summer learning initiatives, as well as indirect supports, such as hunger and housing programs for low-income Oregonians in need.
9. Support legislation to combat climate change and decrease the production of CO2 emissions.

10. Support improvements in school nurse staffing and funding.

11. Support an amendment to state law regarding pupil transportation. The amendment should state that a school district is required to provide transportation for elementary students who attend a Title I school and who reside more than .5 miles from school. The funding shall be the same for all school transportation, 70% - 90% depending on the district.

12. Oregon Education Association, in its role as a powerful voice for families and children, and in accordance with existing legislative objectives regarding poverty, will use its legislative influence to lift the preemption of local tools to support affordable housing, including rent stabilization.

13. Support statewide ban on no-cause evictions and support removal of statewide ban on rent control.

2. STRENGTHENING PUBLIC EDUCATION THROUGH STABLE & ADEQUATE FUNDING

SCHOOL FINANCE

BACKGROUND:

Since 1990, due to voter-passed property tax limitations, the major responsibility for funding Oregon’s schools has shifted from the local level to the state. The state’s share of funding for schools has increased markedly, from less than 30 percent in the early 1980s to approximately 67 percent in the 2017-2019 biennium.

The adjustments have not been made without problems, as the additional reliance on state funding has resulted in major changes in the distribution formula and has put K-12 education in competition with other vital services for funding. The funding formula, originally designed to provide equal per-student resources to all areas of the state, has been under siege by some legislators seeking to direct a larger share to their own districts or who see the formula as a means of rewarding or punishing districts. OEA and its education allies have systematically opposed all efforts to distort the formula for these ends.

Legislative attention to school funding has also resulted in the development of a system of determining optimal funding (the Quality Education Model), of “essential budget-level” or current-services funding, and of policy to aid districts with new sources of capital improvement resources. Meanwhile, unfunded educational policy mandates from both federal and state levels as well as ballot measure enactments put new cost pressures on public education – all without new resources to support them. In 2009, the Oregon Supreme Court found that the state had systematically failed in its constitutional obligation to fund schools adequately.

RECOMMENDATIONS:

1. Pursue legislative appropriations in an amount sufficient to allow full implementation of the Quality Education Model (QEM) and that accounts for the cost-of-living adjustments for all school districts and ESDs. OEA believes that the appropriations should meet this current service level calculation first (see #5, below), and then, as resources permit, add back programs/services/staffing lost in periods of budget reductions. Additional available resources should enhance budgets according to the Quality Education Model’s recommendations and the priorities established in these Legislative Objectives. Funding for public education should be sufficient to fully underwrite state and federal education mandates and goals, pursuant to Oregon’s Constitution Article VIII, Section 8. This includes maintenance of class sizes and caseloads appropriate to meet academic standards and student needs without fiscally undermining other school programs to achieve class-size goals.

2. Protect the distribution formula weighting components to ensure that they continue to reflect the number of students included in the following categories:
   a. students eligible for an English Language Learner (ELL) program—money received for these students must
be used for those students and criteria for what constitutes an adequate ELL program must be established;
b. students identified as neglected and/or delinquent;
c. students involved in special education programs;
d. students from economically deprived families.

3. Protect elements in the distribution formula that reflect teacher experience and necessary small schools (per ORS 327.013).

4. Maintain transportation as a priority in the distribution formula.

5. Pursue K-12 budgets that provide cost-of-living increases and additional funding to reflect enrollment increases as a top priority.

6. Support changes in the Oregon tax structure to make it fair to all taxpayers, provided that the result is adequate to fund the general positions contained therein.

7. Support legislation regarding corporate tax transparency, including complete reporting.

8. Support repeal or substantial modification of the 2 percent kicker.
   *Explanation:* At the conclusion of each Legislative Assembly, the state economists predict how much revenue may be anticipated from both personal and corporate income taxes. If the income from either source exceeds these projections by more than 2 percent, then the difference between projected and actual revenues was, for many years, refunded to the category of taxpayer (individual or corporate) whose taxes came in over projections. OEA worked to reserve corporate “kickers” for education, which voters approved in 2014, and in 2015, the personal kicker became a tax credit, rather than a refund. But because the kicker law was placed in Oregon’s Constitution in 2000, it is politically difficult to end it. Even when state resources are inadequate to fund vital programs, legislators are reluctant to suspend a credit in any given biennium in which it kicks, though the Constitution provides for the possibility with a two-thirds vote of each chamber.

9. Support funding of infrastructure and technology needs that are financed over and above the K-12 General Fund appropriation.

10. Support the ability of local school districts to raise revenues over and above an equitable state appropriation that has adequately met the needs of the district to provide a strong, basic education, reflecting all previously mentioned considerations with respect to enrollment growth, inflation, and special circumstances.
   *Explanation:* In 1999, the Legislature granted a local-option right to school districts, and in 2000, voters approved an OEA-backed initiative to help districts with lower property wealth succeed in passing such levies by offering a state match. Despite these efforts, poorly resourced areas of the state have had difficulty getting these proposals passed. In recent years, Oregon’s housing market crash narrowed the opportunity of districts in most areas to seek or collect significant revenues from local option levies.

11. Support regional service delivery to students served by education service districts (ESDs). If ESDs consolidate, merge, or change boundaries for any reason that results in the formation of new entities, OEA supports these transformations only if the impacts and results are favorable to staff, students, and educational quality and prioritize these considerations against demonstrated economic efficiencies and governance efficacy. In assessing any proposed ESD change, the following factors shall be considered:
   a. Impacts to students, including access to services, educational quality, and resource sufficiency.
   b. Impacts to employees, including travel time and distances, workplace hardships, isolation, and compensation.
   c. Overall cost implications in the short and long terms.
d. Transparency and accountability of new governance structure compared to that which it will replace.

12. Support repeal of all or part of Measure 5.

13. Support efforts to improve state budget efficiency by ending the “use it or lose it” rule for biennial expenditures. Agencies should be able to retain unused resources for one-time expenditures or for priority policy actions that were not adopted in the biennial base budget.

14. Advocate for increased funding for students in Juvenile Detention Education Programs (JDEP) to the same level as funding currently allocated for Youth Corrections Education Programs (YCEP).

15. Explore and advocate for a legislative fix to the constitutional amendment calling for adequate and equitable funding for public education.

MISCELLANEOUS

RECOMMENDATIONS:

1. Support legislation that requires public school districts to build K-12 schools within their own school district boundary. Exceptions should occur only with concurrence of the receiving district.

2. Support legislation to finance capital construction through such methods as school impact fees or systems development charges, which enable growth to pay for itself.

3. Support the passage of legislation to create a state bank.

4. Support a 28th Amendment to the U.S. Constitution asserting that corporations are not people and work with the “Move to Amend” Coalition to accomplish this. The goal would be to get the Oregon Legislature to support this amendment to the U.S. Constitution.

5. Pursue legislation to align public school kindergarten programs with licensed child care programs for five-year-olds with respect to staff-to-student ratios.

3. MAXIMIZING STUDENT LEARNING:

COMMUNITY COLLEGES

BACKGROUND:

The Legislature initially envisioned a comprehensive but unique role for community colleges. They were developed to provide comprehensive college transfer programs, professional-technical education, and adult continuing education offerings for the acquisition of new skills to keep pace with a changing economy. Priority was also placed on location – it was stated that facilities should be located within commuting distance of a substantial majority of students. Community colleges create access to higher education for all Oregonians, especially for non-traditional students.

OEA believes community colleges responded well to the original charges of the Legislature. In recent years, however, demands for expansion of lower-division offerings, extension of retraining opportunities for displaced workers, and the need for increased coordination of programs with elementary and secondary school districts (including education reform programs) have expanded their original mission.

Furthermore, as budget allocations have eroded in recent years, campuses have been forced to cancel class offerings, amass long waiting lists of prospective students, reduce staff, delay capital improvements, eliminate services, and raise tuition. These actions undermine the fundamental goal of widespread access to post-secondary education. New initiatives to tie community college funding to students’ achievement of degrees also may have lasting implications to the original mission of these institutions.

The community college governance landscape has changed markedly with the creation of the Higher Education Coordinating Commission (HECC) in 2011. Additionally, the passage of 2015’s “Oregon Promise,” a last-dollar funding model to pay community college tuition for more students, has the potential to expand access to higher education.

RECOMMENDATIONS:
1. Ensure that the appropriation for community colleges be sufficient to maintain existing programs including growth and additional programs mandated by the Legislative Assembly and to reduce the overuse and exploitation of part-time faculty and education support professionals. The state’s investment in post-secondary education must not come at the expense of part-time faculty or of education support professionals through the loss of benefits and wages.

2. Ensure that the distribution of community college funding be determined at the administrative level, following input from the involved community colleges.

3. Retain locally elected community college boards as the primary decision-makers for community college districts.

4. Ensure that discretionary funding sources be available for each community college.

5. Pursue state funding for capital expenditures.

6. Ensure that community college employees are appointed to all state and local post-secondary governing bodies with full voting rights so that education policy reflects their voices and views.

7. Curtail the practice of overusing part-time faculty at Oregon’s community colleges through innovative approaches that balance the needs of employees, students, and program integrity, with respect to staff compensation and student learning needs.

8. Ensure that state-adopted initiatives are faculty- and student-driven, involving the input of full-time faculty, part-time faculty, and education support professionals.

9. Ensure that legislation acknowledges the integral role that education support professionals play on community college campuses.

10. Ensure that a comprehensive community college includes development education as part of the core mission.

11. Maintain accessibility to community colleges by decreasing debt load and ensuring an affordable pathway to a higher education for all who choose higher education.

12. Ensure transparency in developing budgets at the state and local levels.

13. Ensure that any financial aid program or legislation related to tuition rates prioritize access for low-income and middle-class students.

14. Advocate for community colleges’ ability to hire an adequate number of counselors, full-time faculty, and other staff to support student success.

EDUCATION REFORM

BACKGROUND:
Public education in Oregon has undergone massive changes since the 1991 passage of the Education Reform Act of the Twenty-first Century and because of subsequent changes resulting from 1995 legislation. Other legislation relating to governance, testing, early childhood education, school district reorganization, charter schools, and virtual schools is also having an impact. OEA is supportive of teacher-led education transformation; however, most members believe that caution must be exercised in making changes to be certain that they will actually be advantageous to the involved students. The 2015 passage of The Every Student Succeeds Act (ESSA), which reauthorizes the Elementary and Secondary Education Act (ESEA), has created many opportunities in education policy (especially with respect to Common Core and testing), but it will require great vigilance. Increased flexibility for states will mean that educators’ involvement in state-level policymaking is more important than ever in order to ensure that Oregon continues to move forward on an assessment system that works and on curriculum policy that makes sense. OEA is working to ensure that educators have the flexibility they need to return the love of learning to Oregon’s classrooms.

RECOMMENDATIONS:
1. Education reform and performance requirements must reflect development of students and measurement of learning gains, and not just reporting of students’ success or failure in meeting absolute standards.

2. Ensure that appropriate funding is provided for school-site councils and that a majority of members of each council are teachers.

3. Ensure that educational support personnel of school districts be represented on site councils.

4. Academic testing programs should be monitored and emphasis should be placed on making the results usable by teachers, rather than as informational pieces for the general public. Additionally, testing should originate from teachers instead of from the for-profit testing industry.

5. Ensure that funds be provided for staff training in order to implement various components of education reform.

6. All affected school employees should be involved in determining the kind of training that is necessary in order to implement education reform programs.

7. Ensure that new programs promote challenging and age-appropriate learning standards.

8. Develop legislation to repeal current charter school statutes unless legislation is passed that protects public (non-charter) schools and public school employees by addressing all of the protections (“a” through “t”) listed below:
   a. all licensed and ESP staff are covered by the current collective bargaining agreement between the local association and the district;
   b. there is no negative impact on the regular public school programs;
   c. there is no diversion of current funds from public schools;
   d. the local association names at least one member of each Charter School Implementation Committee;
   e. licensed and ESP staff and student are placed only by voluntary assignment;
   f. placement of licensed staff will be in accordance with existing voluntary transfer and vacancy policies;
   g. licensed and ESP staff who self-identify as being incompatible with charter school philosophy will be placed in a non-charter school;
   h. no licensed or ESP positions will be contracted out unless they are normally contracted out by regular district schools;
   i. implementation funds will not be used to purchase additional licensed FTE;
   j. all affected school employees may be directly involved in the charter school’s design, implementation, and governance;
   k. all teachers and specialists are properly licensed by TSPC and assigned in their licensure area;
   l. appropriate procedures for assessment and evaluation of the charter school occur at pre-established periods within the term of the charter;
   m. nondiscrimination and equal education opportunities are ensured;
   n. adequate safeguards exist to ensure academic and fiscal accountability;
   o. equitable procedures are followed relating to student admission and retention;
   p. all programs and/or school evaluations and reports related to all district charter schools that are provided to the district Board of Directors are also provided to the local association;
   q. all “in district” charter schools will be subject to the same state standards and laws as the regular district schools;
   r. all site administrators assigned to “in district” charter schools will be properly licensed by TSPC;
   s. procedures for terminating the charter in the event of non-performance are clearly established; and
   t. all appropriate conditions and terms included in the current district Board policy and any subsequently developed charter school board policies are followed.

Charter school legislation, including current charter school law, that does not address all of the issues listed above, will not be supported by OEA.
In the event the Charter School Oregon Revised Statute (ORS Chapter 338) is not repealed, OEA will propose and support revision of charter school legislation that reinstates a 10 percent limit on the total number of students who may participate in public charter schools in any one district.

9. Develop and promote legislation that prohibits creating “out of district” public charter schools in districts that have declining enrollment.

10. Develop and promote legislation that prohibits renewing “out of district” public charter schools in districts that have declining enrollment.

11. Public school choice programs must meet the following criteria:
   a. the purpose and intended outcomes are stated at the outset;
   b. the plan is designed primarily to improve the quality of instructional and educational programs in the public schools;
   c. the plan promotes equal educational opportunity for all students;
   d. the plan is legal and in full compliance with court decisions and with federal, state, and local mandates;
   e. the plan provides adequate resources to ensure high-quality education for every student;
   f. the plan strengthens decentralization and local control as well as public accountability over the schools;
   g. the plan in no way leads to privatization of the public schools;
   h. the plan is consistent with and utilizes collective bargaining procedures between school personnel and school governance, and safeguards education employee transfer and other contractual rights;
   i. the plan not impose additional administrative burdens;
   j. the plan strengthens collaborative and cooperative efforts within and among schools;
   k. the plan is based on the needs of students, parents, school staff, and the community at large;
   l. the plan spells out the roles and responsibilities of government officials, parents, educators, and the community in the development, implementation, and evaluation of any program.

12. Support efforts in the Legislature to amend the Education Act for the 21st Century to require the development of content standards and student performance goals for physical education and health education.

13. Support legislation that would make available sustained funding beyond the K-12 appropriation to school districts choosing to implement peer assistance and/or mentoring programs as a professional development strategy to help teachers help other teachers.

14. Support full-day kindergarten for every five-year-old child, treating full-time kindergarteners the same as other full-time students in the state funding formula.

15. Support legislation extending mandatory school attendance to age 18 or until a high school diploma is achieved.

16. Promote a moratorium of The Smarter Balanced Statewide Assessment. Continue to develop and improve a statewide system of assessment that is educator-led, provides timely information and feedback to educators and students, and minimizes lost instruction time.

17. Urge elected officials to familiarize themselves with all statewide assessments and take a sample test.

18. Ensure that dual credit and concurrent credit programs are of high quality, properly funded, and adhere to the following principles:
   a. Voluntary participation by high schools, high school teachers, high school students, and college faculty;
   b. “College- or workplace-ready” high school students have affordable access to high-quality college coursework;
   c. Guarantee the validity and transferability of college credits earned through dual credit by adherence to
recognized standards such as those developed by the National Association of Concurrent Educational Partnerships (NACEP);

d. Have consistent criteria regarding class size, faculty, course outcomes, syllabi aligned to college courses, prep time, and assignments on the college campus and at the high school;

e. Include consistent student support services, available on the college campus and at the high school, including access to college library resources, a writing center, tutoring (online or face-to-face), laboratory equipment, textbooks, and technology;

f. Provide college academic advising for high school students to ensure appropriate academic choices;

g. Assure dual credit high school teachers have access to mentoring on college curriculum and standards; and

h. Provide ongoing collaboration between high school teachers and college faculty.

MISCELLANEOUS

RECOMMENDATIONS:

1. Ensure that state funding for computers and educator-supported technology, including upgrades and maintenance, be provided in the K-12 budget.

2. Ensure that the association support virtual schools and online education only to the extent that educational standards, staffing ratios, and professional staff criteria of traditional public schools are met, and that the proliferation of online programs does not impair public school district finances nor promote or fund private vendor “education management” operations.

3. Advocate for free speech rights for students in public schools as well as for employment protection for educators and student media advisers.

4. Support legislation to develop curriculum related to the Native American experience in Oregon, to provide professional development related to curriculum, and request that school districts implement the curriculum.

5. Oppose the institution of school vouchers and similar privatization schemes, such as tuition tax credits and education savings accounts.

RESPECTING THE RIGHTS OF SCHOOL EMPLOYEES

COLLECTIVE BARGAINING

BACKGROUND:

The Oregon Education Association has long recognized collective bargaining as the most effective process for maintaining good employee-employer relations. The Oregon Public Employee Collective Bargaining Act, which passed in 1973, has worked well and is credited as being the most significant contributor to the relative labor peace that has existed in Oregon over the past four decades.

In spite of the outstanding record of the statute, there are continued attempts to modify the scope of coverage and the procedures for bargaining, with the objective of tipping the statutory balance in favor of management. Working Oregonians face renewed threats to their collective bargaining rights with perennial ballot initiatives. OEA will have to work harder to maintain the organization’s voice for Oregon students and their families should these attacks be successful. Collective bargaining has, especially prior to changes made in the mid-1990s, worked well in Oregon. It is a demonstrated procedure for resolving the problems of labor relations in the most orderly manner possible. OEA holds the following principles of bargaining to be among the most important advocated by the Association.

RECOMMENDATIONS:

1. Ensure that the scope of bargaining be sufficient to include employment concerns and problems of both employees and employers. All items relating to wages, hours, terms, and conditions of employment should be included.

2. Support a change to the Oregon Public Employee Collective Bargaining Act (PECBA) to make class-size ratios a mandatory subject of collective bargaining in education districts.
3. Ensure that employee be allowed to determine their own units as long as they can demonstrate a common interest.

4. Ensure that support groups such as the Employment Relations Board and the Mediation and Conciliation Service be properly funded so that they may maintain reasonable service levels.

5. Maintain the employee right to strike or to impose other sanctions during periods of disagreement.

6. Maintain the practice of recognizing that employee organizations are the most effective entities for serving employee needs and representing them in the bargaining process. Protect the right to implement fair share or other union security agreements.

7. Ensure that the general philosophy of bargaining in the state is to establish a balanced process between employees and employers.

8. Ensure that the authority to bargain employment contracts remain at the local and bargaining council levels.

9. Support an amendment to the Oregon Revised Statutes to enable part-time, adjunct, and other education employees who would not otherwise be eligible for unemployment benefits to receive them.

10. Oppose the enactment of any statewide policy with the intent of allowing or directing school districts, education service districts, or community college districts to establish compensation programs for educational employees that eliminate the consideration of years of service or that replace seniority with a merit-based pay scale.

11. Ensure that school employee salaries and other compensation are adequate and competitive with other professions. Salaries need to reflect the amount of time worked per day and days worked per year and the experience of the school employee, and are not to be based on performance pay schedules, such as merit pay.

12. Support legislation to ensure that adjunct community college faculty receive a paid health insurance benefit in proportion to their total time worked per term.

PUBLIC EMPLOYEES RETIREMENT SYSTEM

BACKGROUND:

Establishing and maintaining an excellent retirement program has long been a top priority of the Oregon Education Association. A defined-benefit retirement system was first enacted during the 1967 Legislature, and it has gradually improved through the years into the Public Employees Retirement System (PERS) in place through 2003. The PERS system enjoyed good public support until 1989. At that time, the U.S. Supreme Court ruled that tax policy on benefits earned by federal retirees must be the same as that imposed on state and local government employees. This decision was prompted by the fact that, at the time, federal retirement income was subject to state income tax, but state and local retirement income was not. The Legislature made several attempts to correct the situation.

Attacks on the basic system began in 1994, when benefits were reduced by an initiative on the ballot. The measure was subsequently found unconstitutional by the courts. PERS remained a target of anti-public employee forces who, in the 1995 Legislative Assembly, enacted a reduced tier of benefits for new employees (Tier 2). In each subsequent legislative session - with a few exceptions - changes to PERS were contemplated that would have had a negative impact on public employees. OEA, with the help of labor coalition partners, was able to defeat most proposals until 2003.

After an intense election cycle with heightened political debate around the cost of PERS to employers and taxpayers, the 2003 Legislature approved a reduction in benefits for Tier 1 and Tier 2 PERS members and created the Oregon Public Service Retirement Plan (OPSRP) to provide retirement benefits for all employees hired on or after August 28, 2003. The Oregon
Supreme Court overturned the most egregious changes, including legislation that would have frozen earnings on Tier 1 member accounts and frozen the cost of living adjustments for retirees. Changes that were maintained include diverting the six percent employee contribution into an individual account outside of PERS; disallowing further contributions into the variable fund (slowing the use of money match as a retirement calculation); and updating the mortality tables used to calculate retirement benefits.

The Oregon Public Service Retirement Plan (OPSRP) is a hybrid plan providing a defined benefit for the life of the employee, paid by employers, and a defined contribution funded by employee contributions. Normal retirement age is higher (age 65 or age 58 with 30 years of service) and the defined-benefit formula is not as generous as PERS. In the initial legislation, part-time school employees were disadvantaged because their service-credit time was prorated. This made it virtually impossible to achieve certain benefits such as retirement at age 58 with 30 years of service or disability with 10 years of service. OEA was successful in 2005 in changing the OPSRP plan to allow part-time school employees to receive benefits based on actual years served.

In the 2013 Legislature, additional changes were made to PERS, capping the cost of living adjustment (COLA) increase for retirees and ending the out-of-state tax remedy for PERS retirees living beyond Oregon’s borders. In response to a court challenge from OEA and partner labor groups, the Oregon Supreme Court deemed the bulk of these changes unconstitutional. In the wake of the court case, the business elite and other opponents of defined-benefit retirement plans have and will continue to ramp up their attacks on the benefits earned by teachers, firefighters, nurses, and other public servants.

In the 2017 session, several policymakers responded to the Oregon Supreme Court ruling by introducing legislation that included a number of extreme attacks on PERS. These included moving workers into a 401-k style, defined contribution plan; requiring PERS members to pay for their own retirement, regardless of local contract language; and capping benefits. This legislation was introduced again in subsequent sessions.

At the same time, OEA has successfully defended benefits and has improved retirement options for members. OEA led the charge in passing a member choice bill to allow more options for member investments in the IAP accounts. Expansions to spousal benefits have also been enacted with the support of public sector labor advocates.

**RECOMMENDATIONS:**

1. Recognize that a defined-benefit approach is the most effective method of establishing a high-quality retirement system, in both the public and private sectors.

2. Ensure that Oregon’s retirement system provide a benefit level that will allow retirement with dignity after 30 years of service.

3. Ensure that retirement with less than 30 years of service be available in special situations.

4. Include adequate procedures and benefits to accommodate the problems of injured and disabled workers in Oregon’s retirement system.

5. Include cost-of-living increases in Oregon’s retirement system.

6. Ensure that increased funding for a supplemental medical program be available to retired employees.

7. Oppose any legislation that will jeopardize the integrity of PERS and OPSRP.

8. Support ad hoc retirement benefit increases for all retirees whose PERS retirement income has decreased below an 85 percent COLA level equivalency.

9. Ensure that actuarial and investment policies produce sound financing.

10. Ensure that assets of the retirement system be used for the sole benefit of the beneficiaries of the system.
11. Advocate for a benefit that will maintain real replacement income levels of at least 75 percent of the highest single year’s rate of salary after 30 years of service (and at least 50 percent after 20 years of creditable service), not including Social Security benefits.

12. Ensure that provisions be in place that permit the purchase of credit earned while a member of another retirement system.

13. Ensure that provisions be in place that permit the purchase of credit for sabbatical leaves, maternity/paternity/adoption leaves, and any other approved leaves of absence.

14. Make certain that retirement credit for unused sick leave is available.

15. All compensation, including extra-duty pay, should be included in computing retirement benefits.

16. Pre-retirement counseling should be available to all covered members.

17. Ensure that a current annual financial statement is distributed to all members.

18. Ensure that all retirement benefits for spouses be equally available for domestic partners.

19. Ensure that benefit formulas provide full-year credit for each school year worked and provide that credit regardless of the number of hours worked per day.

20. Support PERS agency funding, including a sound budget that enables the agency to upgrade technology to support member records maintenance.

21. Work to ensure that PERS retiree health insurance benefits are available for all retirees.

**LICENSURE**

**BACKGROUND:**

Licensure has long been recognized as the best method for guaranteeing that only qualified individuals will be involved in the professional functions relating to education, and that children will be protected from unfair treatment and abuse.

In Oregon, the Teacher Standards and Practices Commission (TSPC) has responsibility for determination of certification standards, approval of training programs for teachers and other educational professionals, reviewing complaints against teachers and determining penalties, and administering a comprehensive and efficient certification program. The Commission took over the responsibility from the State Board of Education in 1973 and is lauded as one of the few autonomous certification boards in the country. TSPC’s composition includes representatives of all educator groups. Attacks on teacher involvement in the system have surfaced in recent legislative sessions.

**RECOMMENDATIONS:**

1. Support the authority of TSPC as the licensing board of all K-12 education professionals in the state, assuming the structure of the commission remains the same and that it remains a body independent of the State Board of Education.

2. That TSPC support educator candidate licensure that is free from cultural, linguistic, and socio-economic bias. Starting with eliminating EDTPA and any licensure requirement that inappropriately or unfairly assesses/judges teacher candidates; especially those who are placed in non-traditional classroom/settings.

3. Advocate that either the State of Oregon or the local school districts fund those training requirements for teachers that are imposed after full licensure has been achieved. In the absence of such funding, licenses should be renewed upon demonstration of satisfactory experience and completion of requisite continuing professional development requirements.
4. Ensure that all individuals working in an unsupervised manner with students (per TSPC rule) be required to hold either a Department of Education certificate of authorization or TSPC license.

5. Support TSPC funding, including a sound budget and fee authorization proposals designed to implement association-supported reforms

**FAIR DISMISSAL**

**BACKGROUND:**

Protection of school employees from arbitrary and capricious dismissal has long been a priority of the Oregon Education Association. OEA believes that every employee whose performance is in question is entitled to a reasonable dismissal procedure, and that these dismissal standards should be clearly delineated. Current law provides that during the probationary period (first three years of employment), a teacher may be dismissed for any cause deemed sufficient by the school district board. In some instances, additional procedures are provided through the bargaining process at the local level. After this probationary period, a teacher who is threatened with dismissal may appeal his or her case according to the Fair Dismissal law as modified by the 1997 Legislative Assembly or may submit the dispute to binding arbitration.

**RECOMMENDATIONS:**

1. Support stronger statutory dismissal procedures for educational support personnel.

**MISCELLANEOUS**

**RECOMMENDATIONS:**

1. Support legislation guaranteeing that equality of rights under the law shall not be denied or abridged by the state based on sexual orientation/gender identity.

2. Pursue the establishment of a statewide insurance pool for school employees that includes an opt-out provision and that does not force reductions in health-care benefits.

3. Support legislation establishing a private right of action against public officials who
   i. knowingly fail to implement government policy.

4. Allow teachers and education support professionals to be listed on substitute lists without disqualifying them for unemployment benefits.

5. Support legislation amending ORS 244.040 to allow school board members to vote on all issues after stating conflicts of interest.

6. Support professional growth and evaluation systems for education employees that are collaboratively developed by the school district, community college district, or other education entity, and the exclusive bargaining representative of the teachers, faculty, and school employees employed by the entity.
   i. Standardized test scores should not be used to support evaluate or support employment action against an educator.
   ii. Professional growth and evaluation systems for education employees should be collaborative, fair, and equitable.

7. The Legislature should consider these facts prior to the time legislation affecting an educational practice is considered on the floor:
   a. research to support the practice;
   b. evidence to indicate that an amended practice would be manageable by educational support personnel, teachers, parents, and/or students;
   c. estimated cost of the implementation to the state and also to school districts and ESDs. This analysis should include the identification of a source of revenue to cover the fiscal impact.

8. Support the elimination of duplicate background checks of prospective school employees in any single calendar year in which they apply to multiple districts. Enable all school districts and education
service districts to access the candidate’s background check results in a centralized location.

9. Amend current law regarding harassment of education employees to include bullying,
   i. menacing, and intimidation as actions creating or expanding the definition of hostile work
   ii. environment, and as conditions to be included as mandatory subjects of bargaining.

10. Support the wearing of religious dress by teachers in Oregon’s public schools.

11. Support the development of a state health care policy designed to provide
    i. affordable, quality, comprehensive health care to all Oregonians.

GOVERNANCE OF EDUCATION

BACKGROUND:
Funding has shifted from the local level to the state, and many in state government are advocating for increases in the state’s decision-making authority. The State Board of Education has imposed additional restrictions and increased testing requirements on local school districts. The Oregon Department of Education is also assuming a greater role in evaluating districts. Because of decentralization and the assumption of greater power by the state, local school boards’ authority and responsibility has been diminished. In 2011, the Oregon Legislature changed the position of Superintendent of Public Instruction from an independent elected office to an appointed deputy, answerable to the governor, who serves a dual role as superintendent and governor.

RECOMMENDATIONS:

1. OEA shall recognize local district boards as the major decision-making bodies of local school districts in the state. OEA opposes legislative interference in local school district decision-making that is based on a rationale that state government’s power to allocate citizen tax revenues justifies the intrusion.

2. State entities that have responsibility for determining or evaluating education policies must have teacher representation.

3. OEA should have the legislative goal that state governing boards be composed of at least 30 percent non-administrative educators, including ESPs, employed by a public school district or Oregon community college.

4. Revise Oregon’s 40-40-20 statute to reflect more student-centered objectives and a more supportive, comprehensive educational experience for every student.

5. Support the re-establishment of an elected Superintendent of Public Instruction.

6. Support legislation requiring school districts to provide leave time for education employees serving state agency or board appointments.

CAMPAIGNS AND ELECTIONS

RECOMMENDATIONS:

1. Oppose legislation and other initiatives that would dilute OEA members’ and OEA-PAC’s ability to actively participate in the electoral process, such as an open primary system or fusion voting.

2. Support legislation that would eliminate fraud and forgery in the initiative process.

3. Support legislation that limits the role of corporate money in campaigns and elections.
CODE OF ETHICS
OF THE EDUCATION PROFESSION

Adopted at the 1975 NEA Representative Assembly.
Revised at 2010 NEA Representative Assembly
(addition of 1st paragraph of Preamble).

PREAMBLE

The National Education Association believes that the education profession consists of one education workforce serving the needs of all students and that the term ‘educator’ includes education support professionals.

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one’s colleagues, of students, of parents and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive, and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

PRINCIPLE I
Commitment to the Student

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator --

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
   a. Exclude any student from participation in any program
   b. Deny benefits to any student
   c. Grant any advantage to any student.
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

PRINCIPAL II
Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.
In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.

2. Shall not misrepresent his/her professional qualifications.

3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.

5. Shall not assist a non-educator in the unauthorized practice of teaching.

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

7. Shall not knowingly make false or malicious statements about a colleague.

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.
I. POLICY OF NONDISCRIMINATION

The Oregon Education Association does not discriminate against any qualified employee or applicant for employment, retention on the job, or promotion because of race, color, religion, national origin, sex, age, sexual orientation, disability, marital status, political affiliation, or residence.

II. AFFIRMATIVE ACTION PLAN PURPOSES

A. To insure that recruiting and selection provides an equal opportunity to staff and prospective employees.

B. To increase, through appropriate hiring practices the number of qualified persons from under-represented groups, as identified in the Affirmative Action Goals.

C. To provide for an orderly recruitment and selection process.

D. To insure that communication policy serves the requirements and needs of the Plan by informing staff and potential applicants of employment opportunities.

E. To establish responsibility with the Association management and the OEA Executive Director for the policy's implementation.

F. To provide that an OEA Board Committee review biennially the progress in achieving the Plan's goals.

III. GOALS

A. To achieve parity in staff employment for groups identified in the Affirmative Action Goals while recognizing the Association's responsibility to honor staff contracts.

B. It is the goal of the OEA that when criteria for a position have been met by more than one person, preference shall be given to applicants who qualify under the Affirmative Action Goals until such time as the goals are attained.

IV. RECRUITMENT AND SELECTION

A. Management will apply the recruitment and selection procedures from the Affirmative Action Plan when a vacancy exists for any permanent or temporary position that will have a duration of twelve months or more.

B. Management will seek Oregon candidates through internal postings, internal and external publications and aggressive recruitment.

C. Failing to find qualified Oregon candidates, regional or national postings of all positions will follow.

D. Every effort will be made to enlarge the pool of candidates by maintaining a prospective applicants’ file established from previous interviews, private inquiry, the cadre and intern programs, referrals and other similar sources.

E. Selection interviews by UniServ councils will be preceded by an orientation in this policy and proper interviewing considerations and techniques. An interview handbook is provided.

F. Review all job descriptions carefully to seek out and eliminate requirements that are not essential or job-related, to reduce any inflated educational requirements, and any discriminatory physical, social or language requirements that are unrealistic statements of job qualifications.

G. Assure that any employment test be solely job related, relevant only to the duties performed by employees in like assignments, the level of difficulty at which the duties are performed, the circumstances and conditions under which the duties are performed, and those duties which are critical.

H. As part of our goal to maintain a diverse workforce, OEA will continue to assure employment opportunities for disabled persons who can perform the essential functions of the job with reasonable accommodation.
V. TRAINING
A. OEA may offer training programs for cadre for the purpose of increasing the pool of potential under-represented candidates for Association positions.
B. An intern program may be established or continued by the OEA Board of Directors consistent with its budgetary limits for the purpose of increasing the pool of potential candidates for Association positions.
C. Diversity sensitivity training should be offered to OEA staff.

VI. COMMUNICATIONS
A. The Association shall publicize this policy to staff, members, and employment sources.
B. All applicable employment publications will contain a statement referring to OEA as an equal opportunity employer.
C. Posting of vacancies shall be made through publications to the leadership and staff, and to membership whenever possible.

VII. PROGRAM REVIEW
A. The Association's Executive Director shall be designated the Affirmative Action Officer and shall implement this Plan.
B. The OEA Executive Director shall report annually to the Board of Directors through a statistical report of the program's status.
C. Recruitment efforts regarding each new hire shall be reported to the Board of Directors. Reports to the Board shall include information regarding:
   1. Recruiting - selection
   2. Training - intern
   3. Communicating policy
   4. Compiling data

AFFIRMATIVE ACTION GOALS

I. INTRODUCTION
The following goals should not be construed as quotas which should be met, but as reasonable aspirations in creating a diverse workforce. In making employment decisions under this Affirmative Action Plan, OEA shall consider the candidates' education, training, experience, recommendations, familiarity with the Association, and other criteria outlined in the job description.

II. GOALS FOR WOMEN/MEN
A. Statement of Goals
1. MANAGEMENT STAFF: 40-50% WOMEN.
2. PROFESSIONAL STAFF: 40-50% WOMEN.
3. CONFIDENTIAL/SUPERVISORY STAFF: 40-50% WOMEN
4. ASSOCIATE STAFF: 40-50% WOMEN
5. THE OEA BOARD EXPRESSES ITS CONTINUED INTEREST IN THE OEA CHOICE TRUST HAVING A DIVERSE WORKFORCE.

B. Explanation of Goals for Women/Men
1. The above categories appear to be the areas where under-represented men or women are desirous of entry into a particular level of work.
2. Other categories operate under OEA Nondiscrimination Policy.

III. GOALS FOR ETHNIC MINORITIES
A. Statement of Goals
1. MANAGEMENT STAFF: 5-15% MINORITY.
2. PROFESSIONAL STAFF: 5-15% MINORITY.
3. CONFIDENTIAL/SUPERVISORY STAFF: 5-15% MINORITY.
4. ASSOCIATE STAFF: 5-15% MINORITY.

5. THE OEA BOARD EXPRESSES ITS CONTINUED INTEREST IN THE OEA CHOICE TRUST HAVING A DIVERSE WORKFORCE.

B. **Explanation of the Goals**

- The percentage range of goals, adopted by the OEA Board in March 1996, takes into consideration factors such as Oregon’s population census, skilled and available workforce, and OEA’s aspiration to have a diverse workforce.

- The OEA Board of Directors expresses its continued interest in the OEA CHOICE Trust having a diverse workforce.

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As of September 11, 2019
Elected Economic and Insurance Benefits
D Criminal Charges, Policy Statement.
Corporate Relationships
Conference Subsidy for Statewide Conferences
Code of Ethics
Choice Trust.
Charter of Affiliation
Campaigning
Cadre Assistance
Cabinets/Committees/Task Forces
Bylaws Amendments
Affirmative Action Policy and Goals
Affirmative Action for Employees
Affiliation of Local Associations
Affiliates (Non-Governance)
Association Services, Eligibility
Association Titles, Use of
Associations & UniServ Councils
Board of Directors
Allocating Directors
At-Large Directors (Proportional)
Duties
Elected Officers & Directors
Ethnic Minority Director
Executive Committee
Liaisons
Nomination Deadlines
OEA-PAC Board Member
Position on Issues
Budget Committee
Bylaws Amendments
Bylaws/Policies Committee
Cabinets
Cabinets/Committees/Task Forces
Bylaws/Policies
Credentials
Ethnic Minority Affairs
Human & Civil Rights
Resolutions
Terms of Office
Cadre Assistance
Campaigning
Charter of Affiliation
Choice Trust
Code of Ethics
Collective Bargaining
Committee Guidelines
Conference Subsidy for Statewide Conferences
Core Values
Corporate Relationships
Criminal Charges, Policy Statement
Definition of Terms
Disaffiliation of Local Association
Dues
Education Reform
Economic and Insurance Benefits
Elected Officers
Elections and Campaigning
Credentials Committee
Directors & Officers
Districts & Regions
Dues Money for Elections
Education Support Personnel Director
Ethnic Minority Director
NEA Director Election Procedures
NEA State Delegate
Ethnic Minority Affairs Committee
Ethnic Minority Definition
Executive Committee
Executive Director
Fair Share
Fair Share Rebate Procedure
General Meetings of the Association
General Regulations
Attendance at Meetings
Dual Roles
Goals
Grievance (Processing & Training)
Human & Civil Rights Committee
Interim Policy
Judicial Panel and Review Boards
Appointment of Judicial Panel
Procedures for Action Against a Member
Procedures-Review of Challenged Actions
Training of Panel Members
Legal Assistance Guidelines
Legal Assistance to Bargaining Units
Legal Defense
Legal Defense Program Committee
Legislative Objectives
Collective Bargaining
Community Colleges
Discriminatory Practices
Education Reform
Fair Dismissal
Governance of Education
Licensure
Miscellaneous Provisions
Preamble
Protecting Children’s Health & Safety
Public Employees Retirement System
Respecting the Rights of School Employees
School Finance Recommendations
Special Programs
Strengthening Public Education Through Stable & Adequate Funding
Student Violence & Gang Activity
Local Association Affiliation
Local Association Disaffiliation
Local Association Requirements
Meetings of the Association
Membership
Membership Lists, Use of
Membership Year
Merger With Other Organizations
Minority Affairs Committee (See Ethnic) .......... (P) 11
Mission ............................................................................................................ front of Hndbk

NEA Committees ......................................................... (P) 14
Guidelines for Oregon’s NEA Resolutions
Committee Members & Alternates ............(P) 14
OEA Members on NEA Committees ..........(P) 14
NEA RA Delegates .................................................. (B) 7, 11, (P) 13
New Business ................................................................. (P) 49
Nominations for: President, Vice President, Regional
Vice Presidents, Board Dirs., ESP Dir., Ethnic
Minority Dir., NEA Directors and NEA
RA State Delegates .................................................. (B) 6-7

OEA Cabinets & Legislative Advisory Council
Attendance at Meetings .............................................. (P) 3
Cabinet Roles and Responsibilities ............... (P) 9
Chairpersons’ Responsibilities ..................... (P) 10
Legislative Advisory Council ..................... (B) 14, (P) 9
Structure ................................................................. (P) 9
Vice Chairpersons’ Responsibilities .......... (P) 10
OEA-PAC Constitution & Bylaws ................. (S) 7, 9
OEA-Retired Members on Committees .......... (B) 14
Officers of OEA .......................................................... (B) 5, (P) 5
NEA Director’s Role Statement ...................(B) 6
Nominations ......................................................... (B) 6
President’s Role Statement ......................... (P) 5
Vice President’s Role Statement ..................(P) 6
Regional Vice Presidents’ Role Stmts ........... (P) 6
Organizational Name, Use of ...................... (P) 3

PAC Bylaws ............................................................. (S) 9
PAC Constitution ..................................................... (S) 7
Policy Development ................................................. (P) 1
Political Activities Rebate Procedures .......... (P) 42
Printing Services ....................................................... (P) 33
Program Funding ...................................................... (P) 33
Proportional Representation ....................... (B) 10
Publications ............................................................ (B) 16

Recall ................................................................. (B) 12
Regions ................................................................. (B) 8
Reimbursement for Statewide Conferences ......(P) 33
Relief Fund .............................................................. (B) 15 (P) 45
Appeal from an FAC Decision .................... (P) 48
Benefits ................................................................. (P) 47
Committee ........................................................... (P) 3, 45
Eligibility for Benefits ................................. (P) 47
Emergency Transfer of Dollars ................ (P) 46
Reports ................................................................. (B) 15 (P) 47
Situations for Which Expenditures May Be
Authorized ............................................................ (P) 45
Term of Office for Committee Members .......(P) 45
Representative Assembly ......................... (B) 4, (P) 2, 4
Delegate Allocation ......................................... (B) 4, (P) 4
Delegates .............................................................. (P) 4
Reimbursement .................................................... (P) 5
Special Sessions .................................................... (P) 4
Standing Rules ...................................................... (S) 3
Resolutions Committee ......................... (P) 10
Resolutions of the OEA Representative
Assembly ............................................................ (R) 1
Rules of Order ........................................................ (B) 17

School Closures .................................................... (P) 33
School Funding ....................................................... (R) 1
Special Interest Caucus ................................. (P) 4 & 49
Standing Rules ...................................................... (S) 3
Statewide Meeting Sites ............................... (P) 34
Strikes, Strikebreakers, Strike Assistance ...... (P) 28

Student OEA ........................................................... (B) 3, (P) 33
Task Forces/Committees ............................ (P) 2 & 10
Teacher Standards & Practices Commission ... (P) 31
Terminology, Summary of ............................ (P) 2
Terms of Office
Cabinets/Committees/Task Forces .............. (P) 10
Board Directors ..................................................... (B) 9
Credentialed Committee ............................. (B) 9
Judicial Panel ....................................................... (B) 14
Legal Defense Program ............................. (B) 15
Legislative Advisory Council ...................(B) 14
NEA Director ........................................................ (B) 6, (P) 13
PAC Board of Directors ............................. (S) 11
President .............................................................. (B) 6, 9
Regional Vice Presidents ......................... (B) 6, 9
Relief Fund Committee ............................... (P) 45
State NEA Representative Assembly
Delegates ............................................................ (B) 10
Vice President ..................................................... (B) 6, 9
Trust, Choice ......................................................... (P) 3

UniServ .......................................................... (B) 16, (P) 34
Administrative Rules .............................................. (P) 35
Expenses ............................................................... (P) 36
Program Support Resources ....................... (P) 35
UniServ Consultant Responsibilities ............... (P) 36
Employment Procedures ............................. (P) 37
Use of Association Titles ................................. (P) 4
Use of Membership Lists ............................... (P) 4
Use of Organizational Name ........................ (P) 3

Vacancies:
Governance: President, Vice President,
Regional Vice Presidents, NEA Director,
ESP Director, Ethnic Minority Director,
Board Directors, NEA RA State Delegates, &
At-Large (Proportional) Directors .......... (B) 10-11
Relief Fund ....................................................... (P) 46
Vacancy Due to Change in Membership or
Geographic Location ......................... (P) 3
Vision ................................................................. front of Hndbk

Weighted Voting, Officers & Directors .......... (B) 13, (P) 8

Legend:
(B) (Bylaws ~ White paper)
(P) (Policies ~ Yellow paper)
(R) (Resolutions ~ Tan paper)
(S) (Supplementary Docs ~ Salmon Paper)